



# General Assembly

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## Human Rights Council

### Forty-sixth session

22 February–19 March 2021

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-sixth session from 22 February to 19 March 2021 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-sixth session will be held on 8 February 2021.

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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-sixth session.

*Composition of the Human Rights Council*

4. The composition of the Human Rights Council at its forty-sixth session is as follows:<sup>1</sup> Argentina (2021); Armenia (2022); Austria (2021); Bahamas (2021); Bahrain (2021); Bangladesh (2021); Bolivia (Plurinational State of) (2023); Brazil (2022); Bulgaria (2021); Burkina Faso (2021); Cameroon (2021); China (2023); Côte d'Ivoire (2023); Cuba (2023); Czechia (2021); Denmark (2021); Eritrea (2021); Fiji (2021); France (2023); Gabon (2023); Germany (2022); India (2021); Indonesia (2022); Italy (2021); Japan (2022); Libya (2022); Malawi (2023); Marshall Islands (2022); Mauritania (2022); Mexico (2023); Namibia (2022); Nepal (2023); Netherlands (2022); Pakistan (2023); Philippines (2021); Poland (2022); Republic of Korea (2022); Russian Federation (2023); Senegal (2023); Somalia (2021); Sudan (2022); Togo (2021); Ukraine (2023); United Kingdom of Great Britain and Northern Ireland (2023); Uruguay (2021); Uzbekistan (2023); and Venezuela (Bolivarian Republic of) (2022).

*Bureau of the Human Rights Council*

5. At its organizational meetings held on 16 December 2020 and 15 January 2021, the Human Rights Council elected the following members of the Bureau for its fifteenth cycle, which will run from 1 January to 31 December 2021:

<i>President</i>	Nazhat Shameen Khan (Fiji)
<i>Vice-Presidents</i>	Keva Lorraine Bain (Bahamas) Ali ibn Abi Talib Abdelrahman Mahmoud (Sudan)
<i>Vice-President and Rapporteur</i>	Monique T.G. van Daalen (Netherlands)

*Review of the work and functioning of the Human Rights Council*

6. Pursuant to paragraph 42 of the annex to Human Rights Council resolution 16/21, the Council will hold a panel discussion to interact with heads of governing bodies and secretariats of United Nations agencies within their respective mandates on specific human rights themes with the objective of promoting the mainstreaming of human rights throughout the United Nations system.

7. At its organizational session, held on 7 December 2020, the Human Rights Council decided that the theme of the 2021 panel discussion will be "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 coronavirus disease (COVID-19) pandemic has had on these efforts" (see annex).

*Selection and appointment of mandate holders*

8. 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) two members of the Expert Mechanism on the Rights of Indigenous Peoples (one from Africa and one from North America); (b) the Special Rapporteur on the situation of human rights in Cambodia; (c) a member of the Working Group of Experts on People of African Descent, from African States; (d) a member of the Working Group on Arbitrary Detention, from Asia-Pacific States; and (e) the Special Rapporteur on extrajudicial, summary or arbitrary

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

executions – an unforeseen vacancy that has arisen due to the resignation of the current mandate holder.

9. 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-sixth session.

*Report on the session*

10. At the end of its forty-sixth 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**

11. 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.

*Reports of the United Nations High Commissioner for Human Rights and reports on Guatemala, Honduras and Colombia*

12. Pursuant to General Assembly resolution 48/141, the Human Rights Council will have before it reports of the United Nations High Commissioner for Human Rights on the activities of her office in Guatemala (A/HRC/46/74), Honduras (A/HRC/46/75) and Colombia (A/HRC/46/76).

*Situation of human rights in Eritrea*

13. In its resolution 44/1, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the situation of human rights in Eritrea for a further period of one year, and requested the Special Rapporteur to present an oral update at its forty-sixth session during an interactive dialogue. The Council will hold an interactive dialogue, during which it will consider the oral update of the new mandate holder, Mohamed Abdelsalam Babiker. Pursuant to the same resolution, OHCHR will present an oral update to the Council at its forty-sixth session on progress made in the cooperation between Eritrea and OHCHR, and its impact on the situation of human rights in Eritrea.

*Situation of human rights in Yemen*

14. In its resolution 45/15, the Human Rights Council decided to renew the mandate of the Group of Eminent International and Regional Experts on Yemen for a further period of one year, and requested the Group to present to the Council, at its forty-sixth session, an oral update on the situation of human rights in Yemen and the development and implementation of that resolution. The Group of Eminent International and Regional Experts will present an oral update.

*Strengthening cooperation and technical assistance in the field of human rights in the Bolivarian Republic of Venezuela*

15. Pursuant to Human Rights Council resolution 45/2, the High Commissioner will present to the Council, at its forty-sixth session, an oral update on the situation of human rights in the Bolivarian Republic of Venezuela.

*Human rights implications of the COVID-19 pandemic*

16. In President's statement PRST 43/1, the Human Rights Council requested the High Commissioner to prepare a report on the impact of the COVID-19 pandemic on the

enjoyment of human rights around the world, including good practices and areas of concern, and to present the report to the Council at its forty-sixth session. The Council will consider the report of the High Commissioner (A/HRC/46/19).

*Promoting reconciliation, accountability and human rights in Sri Lanka*

17. In its resolution 30/1, the Human Rights Council requested OHCHR to continue to assess progress on the implementation of its recommendations and other relevant processes related to reconciliation, accountability and human rights in Sri Lanka. In its resolution 40/1, the Council also requested OHCHR to present a comprehensive report, to be followed by a discussion on the implementation of Council resolution 30/1, at its forty-sixth session. The Council will consider the comprehensive report of OHCHR (A/HRC/46/20).

*Promotion and protection of human rights in Nicaragua*

18. In its resolution 43/2, the Human Rights Council requested the High Commissioner to enhance monitoring by OHCHR and to continue to report on the situation of human rights in Nicaragua, including by preparing a comprehensive written report that assesses progress and challenges regarding that situation, and to present it to the Council at its forty-sixth session, to be followed by an interactive dialogue. The Council will consider the report of the High Commissioner (A/HRC/46/21).

*Ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem*

19. In its resolution 43/3, the Human Rights Council requested the High Commissioner to report on how all parties can fulfil their obligations in implementing the recommendations reviewed by the High Commissioner in 2017, including measures of accountability and legal measures to be taken by States to ensure respect by Israel, and all other relevant parties, of their obligations under international law in the Occupied Palestinian Territory including East Jerusalem, and to present a report to the Council at its forty-sixth session, to be followed by an interactive dialogue. The council will consider the report of the High Commissioner (A/HRC/46/22).

*Question of human rights in Cyprus*

20. Pursuant to Human Rights Council decision 2/102, the Council will consider the report of OHCHR on the question of human rights in Cyprus (A/HRC/46/23).

*Conclusions and recommendations of special procedures*

21. Pursuant to Commission on Human Rights resolution 2004/76 and Human Rights Council decision 2/102, the Council will have before it the report of the Secretary-General on the conclusions and recommendations of special procedures (A/HRC/46/24).

*Effective implementation of international human rights instruments*

22. Pursuant to its resolution 9/8, the Human Rights Council will have before it the report of the Secretary-General on measures taken to implement that resolution and on obstacles to its implementation, including recommendations for further improving the effectiveness of, harmonizing and reforming the treaty body system (A/HRC/46/25).

*Situation of human rights in Belarus in the run-up to the 2020 presidential election and in its aftermath*

23. In its resolution 45/1, the Human Rights Council requested the High Commissioner to submit a comprehensive written report on the situation of human rights in Belarus in the lead-up to, during and after the 2020 presidential election during an enhanced interactive dialogue at the forty-sixth session. The Council will consider the report of the High Commissioner (A/HRC/46/4).

*Question of the realization in all countries of economic, social and cultural rights*

24. Reference is made to the annual report of the Secretary-General on the question of the realization in all countries of economic, social and cultural rights (A/HRC/46/43) (see para. 48 below).

*Right to work*

25. Reference is made to the analytical report of the High Commissioner on the relationship between the realization of the right to work and the enjoyment of all human rights by persons with disabilities (A/HRC/46/47) (see para. 49 below).

*Torture and other cruel, inhuman or degrading treatment or punishment*

26. Reference is made to the report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (A/HRC/46/41) (see para. 52 below).

27. Reference is made to the report of the Secretary-General on the Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/HRC/46/42) (see para. 53 below).

*Rights of persons with disabilities*

28. Reference is made to the report of OHCHR on the rights of persons with disabilities to participate in physical activity and sport under article 30 of the Convention on the Rights of Persons with Disabilities (A/HRC/46/49), which will inform the annual interactive debate on the rights of persons with disabilities (see para. 61 below and annex).

*Rights of persons belonging to national or ethnic, religious and linguistic minorities*

29. Reference is made to the report of the High Commissioner on the rights of persons belonging to national or ethnic, religious and linguistic minorities (A/HRC/46/44) (see para. 64 below).

*Missing persons*

30. Reference is made to the note by the Secretariat regarding the report of the Secretary-General on missing persons (A/HRC/46/45) (see para. 67 below).

*Human rights and climate change*

31. Reference is made to the summary report of OHCHR on the panel discussion on the theme “Promoting and protecting the rights of persons with disabilities in the context of climate change”, held at the forty-fourth session of the Council (A/HRC/46/46) (see para. 71 below).

*Promotion and protection of human rights and the implementation of the 2030 Agenda for Sustainable Development*

32. Reference is made to the summary report of OHCHR on the third intersessional meeting for dialogue and cooperation on human rights and the 2030 Agenda for Sustainable Development, held on 14 January 2021 (A/HRC/46/48) (see para. 72 below).

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

33. Reference is made to the oral update by the High Commissioner on the situation of human rights in the Bolivarian Republic of Venezuela (see para. 75 below).

*Situation of human rights in the Democratic People’s Republic of Korea*

34. Reference is made to the report of the High Commissioner on the implementation of the recommendations made by the group of independent experts on accountability for human rights violations in the Democratic People’s Republic of Korea (A/HRC/46/52) (see para. 80 below).

*Situation of human rights in the Occupied Palestinian Territory, including East Jerusalem*

35. Reference is made to the report of the High Commissioner on the implementation of Human Rights Council resolutions S-9/1 and S-12/1 (A/HRC/46/63) (see para. 93 below).

*Human rights in the occupied Syrian Golan*

36. Reference is made to the report of the Secretary-General on human rights in the occupied Syrian Golan (A/HRC/46/64) (see para. 94 below).

*Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan*

37. Reference is made to the report of the High Commissioner on the consequences of the intensification of settlement activity and other steps taken towards formal annexation in the Occupied Palestinian Territory (A/HRC/46/65) (see para. 95 below).

*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*

38. Reference is made to the oral update by the High Commissioner 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 (see para. 97 below).

*Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief*

39. Reference is made to the comprehensive follow-up report of the High Commissioner on the implementation of the action plan outlined in Human Rights Council resolution 43/34 (A/HRC/46/67) (see para. 99 below).

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

40. Reference is made to the oral presentation of the High Commissioner on the findings of the periodic report of OHCHR on the situation of human rights in Ukraine (see para. 101 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 oral update by the High Commissioner on the situation of human rights in the Democratic Republic of the Congo (see para. 102 below).

*Technical cooperation in the field of human rights in Afghanistan*

42. Reference is made to the report of the High Commissioner on the situation of human rights in Afghanistan and on the achievements of technical assistance in the field of human rights (A/HRC/46/69) (see para. 105 below).

*Enhancement of technical cooperation and capacity-building in the field of human rights*

43. Reference is made to the annual oral presentation of the High Commissioner under agenda item 10, on the overview of and successes, best practices and challenges in technical assistance and capacity-building efforts (see para. 107 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

##### *Effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights*

44. In its resolution 43/10, the Human Rights Council decided to extend, for a period of three years, the mandate of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, and requested the Independent Expert to report regularly to the Council in accordance with its programme of work. The Council will consider the report of the new mandate holder, Yuefen Li (A/HRC/46/29).

##### *Right to food*

45. In its resolution 40/7, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the right to food for a period of three years. In its resolution 43/11, the Council requested the Special Rapporteur to report annually on the implementation of the mandate to the Council in accordance with its programme of work. The Council will consider the report of the new mandate holder, Michael Fakhri (A/HRC/46/33).

##### *Promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity*

46. In its resolution 37/12, the Human Rights Council decided to renew, for a period of three years, the mandate of the Special Rapporteur in the field of cultural rights. In its resolution 43/9, the Council requested the Special Rapporteur to report regularly to the Council in accordance with its programme of work. The Council will consider the reports of the mandate holder, Karima Bennoune (A/HRC/46/34 and Add.1).

##### *Adequate housing as a component of the right to an adequate standard of living*

47. In its resolution 43/14, the Human Rights Council decided to extend, for a period of three years, the mandate of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, and requested the Special Rapporteur to submit an annual report 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, Balakrishnan Rajagopal (A/HRC/46/38 and Add.1).

##### *Question of the realization in all countries of economic, social and cultural rights*

48. Pursuant to its resolution 40/12, the Human Rights Council will consider the annual report of the Secretary-General on the question of the realization in all countries of economic, social and cultural rights (A/HRC/46/43) (see para. 24 above).

##### *Right to work*

49. In its resolution 43/7, the Human Rights Council requested the High Commissioner to prepare an analytical report on the relationship between the realization of the right to work and the enjoyment of all human rights by persons with disabilities, with an emphasis on their empowerment, in accordance with States' respective obligations under international human rights law, to indicate the major challenges and best practices in that regard and to submit the report in an accessible format prior to its forty-sixth session. The Council will consider the report of the High Commissioner (A/HRC/46/47) (see para. 25 above).

## **Civil and political rights**

### *Question of the death penalty*

50. In its resolution 26/2, the Human Rights Council decided to convene biennial high-level panel discussions in order to further exchange views on the question of the death penalty. In its resolution 42/24, the Council decided that the upcoming biennial high-level panel discussion to be held at the forty-sixth session of the Council would address the 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 (see annex).

### *Torture and other cruel, inhuman or degrading treatment or punishment*

51. In its resolution 43/20, the Human Rights Council decided to extend the mandate of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment for a further period of three years and requested the Special Rapporteur to report on all of his or her activities, observations, conclusions and recommendations to the Council in accordance with its programme of work. The Council will consider the reports of the mandate holder, Nils Melzer (A/HRC/46/26 and Add.1).

52. Pursuant to General Assembly resolution 74/143, the Human Rights Council will consider the report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (A/HRC/46/41) (see para. 26 above).

53. Pursuant to General Assembly resolution 74/143, the Human Rights Council will consider the report of the Secretary-General on the Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/HRC/46/42) (see para. 27 above).

### *Freedom of religion or belief*

54. In its resolution 40/10, the Human Rights Council decided to extend the mandate of the Special Rapporteur on freedom of religion or belief for a further period of three years. In its resolution 43/12, the Council requested the Special Rapporteur to report annually to the Council in accordance with its programme of work. The Council will consider the report of the mandate holder, Ahmed Shaheed (A/HRC/46/30).

### *Right to privacy in the digital age*

55. In its resolution 37/2, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the right to privacy for a period of three years. The Council will consider the reports of the mandate holder, Joseph Cannataci (A/HRC/46/37 and Add.1–6).

## **Rights of peoples, and of specific groups and individuals**

### *Rights of the child*

56. Pursuant to its resolutions 7/29, 19/37 and 45/30, the Human Rights Council will convene an annual full-day meeting on the theme “The rights of the child and the Sustainable Development Goals” (see annex).

57. In its resolution 43/22, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, for a further period of three years and requested the Special Rapporteur to continue to report annually on the implementation of the mandate to the Council, in accordance with its programme of work. The Council will consider the report of the new mandate holder, Mama Fatima Singhateh (A/HRC/46/31), and the visit report of her predecessor, Maud de Boer-Buquicchio (A/HRC/46/31/Add.1).

58. In its resolution 74/133, the General Assembly requested the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the Human Rights Council on the activities undertaken in the fulfilment of her mandate. The



Council will consider the report of the Special Representative, Virginia Gamba (A/HRC/46/39).

59. In the same resolution, the General Assembly requested the Special Representative of the Secretary-General on Violence against Children to continue to submit annual reports to the Human Rights Council on the activities undertaken in fulfilment of her mandate. The Council will consider the report of the Special Representative, Najat Maalla M'jid (A/HRC/46/40).

#### *Rights of persons with disabilities*

60. In its resolution 44/10, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the rights of persons with disabilities for a further period of three years and requested the Special Rapporteur to continue to report annually to the Council, in accessible formats, including Braille and easy-to-read reports, and international sign language interpretation and closed captioning during the presentation of the reports, and in accordance with its programme of work. The Council will consider the report of the new mandate holder, Gerard Quinn (A/HRC/46/27).

61. In its resolution 43/23, the Human Rights Council decided to hold its annual interactive debate on the rights of persons with disabilities at its forty-sixth session and that the debate would focus on participation in sport under article 30 of the Convention on the Rights of Persons with Disabilities. The debate will be informed by the report of OHCHR thereon (A/HRC/46/49) (see para. 28 above and annex).

#### *Rights of persons with albinism*

62. In its resolution 37/5, the Human Rights Council decided to extend the mandate of the Independent Expert on the enjoyment of human rights by persons with albinism for a period of three years. The Council will consider the reports of the mandate holder, Ikponwosa Ero (A/HRC/46/32 and Add.1).

#### *Human rights defenders*

63. In its resolution 43/16, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the situation of human rights defenders for a period of three years. The Council will consider the reports of the new mandate holder, Mary Lawlor (A/HRC/46/35 and Add.1), and the visit report of her predecessor, Michel Forst (A/HRC/46/35/Add.2).

#### *Minority issues*

64. In its resolution 43/8, the Human Rights Council requested the High Commissioner to continue to present an annual report to it containing information on relevant developments of United Nations human rights bodies and mechanisms, and on the activities undertaken by OHCHR at headquarters and in the field that contribute to the promotion of and respect for the provisions of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. The Council will consider the report of the High Commissioner (A/HRC/46/44) (see para. 29 above).

65. In its resolution 43/8, the Human Rights Council decided to extend the mandate of the Special Rapporteur on minority issues for a period of three years. The Council will consider the reports of the mandate holder, Fernand de Varennes (A/HRC/46/57 and Add.1).

66. Reference is made to the recommendations made by the Forum on Minority Issues at its thirteenth session (A/HRC/46/58) (see para. 84 below).

#### *Missing persons*

67. Pursuant to General Assembly resolution 73/178, the Human Rights Council will have before it a note by the Secretariat on the comprehensive report of the Secretary-General on the implementation of that resolution, including relevant practical recommendations (A/75/306 and A/HRC/46/45) (see para. 30 above).

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

### *Promoting mutually beneficial cooperation in the field of human rights*

68. Pursuant to its resolution 43/21, the Human Rights Council will convene at its forty-sixth session a meeting, with a duration of two hours, to be presided over by the President of the Council, on the theme of the role of poverty alleviation in promoting and protecting human rights, with the participation of senior officials from States to share information on good practices and experience in their countries with regard to particular aspects of the promotion and protection of human rights.

### *Human rights and the environment*

69. In its resolution 37/8, the Human Rights Council decided to renew the mandate of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment for a period of three years. The Council will consider the report of the mandate holder, David R. Boyd (A/HRC/46/28).

### *Terrorism and human rights*

70. In its resolution 40/16, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism for a period of three years. In its resolution 45/11, the Council invited the Special Rapporteur to pay attention to the negative effect of terrorism on the enjoyment of human rights and fundamental freedoms, and to make recommendations in this regard. The Council will consider the report of the mandate holder, Fionnuala Ní Aoláin (A/HRC/46/36).

### *Human rights and climate change*

71. Pursuant to its resolution 41/21, the Human Rights Council will have before it the summary report of OHCHR on the panel discussion held at its forty-fourth session, on the theme “Promoting and protecting the rights of persons with disabilities in the context of climate change” (A/HRC/46/46) (see para. 31 above).

### *Promotion and protection of human rights and the implementation of the 2030 Agenda for Sustainable Development*

72. Pursuant to its resolution 43/19, the Human Rights Council will have before it the summary report of OHCHR on the third intersessional meeting for dialogue and cooperation on human rights and the 2030 Agenda for Sustainable Development, held on 14 January 2021 (A/HRC/46/48) (see para. 32 above).

### *Elaboration of an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights*

73. Pursuant to its resolution 26/9, the Human Rights Council will consider the report of the open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights on its sixth session, held from 26 to 30 October 2020 (A/HRC/46/73).

### *Effects of terrorism on the enjoyment of all human rights*

74. Reference is made to the report of the Human Rights Council Advisory Committee on the negative effects of terrorism on the enjoyment of all human rights and fundamental freedoms (A/HRC/46/71) (see para. 89 below).

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

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

75. In its resolution 45/20, the Human Rights Council requested the High Commissioner to continue to monitor, report on and provide technical cooperation with a view of improving

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-sixth session, to be followed by an interactive dialogue. The Council will hear the oral update by the High Commissioner (see para. 33 above).

76. In its resolution 42/25, the Human Rights Council 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. In its resolution 45/20, the Human Rights Council decided to extend the mandate of the independent international fact-finding mission for a period of two years and requested the mission to present an oral update on its work during an interactive dialogue at the forty-sixth session of the Council. The Council will hear the oral update by the independent international fact-finding mission.

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

77. In its resolution 45/19, the Human Rights Council decided to extend the mandate of the Commission of Inquiry on Burundi for a further period of one year and requested the Commission to present to the Council, at its forty-sixth session, an oral update on the situation of human rights in Burundi, to be followed by an interactive dialogue. The Council will hear the oral update by the Commission.

#### *Situation of human rights in the Islamic Republic of Iran*

78. In its resolution 43/24, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran for a further period of one year, and requested the Special Rapporteur to submit a report on the implementation of the mandate to the Council at its forty-sixth session. The Council will consider the report of the mandate holder, Javaid Rehman (A/HRC/46/50).

#### *Situation of human rights in the Democratic People's Republic of Korea*

79. In its resolution 43/25, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea for a period of one year and requested the Special Rapporteur to submit regular reports to the Council on the implementation of his mandate, including on the follow-up efforts made in the implementation of the recommendations of the commission of inquiry on human rights in the Democratic People's Republic of Korea. The Council will consider the report of the mandate holder, Tomás Ojea Quintana (A/HRC/46/51).

80. In the same resolution, the Human Rights Council requested the High Commissioner to submit, at its forty-sixth session, a full written report on the implementation of the recommendations made by the group of independent experts on accountability for human rights violations in the Democratic People's Republic of Korea. The Council will consider the report of the High Commissioner (A/HRC/46/52) (see para. 34 above).

#### *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 and requested the Commission to present a comprehensive written report to the Council at its forty-sixth session during an interactive dialogue. The Council will consider the report of the Commission (A/HRC/46/53).

#### *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 to present an updated written report to the Council during an interactive dialogue at its forty-sixth session. In its resolution 44/21, the Human Rights Council also requested the Commission to prepare a report on arbitrary imprisonment and detention in the Syrian Arab Republic, and to present the report to the

Council at its forty-sixth session. The Council will consider the reports of the Commission (A/HRC/46/54 and A/HRC/46/55).

*Situation of human rights in Myanmar*

83. 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 submit a report to the Council at its forty-sixth session, in accordance with its annual programme of work. The Council will consider the report of the mandate holder, Thomas Andrews (A/HRC/46/56).

**5. Human rights bodies and mechanisms**

*Forum on Minority Issues*

84. In its resolution 19/23, the Human Rights Council decided that the Forum on Minority Issues should continue to meet annually. The Forum held its thirteenth session on 19 and 20 November 2020, which focused on hate speech, social media and minorities. The Council will consider the recommendations made by the Forum (A/HRC/46/58) (see para. 66 above).

*Social Forum*

85. In its resolution 41/24, the Human Rights Council decided that the Social Forum would meet for two working days in 2020 and that the meeting should focus on good practices, success stories, lessons learned and current challenges in combating poverty and inequalities. The Council invited the 2020 Social Forum to submit a report containing its conclusions and recommendations to the Council at its forty-sixth session. The Council will consider the report of the 2020 Social Forum, which was held on 8 and 9 October 2020 (A/HRC/46/59).

*Forum on Human Rights, Democracy and the Rule of Law*

86. The Human Rights Council will have before it a note by the Secretariat on the report of the Forum on Human Rights, Democracy and the Rule of Law on its third session, which was postponed owing to the COVID-19 pandemic (A/HRC/46/60).

*Special procedures*

87. Pursuant to its decision 2/102, the Human Rights Council will have before it the report on the activities of special rapporteurs/representatives, independent experts and working groups of the special procedures of the Council (A/HRC/46/61 and Add.1).

88. The Human Rights Council will also consider the communications report of the special procedures (A/HRC/46/3).

*Effects of terrorism on the enjoyment of all human rights*

89. 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. 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. Due to the postponement of its session from August 2020 to February 2021 owing to the COVID-19 pandemic, the Committee was not able to finalize and submit the report at the forty-fifth session of the Council. The Council is expected to have before it, at its forty-sixth session, the report of the Advisory Committee on the negative effects of terrorism on the enjoyment of all human rights and fundamental freedoms (A/HRC/46/71) (see para. 74 above).

*Expert Mechanism on the Rights of Indigenous Peoples*

90. 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 its thirteenth session, held from 30 November to 4 December 2020 (A/HRC/46/72).

**6. Universal periodic review**

91. In its resolution 5/1, the Human Rights Council established the universal periodic review mechanism as contained in section I of the annex to that resolution. The Working Group on the Universal Periodic Review held its thirty-sixth session from 2 to 13 November 2020. At its forty-sixth session, the Council will consider and adopt the final outcomes of the review of Belarus (A/HRC/46/5), Liberia (A/HRC/46/6), Malawi (A/HRC/46/7), Panama (A/HRC/46/8), Mongolia (A/HRC/46/9), Maldives (A/HRC/46/10), Andorra (A/HRC/46/11), Honduras (A/HRC/46/12), Bulgaria (A/HRC/46/13), the Marshall Islands (A/HRC/46/14), the United States of America (A/HRC/46/15), Croatia (A/HRC/46/16), Libya (A/HRC/46/17) and Jamaica (A/HRC/46/18).

92. 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 reports 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 Council in 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***Situation of human rights in the Occupied Palestinian Territory, including East Jerusalem*

93. Pursuant to its resolutions S-9/1 and S-12/1, the Human Rights Council will consider the report of the High Commissioner on the implementation of those resolutions (A/HRC/46/63) (see para. 35 above).

*Human rights in the occupied Syrian Golan*

94. Pursuant to its resolution 43/30, the Human Rights Council will consider the report of the Secretary-General on human rights in the occupied Syrian Golan (A/HRC/46/64) (see para. 36 above).

*Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan*

95. In its resolution 43/31, the Human Rights Council requested the High Commissioner to prepare a report on the consequences of the intensification of settlement activity and other steps taken towards formal annexation in the Occupied Palestinian Territory and to present the report at its forty-sixth session. The Council will consider the report of the High Commissioner (A/HRC/46/65) (see para. 37 above).

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

96. No reports have been submitted under agenda item 8.

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

*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*

97. In its resolution 43/1, the Human Rights Council requested the High Commissioner to provide, at its forty-sixth session, 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. The Council will hear the oral update of the High Commissioner (see para. 38 above).

*Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action*

98. In its resolution 43/35, the Human Rights Council decided to renew the mandate of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action for a further period of three years. The Council will consider the report of the Intergovernmental Working Group on its eighteenth session, held from 12 to 23 October 2020 (A/HRC/46/66).

*Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief*

99. In its resolution 43/34, the Human Rights Council requested the High Commissioner to prepare and submit at its forty-sixth session a comprehensive follow-up report with elaborated conclusions based upon information provided by States on the efforts and measures taken for the implementation of the action plan outlined in paragraphs 7 and 8 of that resolution, and views on potential follow-up measures for further improvement of the implementation of that plan. The Council will consider the comprehensive follow-up report of the High Commissioner (A/HRC/46/67) (see para. 39 above).

*A global call for concrete action for the elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action*

100. Pursuant to General Assembly resolution 75/237, the Human Rights Council will hold a debate on the midterm review of the International Decade for People of African Descent (see annex).

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

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

101. Pursuant to its resolution 41/25, the Human Rights Council will hold an interactive dialogue at which the High Commissioner will present orally to the States of the Council and observers the findings of the periodic report of the OHCHR on the situation of human rights in Ukraine (see para. 40 above).

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

102. In its resolution 45/34, the Human Rights Council decided to renew the mandate of the team of international experts on the situation in Kasai and requested the team to provide an oral update at its forty-sixth session. In the same resolution, the Council requested the High Commissioner to present to the Council an oral update on the situation of human rights in the Democratic Republic of the Congo, within the framework of an enhanced interactive dialogue, at its forty-sixth session. The Council will hold an enhanced interactive dialogue, during which it will consider the oral updates by the High Commissioner and by the team of international experts (see para. 41 above).

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

103. In its resolution 45/35, 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 to organize, at its forty-sixth session, a high-level interactive dialogue to assess developments in the situation of human rights on the ground, placing special emphasis on the status of the fight against impunity, including in the electoral context, with the participation of the Independent Expert and representatives of the Government of the Central African Republic, the United Nations, the African Union, the Truth, Justice, Reparation and Reconciliation Commission and civil society. The Council will hold a high-level interactive dialogue on the situation of human rights in the Central African Republic.

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

104. In its resolution 43/38, the Human Rights Council decided to extend the mandate of the Independent Expert on the situation of human rights in Mali for a period of one year and requested the Independent Expert to submit a report at its forty-sixth session. In the same resolution, the Council also decided to hold a dialogue at its forty-sixth session, in the presence of the Independent Expert and representatives of the Government of Mali, to assess the changes in the situation of human rights in the country, with a particular focus on the re-establishment of the administration of justice and, more broadly, the fight against impunity. The Council will consider the report of the mandate holder, Alioune Tine (A/HRC/46/68).

*Technical cooperation in the field of human rights in Afghanistan*

105. Pursuant to its decision 2/113 and its resolution 14/15, the Human Rights Council will consider the report of the High Commissioner on the situation of human rights in Afghanistan and on the achievements of technical assistance in the field of human rights (A/HRC/46/69) (see para. 42 above).

*Enhancement of technical cooperation and capacity-building in the field of human rights*

106. Pursuant to Human Rights Council resolution 36/28, the Chair of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights will present an annual comprehensive report on the Board's work to the Council (A/HRC/46/70).

107. In the same resolution, the Human Rights Council invited the High Commissioner to make an oral presentation, on an annual basis at the March session of the Council, under agenda item 10, on the overview of and successes, best practices and challenges in technical assistance and capacity-building efforts, particularly those provided by OHCHR and relevant United Nations agencies. The Council encouraged the High Commissioner to highlight the contribution of human rights technical cooperation and capacity-building to the attainment of the Sustainable Development Goals. The High Commissioner will make the annual oral presentation to the Council (see para. 43 above).

## Annex

### Panel and other discussions to be held during the forty-sixth session of the Human Rights Council

<i>Mandate</i>	<i>Panel/discussion</i>
Human Rights Council resolution 16/21	Annual high-level panel discussion on human rights mainstreaming on the theme “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 coronavirus disease (COVID-19) pandemic has had on these efforts”
Human Rights Council resolutions 26/2 and 42/24	Biennial high-level panel discussion on the question of the death penalty on the theme “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”
Human Rights Council resolutions 7/29, 19/37 and 45/30	Annual full-day meeting on the rights of the child on the theme “The rights of the child and the Sustainable Development Goals” (accessible to persons with disabilities)
Human Rights Council resolutions 7/9 and 43/23	Annual interactive debate on the rights of persons with disabilities on the theme “Participation in sport under article 30 of the Convention on the Rights of Persons with Disabilities” (accessible to persons with disabilities)
General Assembly resolution 75/237	Debate on the midterm review of the International Decade for People of African Descent (commemoration of the International Day for the Elimination of Racial Discrimination)