THE AMMAN CENTER FOR HUMAN RIGHTS STUDIES (ACHRS)

In Consultative Status with UN ECOSOC
Honorary of the UN Human Rights Prize 2023

REPORT

OUR ENGAGEMENT AT THE HUMAN RIGHTS COUNCIL'S 63RD SESSION



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ABOUT US

The Amman Center for Human Rights Studies (ACHRS) is an independent, non-governmental think tank and research center dedicated to advancing human rights, democracy, and the rule of law across the Arab region. Through research, publications, advocacy, training, and international engagement, ACHRS works to strengthen civil society, promote human rights education, and support democratic participation. Its work seeks to empower individuals and communities to understand and exercise their rights, strengthen institutional accountability, and contribute to more inclusive, democratic, and rights-respecting societies.

ACHRS holds consultative status with the United Nations Economic and Social Council (ECOSOC), granted in 2006. This status enables the Center to engage directly with the UN system, contribute to international discussions, and bring regional human rights concerns to the attention of international decision-makers. A key component of this engagement is its participation in the United Nations Human Rights Council (HRC), which convenes in Geneva for three regular sessions each year. Through written and oral statements, advocacy, side events, and engagement with states, UN mechanisms, and civil society organisations, ACHRS works to ensure that human rights challenges across the Arab region receive sustained international attention.

OUR PRIORITIES

The Amman Center for Human Rights Studies (ACHRS) focuses on seven priority areas, each representing an essential component of democratic societies. Alongside its core activities, ACHRS serves as the organising body for two regional networks: the Arab Society for Academic Freedoms (ASAF), established in 2008 to promote and protect academic freedom across the Arab world, and the Election Network in the Arab Region (ENAR), established in 2006 to monitor elections, promote transparency, and support democratic reform.

ACHRS' work focuses primarily on the 22 member states of the League of Arab States: Algeria, Bahrain, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, the United Arab Emirates, and Yemen. However, where relevant to its priority areas and broader human rights objectives, ACHRS may also address developments in countries beyond this geographical scope.

THE RIGHT TO LIFE

THE RIGHT TO SPEAK

THE RIGHT TO THINK

THE RIGHT TO PARTICIPATE

WOMEN'S RIGHTS

THE RIGHT TO SOCIAL PROTECTION

YOUTH RIGHTS

OUR ENGAGEMENT AT HRC63: AN OVERVIEW

The Amman Center for Human Rights Studies (ACHRS) began its engagement with the 63rd session of the United Nations Human Rights Council (HRC63) ahead of the session's opening on 7 September. In preparation, ACHRS published a **policy brief** outlining its key priorities for the session, identifying the human rights issues it would monitor and setting out areas for continued advocacy and engagement.

Throughout the session, the ACHRS team closely followed developments across these priority areas, tracking discussions, examining the resolutions adopted and assessing their implications for human rights across the Arab region. To support this work, the team prepared a series of topic-specific briefings documenting the main issues raised during Council proceedings, analysing the outcomes of relevant resolutions and setting out recommendations for future action. These briefings formed part of ACHRS' broader efforts to monitor the work of the Council, inform its advocacy, and identify opportunities to advance human rights protections through international mechanisms.

ACHRS also maintained an in-person presence at key points during the session. **Victoria Rebok**, Co-Coordinator of the International Relations Unit, attended the Council from 14 to 23 September. **Filipe Dias Kalgaard,** also Co-Coordinator of the International Relations Unit, attended on 29 and 30 September, alongside **Romina M. Iramloo**, a specialist in migration. Their participation enabled ACHRS to follow proceedings directly, engage with the work of the Council, and strengthen the Center's contribution to international human rights discussions.

WRITTEN STATEMENTS

Prior to the opening of the 63rd session, ACHRS submitted numerous written statements for the Council's consideration. These included:

- **The Question of the Death Penalty (A/HRC/63/NGO/399)**: Submitted under Agenda Item 3, this written submission highlighted the continued rise of executions globally, particularly in the MENA region. ACHRS expressed particular concern over the Israeli occupation's new death penalty legislation and its discriminatory effects on Palestinians, as well as the rise in executions in the context of renewed US attacks on Iran. The submission was authored by **Victoria Rebok**.
- **Freedom of Speech and Expression (A/HRC/63/NGO/398)**: Submitted under Agenda Item 3, this written submission expressed deep concern over Arab countries' increasing use of national security legislation to curb freedom of expression, particularly in the Gulf. This submission was authored by **Victoria Rebok**.
- **Implementing the Durban Framework in the Middle East (A/HRC/63/NGO/193):** Submitted under Agenda Item 9, this written submission explored the implementation of the Durban Framework in the MENA region, as it pertains to both people of African descent and Palestinians. This submission was authored by **Filipe Dias Kalgaard** and **Romina M. Iramloo**.

- Academic Freedom in Afghanistan (A/HRC/63/NGO/402): Submitted in conjunction with ASAF under Agenda Item 2, this submission highlighted the dire state of academic freedom in Afghanistan since the Taliban's takeover. ACHRS emphasised the detrimental long-term effects of women's exclusion from higher education, which extends beyond the physical exclusion of women from classrooms to the systemic erasure of female perspectives in academia. This submission was authored by **Victoria Rebok**.
- The Right to Political Participation through Education (A/HRC/63/NGO/415): Submitted in conjunction with ASAF under Agenda Item 3, this written submission expressed deep concern over the low rates of voter turnout across the Arab world. ACHRS emphasised the need to improve civic education across the region in order to foster a culture of voting. This submission was authored by **Victoria Rebok**.

ORAL STATEMENTS

ACHRS delivered three oral statements to the Human Rights Council during its 63rd session. On 18 September, **Victoria Rebok** delivered two statements during the General Debate on Item 3. The first addressed the impact of shrinking civic space on political participation in the Arab world, particularly in the aftermath of the US-Israeli attacks against Iran. ACHRS stressed that democracy and national security are complementary, not competing, priorities, and that meaningful political participation is a fundamental human right and an essential foundation for peace.



The second statement, delivered jointly by ACHRS and ASAF, addressed the deteriorating state of academic freedom across the Arab region. Following the International Day to Protect Education from Attack, the statement highlighted the systemic targeting of higher education institutions in regional conflicts and called for the protection of universities' physical infrastructure, institutional autonomy, and academic unions.

On 29 September, **Filipe Dias Kalgaard** delivered a third statement during the General Debate on Item 7, addressing the situation in Palestine. The statement condemned Israel's new death penalty law as a manifestation of colonialism and occupation, called for independent investigations into all alleged violations of international law, and urged an immediate end to Israeli violations.

SIDE EVENTS

While attending the Human Rights Council in person, Victoria Rebok, Filipe Dias Kalgaard and Romina M. Iramloo attended a number of side events related to ACHRS' regional and thematic priorities. These included:

- From Recommendations to Implementation: Civil Society, UN and ACHPR Perspectives on Egypt's Second National Human Rights Strategy, organised by the Committee for Justice (CFJ), DIGNITY – Danish Institute Against Torture, and the Egyptian Commission for Rights and Freedoms (ECRF). This event was attended by **Victoria Rebok**.

- **Kuwait – 70k Stripped of Citizenship: Recent Documentation and Responses**, organised by the Gulf Centre for Human Rights (GCHR), SALAM for Democracy and Human Rights (SALAM DHR), MENA Rights Group, Northern Arabian Surviving Indigeneity (NASI) and Amnesty International. This event was attended by **Victoria Rebok.**
- **Freedom of Religion or Belief in Egypt**, organised by the Bahá'í International Community, Amnesty International, and the Egyptian Initiative for Personal Rights (EIPR). This event was attended by **Victoria Rebok**.
- **Israel's Death Penalty Law Targeting Palestinian Prisoners: An Apartheid Framework**, organised by Human Rights and Democratic Participation Center "SHAMS" in cooperation with the Women's Centre for Legal Aid and Counselling (WCLAC) and Al-Haq. This event was attended by **Filipe Dias Kalgaard** and **Romina M. Iramloo**.



- **Settlement expansion, displacement and the duties of third states in the occupied Palestinian territory**, organised by the Palestinian Return Centre. This event was attended by **Filipe Dias Kalgaard** and **Romina M. Iramloo**.
- **Countering Anti-Migrant Narratives: The Role of Local and Regional Governments**, organised by the OHCHR Migration Unit. This event was attended by **Filipe Dias Kalgaard** and **Romina M. Iramloo**.
- **Rights of Women Migrant Workers**, organised by the International Society for Human Rights (ISHR). This event was attended by **Filipe Dias Kalgaard** and **Romina M. Iramloo**.

LOOKING AHEAD

ACHRS will participate in the 64th session of the Human Rights Council, to be held between February and March 2027. Before this, ACHRS will participate in the Human Rights and Business Forum and Minority Forum, both of which will be held in the end of November. Part of a study trip, ACHRS will also organise a side event for the Minority Forum, titled "Regional Cooperation from the Grassroots: Advancing Minority Rights Through Youth Leadership", co-organised with the International Yazidis Foundation for the Prevention of Genocide.

STAY UPDATED

YOUTH RIGHTS

BY VICTORIA REBOK

BACKGROUND

In its Resolution 57/30, the Human Rights Council requested that the Office of the United Nations High Commissioner for Human Rights (OHCHR) conduct a study on the impact of mental health challenges on the enjoyment of human rights by young people. The report was considered under Item 3's General Debate, as was the topic of youth rights more generally.

REPORT ON YOUTH & MENTAL HEALTH

Presented by the OHCHR, this report draws on 277 submissions from States, national human rights institutions, and civil society bodies. Based on these and expert contributions, it examines how mental health challenges affect young people's enjoyment of human rights, emphasising that these challenges cannot be separated from the social, economic and political conditions in which they live. It identifies anxiety, depression, burnout, loneliness, trauma, substance use, self-harm and suicidal ideation as key concerns. Crucially, the report stresses that mental health is not simply an individual or medical issue, but is shaped by broader structural factors that can both undermine young people's well-being and prevent them from fully exercising their rights.

The report identifies poverty, unemployment, housing and food insecurity, discrimination, violence, conflict and social isolation as significant factors affecting young people's mental health. These challenges can also undermine their enjoyment of the rights to education, health, work, participation and an adequate standard of living. The report highlights how young people facing intersecting forms of discrimination are particularly vulnerable, while stigma surrounding mental health can further discourage them from seeking support. It therefore calls for States to address the underlying social determinants of mental health, rather than focusing exclusively on individual treatment.

The report further highlights systemic shortcomings in mental health services, including chronic underinvestment, limited access to youth-friendly and community-based care, fragmented support systems and coercive practices. It calls on States to ensure that services are accessible, affordable and of good quality, while respecting young people's dignity, autonomy and informed consent. States must work to "eliminate coercive and restrictive practices in mental health services", including by ensuring "free and informed consent, supported decision-making, independent oversight and effective remedy". Among its recommendations, the report calls for an end to the criminalisation of suicide and suicide attempts, as it discourages young people from seeking help when needed. Improved continuity of care as young people transition from child to adult services is likewise crucial in reducing periods of vulnerability.

Finally, the report stresses that young people must be meaningfully involved in the "design, implementation and evaluation of relevant legislation, policies, budgets, programmes and strategies" concerning mental health.

It calls for adequately resourced participation mechanisms that enable young people to influence legislation, policymaking and budgetary decisions, alongside greater support for youth-led organisations. Accessible information on mental health services and complaint pathways geared towards young people are also crucial, as is the collection of data to ensure the effectiveness of services.

RESOLUTION A/HRC/RES/63/8

The Resolution (A/HRC/RES/63/8) began by stressing "the fundamental importance of the full, effective and meaningful participation of young people in decision-making processes for the realization of all human rights for young people". It notes that "the participation and representation of youth in institutional political processes and policymaking are low" and that "young people are not proportionately represented in leadership". The Council thus urged all States to "promote new initiatives for the full, effective, sustainable, safe and meaningful participation of young people" in public and political affairs.

The Council also devoted significant time to discussing the role of digital technologies in young people's enjoyment of human rights, recognising both the opportunities and dangers posed by these tools. Article 8 therefore "calls upon States to ensure the enjoyment of all human rights by young people in the digital environment", including by "promoting transparency and accountability [...], "as well as young people's digital and media literacy, equal access to digital technologies and full and meaningful participation in discussions on the governance of digital and artificial intelligence systems".

On the topic of mental health, the Council called on States to "adopt approaches to mental health that are responsive to the needs of young people", placing particular emphasis on "prevention, early intervention, community-based support and continuity of care". To address the root causes of mental health challenges among young people, the Council urged States to tackle "poverty, unemployment, a lack of an adequate standard of living [...], violence, discrimination, stigma, social exclusion", as well as acute environmental and humanitarian challenges. Linked to this, the Resolution devoted significant space to addressing inequalities, barriers, and discriminatory practices that may affect young people, including on the basis of their gender, race, sexual identity, or disability status.

On the topic of capacity-building, Article 12 called on States to "develop initiatives on human rights education for youth", including by taking into account the action plan of the World Programme for Human Rights Education.

CONTEXT: HUMAN RIGHTS EDUCATION (HRE)

Human rights education (HRE) is a lifelong process of learning about, through and for human rights. It encompasses the provision of knowledge and understanding of international human rights standards, the development of skills and attitudes necessary to uphold these rights, and the promotion of behaviours that respect and protect the rights of others. Beyond raising awareness of legal frameworks, HRE seeks to empower individuals to recognise, claim and exercise their own rights, while enabling them to challenge discrimination, inequality and abuse. It also promotes a culture of human rights grounded in dignity, equality, participation and accountability, helping individuals understand both their rights and their responsibilities towards others.

HRE is essential to the effective realisation of human rights, as legal protections alone cannot guarantee that individuals are aware of their rights or able to exercise them. By equipping people with the knowledge and tools to identify violations, seek remedies and hold authorities accountable, HRE can strengthen access to justice, democratic participation and the rule of law. It also plays a preventive role by addressing prejudice, intolerance and discriminatory practices, while fostering more inclusive and peaceful societies. Its importance extends to public officials, law enforcement personnel, educators and other duty-bearers, whose understanding of human rights is critical to ensuring that institutional policies and practices comply with international standards. However, HRE must be accessible, context-sensitive and responsive to the needs of marginalised and vulnerable groups to avoid reproducing the very inequalities it seeks to address.

At the international level, the World Programme for Human Rights Education (WPHRE) was proclaimed by the United Nations General Assembly in December 2004 through resolution 59/113, building on the UN Decade for Human Rights Education (1995–2004). Coordinated globally by the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Programme aims to advance the implementation of HRE across all sectors through successive phases, each providing a framework for national action and focusing on specific priorities. The first phase (2005–2009) focused on primary and secondary education; the second (2010–2014) on higher education and training for teachers, civil servants and law enforcement officials; the third (2015–2019) on strengthening these efforts and training media professionals and journalists; and the fourth (2020–2024) on youth empowerment. The current fifth phase (2025–2029) prioritises children and young people, human rights and digital technologies, the environment and climate change, and gender equality.

OBSERVATIONS & RECOMMENDATIONS

The Amman Center for Human Rights Studies (ACHRS) welcomes the discussion of youth rights at the Human Rights Council. ACHRS particularly welcomes the Council's call for expanded human rights education, recognising it as a crucial prerequisite for the enjoyment of all human rights. It looks forward to seeing this issue discussed further during the 6th session of the Forum on Human Rights, Democracy and the Rule of Law, which will be held on 16 and 17 November 2026.

ENFORCED DISAPPEARANCES

BY AMINA ALAYOUT

BACKGROUND

This brief summarises the interactive dialogue between States and the Working Group on Enforced or Involuntary Disappearances (WGEID) during the 63rd session of the Human Rights Council, held in September 2026. It draws on the official transcripts of the 11th and 12th meetings and attributes each position to the delegation that stated it. The full ACHRS report, which contains a wider legal and regional analysis, can be found **here**.

LEGAL FRAMEWORK AND THE ARAB RATIFICATION GAP

Two mechanisms address enforced disappearance at the international level. The Working Group was established in 1980 by the former UN Commission on Human Rights and derives its mandate from the UN Charter. Its competence extends to all UN Member States, regardless of whether they have ratified any treaty.

The International Convention for the Protection of All Persons from Enforced Disappearance, adopted on 20 December 2006 and in force since 23 December 2010, created a second body, the Committee on Enforced Disappearances (CED). The Committee's competence is confined to States parties, and individual communications require an additional declaration under Article 31. The Convention obliges States parties to criminalise enforced disappearance in domestic law (Article 4). It also provides that a widespread or systematic practice of enforced disappearance constitutes a crime against humanity under applicable international law (Article 5). The Committee's recommendations are not legally binding in the strict sense.

The practical distinction between the two mechanisms matters. Ratification determines whether families can access the Convention's treaty body. Families in the Arab region that live in States which have not ratified the Convention cannot submit formal cases to the CED, but the WGEID can receive and transmit their cases. Egypt, which has not ratified the Convention, engaged with the Working Group's mandate in its own right during the session. Iraq, which has ratified the Convention, spoke on behalf of the Group of Arab States rather than in a national capacity.

Ratification remains very low in the region. Seventy-eight of the 193 UN Member States (40.4%) are party to the Convention. Six of the 22 Arab League States (27.3%) are parties. The gap is compounded by the Rome Statute of the International Criminal Court. Enforced disappearance is a crime against humanity under Article 7(2)(i) of the Statute, but the definition is more demanding than that of the Convention, requiring the intent to remove persons from the protection of the law for a prolonged period. ICC jurisdiction depends on Rome Statute membership, a referral by the Security Council, or a declaration under Article 12(3). Ratification of the Convention does not, by itself, confer ICC jurisdiction. The combination of a high prevalence of disappearances and limited legal commitment leaves significant accountability gaps in the region.

THE 6RD SESSION: CRISES, RESPONSES AND ACCOUNTABILITY GAPS

The most pressing concern raised during the session was the operational crisis confronting the Working Group. The Chair reported that the Group currently monitors more than 50,000 cases under active consideration, while more than 8,000 further cases await registration, review or processing. Between May 2025 and May 2026, the Group received 1,723 new cases transmitted to 36 States, the highest annual number recorded in over a decade. Its capacity has not expanded to meet this demand. Instead, its capacity has contracted because of the United Nations liquidity crisis, which has reduced the voluntary contributions on which the special procedures depend. Planned country visits could not be undertaken for budgetary reasons rather than because of State non-cooperation. The Chair warned that delay in reviewing submissions can cause the Group to miss the window in which urgent international attention might secure a release or clarify a person's fate. ACHRS regards this as a concrete human cost, not an administrative inconvenience.

The Working Group also presented a thematic study on enforced disappearances and memorialisation. The study establishes memorialisation as a form of reparation, an integral component of the right to truth, and a guarantee of non-recurrence. The Group was nonetheless clear that memorialisation is not a substitute for justice and accountability. It must complement truth-seeking, prosecution of perpetrators, reparations and institutional reform, and States cannot discharge their obligations through memorialisation alone. The study identifies effective practice as victim- and family-led initiatives supported by the State. The People's Memorial Park in Barda, Nepal, which is managed by the families of disappeared persons under municipal guardianship, was cited as an example. A follow-up report on Uruguay, which followed a 2022 country visit, showed that a State can implement recommendations, record progress and still identify the gaps that remain.

The States' responses fell into three broad patterns. These patterns are not fixed, and several States display features of more than one. Their common feature is that willingness to engage depends heavily on whether the violations concern the distant past or present conduct.

The first pattern is constructive engagement. Bangladesh reported the passage of the Prevention and Remedy of Enforced Disappearance Bill 2026, which criminalizes enforced disappearance and provides for search, compensation and rehabilitation. The Gambia reported that 12 of the 14 outstanding cases before the Group had been clarified, and that a special prosecutor had been appointed. Ecuador and Chile described reforms to national search mechanisms and registers of victims. Engagement in these cases is closely linked to past violations that have been at least partially addressed. Mexico presents a more complex picture. Its delegation reported the identification of more than 22,000 previously recorded disappeared persons between 2023 and 2026, in cooperation with the United Nations Population Fund. Non-governmental statements at the same session, however, referred to a further procedure concerning Mexico under the Convention and cited a figure of more than 130,000 disappeared persons. Reported progress must be assessed against independent data.

The second pattern is defensive and contested engagement.

Egypt affirmed its commitment to "constructive and serious cooperation" with the Working Group, but argued that certain parties were abusing the Working Group's mechanisms for political reasons and asked the Group to verify its complaints and reconsider long-open cases. Tanzania rejected the Group's account of the October 2025 general election as "imbalanced" and insisted that no conclusions be drawn while national inquiries were pending. Rwanda rejected attribution of disappearances in eastern DRC to its authorities. China, the Democratic People's Republic of Korea and India rejected the allegations or relied on domestic safeguards. Procedural demands for evidence are a legitimate element of due process. The analytical concern arises when procedural objections replace substantive engagement, or when the existence of domestic safeguards is treated as proof that particular disappearances did not occur.

The third pattern is deflection. Sudan, Yemen and Afghanistan acknowledged the gravity of enforced disappearance but attributed primary responsibility to non-State armed actors. Sudan cited more than 15,000 cases recorded by its Commission of Inquiry and attributed them to rebel militias. Yemen described the Houthi movement's use of enforced disappearance. The Working Group's Vice-President responded that the Group had addressed non-State actors through its procedure on acts tantamount to enforced disappearance, and that it also transmits allegations concerning enforced disappearances attributed to the States concerned. The Group's clarification shows that responsibility attributed to non-State actors does not exhaust a State's obligations under international law.

Three trends emerge from these patterns. The first is temporal asymmetry: engagement is most fluid when the violations concern the distant past and least fluid when they concern present or recent conduct. The second is the displacement of contestation from substance to procedure, as several defensive States do not deny that disappearances occur but dispute the attribution of particular cases or the reliability of sources. The third concerns capacity. The invitations extended by Bangladesh, Canada, the Maldives and the Republic of Korea could not be realised because of the liquidity crisis. The resource constraint therefore weakens the channels through which constructive dialogue is most productive.

KEY REGIONS, TRANSNATIONAL CRISIS, AND URGENT RECOMMENDATIONS

The context and methods of enforced disappearance have changed considerably since the Working Group was established in 1980. In its opening remarks at the 63rd session, the Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances (WGEID) recalled that, at its creation, the Group dealt primarily with disappearances associated with military dictatorships. Today the actors, methods and justifications have diversified, but the purpose remains the same: to place a person outside the protection of the law and to conceal the truth.

Since the early 2000s, particularly following 11 September 2001, counter-terrorism frameworks have become a principal justification for disappearances.[1] This development poses a serious problem, because no internationally agreed definition of terrorism exists, even within the United Nations system. That definitional gap enables widespread abuse. The High Commissioner for Human Rights has reminded States that counter-terrorism legislation must conform to international human rights law,

including the principles of legality and legal certainty.[2]

The 63rd session also showed that the Working Group's caseload is increasingly concentrated in active armed conflicts. During the discussion on Palestine, the Group of Arab States, Malaysia, Turkey and the State of Palestine described the scale of the situation. The State of Palestine stated that the issue is no longer a lack of evidence but a lack of consequences, and a civil society statement cited more than 11,000 Palestinians forcibly disappeared since October 2023, according to official Palestinian figures. On Ukraine, the Ukrainian Parliament Commissioner for Human Rights reported almost 16,000 civilians missing by the end of 2025, of whom 840 had been confirmed through the International Committee of the Red Cross. Poland recalled the Working Group's finding that the disappearance of deported and transferred Ukrainian children is widespread and systematic, amounting to a crime against humanity.

ACHRS puts forward five priorities for States and the Human Rights Council. First, Arab States that have not ratified the Convention should do so, and Algeria and Lebanon, as signatories, should complete ratification. Second, the five Arab States that are parties to the Rome Statute should incorporate Article 5 of the Convention into their domestic law. Third, all States should adopt national criminal legislation on enforced disappearance consistent with Article 4 of the Convention. Fourth, the Committee on Enforced Disappearances and the Working Group should receive the resources they need to fulfil their mandates. Fifth, States that transfer detainees across borders should guarantee full non-refoulement safeguards, and memorialization should be pursued as part of a comprehensive approach that includes truth, justice and reparation.

Several States, including France, Morocco, Argentina and Japan, presented a resolution to renew the Working Group's mandate for three years. ACHRS welcomes this initiative and calls for the mandate to be matched by adequate resources and by political support that translates into accountability.

ACHRS's final statement addresses three audiences. To the disappeared and their families, it affirms that the right to truth, justice and reparation is not diminished by the limits of existing mechanisms. To States, it calls for ratification, domestic legislation, cooperation with the Working Group, and the protection of detainees against transfer without safeguards. To perpetrators, it states that impunity is not permanent, and that the accumulation of documented cases will sustain future accountability.

REFERENCES

[1] Council on Foreign Relations, "The 9/11 Effect and the Transformation of Global Security," available at: https://www.cfr.org/articles/the-9-11-effect-and-the-transformation-of-global-security
[2] United Nations Office of the High Commissioner for Human Rights, "Fact Sheet No. 32 (Rev.1): Human Rights and Counter-Terrorism," available at: https://www.ohchr.org/sites/default/files/documents/publications/fact-sheet-no-32-rev-1-rights-terrorism-counter-terrorism-web.pdf.

ARBITRARY DETENTION

BY AMINA ALAYOUT

BACKGROUND

This brief summarises the interactive dialogue between States, national institutions and civil society and the Working Group on Arbitrary Detention (WGAD) during the 63rd session of the Human Rights Council, held in September 2026. It draws on the official transcript of the dialogue and focuses on the Group's annual report for 2025, whose thematic focus is arbitrary detention and transnational repression. The brief accompanies the ACHRS report on the Working Group on Enforced or Involuntary Disappearances.

THE WORKING GROUP AND ITS STANDARD

The Working Group on Arbitrary Detention was established in 1991 by the former UN Commission on Human Rights, and, like the Working Group on Enforced or Involuntary Disappearances, its mandate applies to all UN Member States regardless of their treaty commitments. The Group examines individual cases and adopts opinions on whether a deprivation of liberty is arbitrary. It applies five categories: detention without any legal basis; detention resulting from the exercise of rights guaranteed by international law; violations of fair trial guarantees; detention in the context of asylum or migration; and detention based on discrimination. Its opinions are not judicial decisions and are not binding in the strict sense, a point that Peru emphasised during the dialogue. The Group's influence therefore rests on follow-up, publicity and the willingness of States to act on its findings.

The Vice-Chair presented the Group's report for 2025. Its headline figure was the release of 115 individuals following the Group's interventions and follow-up, the highest number recorded in a reporting period. Releases had risen steadily from 16 in 2021 to 23 in 2022, 38 in 2023 and 45 in 2024, making 2025 an increase of about 156% over 2024. In 2025, the Group adopted 78 opinions concerning 210 individuals, including 28 women and four children, in 38 countries. It joined 23 urgent appeals and transmitted 148 allegation letters.

The Vice-Chair cautioned that these figures are not a scoreboard, because a communication is a question rather than a conclusion. The data nonetheless show the limits of cooperation. States replied in time in 46% of the cases in which an opinion was adopted, follow-up information reached the Group in 26% of cases, and information from sources reached it in 85%. Where a State does not reply, the Group decides on credible allegations as they stand. The Vice-Chair renewed the Group's call for States to implement its opinions and to open their doors to country visits.

ARBITRARY DETENTION, TRANSNATIONAL REPRESSION AND STATES ACCOUNTABILITY

The Vice-Chair described transnational repression as a practice that "has learned to travel" and identified three modalities. The first is physical: abductions, renditions and forcible returns carried out without a judge reviewing the file. The second is legal: trials in absentia, extradition requests, Interpol red notices, deprivation of nationality and the criminalisation of peaceful activity abroad.

The third is digital: spyware, hacking and coordinated harassment, increasingly amplified by artificial intelligence.

The Group also identified the practice of targeting relatives, who are arrested at home for what another person has said abroad. It described such relatives as hostages and considered the practice incompatible with the principle of individual criminal responsibility.

The Group did not reject international cooperation in criminal matters. It argued that extradition is "an instrument of justice" and becomes an instrument of repression when it is used to retrieve a critic rather than a suspect. Its requirements were genuine judicial oversight, public hearings, an effective remedy that allows the person to challenge a request before it is executed, strict respect for non-refoulement, and serious vetting of red notices.

The Group also presented the findings of its country visit to Australia in December 2025. It identified real strengths, including safeguards in police custody, judicial oversight of extensions of detention, access to counsel, Aboriginal legal hotlines and community-based justice initiatives. It also raised serious concerns: the absence of a federal human rights act, rising pretrial detention under restrictive bail laws, the continuing overrepresentation of First Nations peoples in incarceration, the minimum age of criminal responsibility, and mandatory migration detention, including of children.

The States' responses fell into broad patterns. These patterns are not fixed, and several States display features of more than one. The first pattern is constructive engagement. Australia welcomed the report as an opportunity to build on the strengths of its criminal justice system. It acknowledged the overrepresentation of Indigenous peoples in detention and the tragedy of deaths in custody, and it referred to the National Agreement on Closing the Gap, expanded diversion programmes and reinforced safeguards in immigration detention.

Broad support and concern. The European Union welcomed the release of 115 persons as the fourth consecutive year of improvement. It expressed concern at the insufficient response rate to the Group's communications and called on all States to cooperate in the follow-up procedure. The Nordic-Baltic States asked how the United Nations system could strengthen coordinated monitoring of transnational repression, which they described as one component of the hybrid warfare that authoritarian States pursue against democratic societies. The Benelux countries, joined by Switzerland, asked what concrete steps States can take to ensure that international judicial cooperation does not become a form of transnational repression. Germany reported new criminal legislation on transnational repression, which entered into force in April 2026, and new guidance for victims.

Constructive engagement. Morocco described a major overhaul of its criminal procedure code, which strengthens safeguards in police custody and pretrial detention and makes pretrial detention the exception rather than the rule. Guatemala reported a newly appointed attorney general and the release of two human rights defenders whose detention had been arbitrary. The Democratic Republic of the Congo reported legislation that prohibits deprivation of liberty for the peaceful exercise of public freedoms. The Republic of Korea welcomed a country visit by the Group from 23 November to 4 December 2026,

and called on the Democratic People's Republic of Korea to release three South Korean missionaries whose detention the Group had found arbitrary in 2024.

Defensive and contested responses. China regretted that most of the Group's communications in 2025 concerned developing countries, which it described as evidence of double standards, and it asked the Group to rely on accurate and authoritative information. Egypt stated that "some parties misuse this special procedure as a political targeting tool", that certain investigations are misdescribed as arbitrary detention, and that it has sufficient legal and constitutional guarantees to prevent arbitrary detention. Tanzania rejected the suggestion that arbitrary detention is an accepted practice and argued that the detention of a political figure, whose case is before a competent court, was lawful and in conformity with the International Covenant on Civil and Political Rights. Iraq maintained that the detention of one individual is based on Iraqi law and is not arbitrary, and it asked that opinions rest on objective evidence and allow States to present their position. India argued that allegations involving national security, terrorism or public order cannot by themselves establish arbitrariness, and it asked the Group to distinguish clearly between verified facts, source allegations, government submissions and legal assessments.

KEY REGIONS AND URGENT RECOMMENDATIONS

Arbitrary detention and enforced disappearance are closely connected in practice. In armed conflict and under occupation, the same authorities that disappear persons also detain them without a legal basis, without access to counsel and without notice to their families. The interventions below show this overlap across the regions most affected in 2026.

The Group of Arab States, speaking through Iraq, argued that arbitrary detention cannot be considered while ignoring the situation of Palestinians under occupation, and asked the Group to continue documenting the pattern. The State of Palestine stated that the Group had received zero urgent appeals and zero allegation letters concerning Israel during the reporting period, and it gave figures of more than 9,600 Palestinians in detention, including 350 children and about 3,500 held administratively, and at least 104 deaths in custody since October 2023. These are the State's own figures and have not been verified in the transcript. The Maldives described over 9,000 Palestinians in detention as of February 2026, most of them under administrative detention, and called for sanctions against Israel. A video statement from the Independent Commission for Human Rights of the State of Palestine reported around 9,400 Palestinians in Israeli prisons as of July 2026, including more than 3,200 administrative detainees, and at least 91 deaths in custody.

The Ukrainian Parliamentary Commissioner for Human Rights reported almost 1,900 Ukrainian civilians confirmed as unlawfully detained. A statement on behalf of Lithuania, Poland and Ukraine (the Lublin Triangle) condemned arbitrary detention of civilians and prisoners of war in occupied Ukrainian territories, and called for access by independent mechanisms to all places of detention. The National Independent Human Rights Commission of Burundi reported 223 cases of arrest or arbitrary detention documented since June 2026, of which 124 were still being processed.

Yemen, by video, attributed to the Houthis the abduction of 73 United Nations and international organisation workers since 2024, two of whom had died. Afghanistan's speaker described a systematic practice of arbitrary detention by the Taliban, targeting journalists, activists, former officials and security personnel, and cited figures for April to June 2026 that include at least 389 arbitrary arrests carried out by personnel responsible for the propagation of virtue and prevention of vice.

The Vice-Chair's concluding remarks answered the principal questions of the dialogue. She stated that the procedure is adversarial by design, with 60 days for a State to respond, extendable by one month, and that a late reply is read and weighed even when it does not appear in the summary of the opinion. She stressed the distinction on which the Group's work rests: "Guilt is a matter for your courts, arbitrariness is a matter for us." The Group asks whether a detention has a legal basis and whether proceedings met the guarantees accepted upon ratification of the Covenant, not whether a person is guilty. On judicial cooperation, she set out four conditions: a transfer without judicial oversight is rendition rather than extradition; the request must be refused where a test of motive reveals a political or otherwise illegitimate purpose; an effective remedy must be available before removal; and red notices must be weighed against Article 3 of the Interpol Constitution, with full respect for non-refoulement. Transnational repression on a State's own territory must be treated as a crime committed on that territory. She also noted that detention of humanitarian and United Nations personnel had risen more than fivefold in a single year, that two country visits could not be financed in 2026, and that the backlog grows as the caseload grows. She stated that anyone who speaks to the Group must be able to do so without fear of reprisal, and she asked States to answer letters, implement opinions and admit the Group to their territory.

Three trends stand out. The first is that arbitrary detention and transnational repression are closely linked, and the link runs through judicial cooperation. Extradition, red notices, trials in absentia and deprivation of nationality all turn lawful-looking procedures into instruments of pursuit, and the families who remain at home are often the last point of pressure. The second is that the Group's effectiveness depends on the cooperation of States. States replied in 46% of cases in which an opinion was adopted, while follow-up information was received in 26%. The Group therefore relies heavily on information from sources, which reached it in 85% of cases. Several delegations asked the Group to verify its sources more rigorously. ACHRS regards this as legitimate, but source verification must be applied in the same way to State replies, which the Group is entitled to weigh but not to accept by default. The third is that contestation focuses on methods rather than substance. China, Egypt, Iraq and India do not deny that detention occurs, but they challenge the Group's sources, its treatment of national security cases and its interpretation of legality.

The Group's answer, that it asks whether detention has a legal basis rather than whether the person is guilty, is the appropriate analytical distinction. The distinction does not, however, remove the need for States to demonstrate that proceedings meet the guarantees they accepted.

Speakers converged on a set of measures that ACHRS supports. These include genuine judicial oversight of extradition and international judicial cooperation; the vetting of Interpol red notices; effective remedies before a removal takes effect;

strict respect for non-refoulement; the protection of human rights defenders, journalists and relatives from reprisal; resources for the Group; regular responses to its communications; and the implementation of its opinions. The Nordic-Baltic States' question on system-wide UN coordination on transnational repression, and the call by Article 19 for due diligence by technology companies, add dimensions that the Human Rights Council should consider. ACHRS's regional priorities are set out in the full report. In the Arab context, they include accepting the Group's requests for country visits, responding to its communications within the prescribed period, and subjecting extradition requests to independent judicial review before execution.

DEATH PENALTY

BY AMINA ALAYOUT

BACKGROUND

This brief summarises the Human Rights Council's consideration of the question of the death penalty during the 63rd session, held from 7 September to 9 October 2026. It is based on the Secretary-General's report on the question of the death penalty (A/HRC/63/46). The report covers July 2024 to June 2026 and was presented under agenda items 3 and 8 as one of fourteen reports on thematic issues. This brief summarises its findings, places them within the wider international trend, and sets out the position of the Amman Center for Human Rights Studies (ACHRS), which it shares with the Jordanian Coalition Against the Death Penalty (JCADP) and the Arab Coalition Against the Death Penalty (ACADP).

LEGAL FRAMEWORK AND THE ABOLITIONIST TREND

The right to life is the precondition for every other right. Without it, the rights to health, work, education and a fair trial have no holder. International law recognises this in Article 6 of the International Covenant on Civil and Political Rights, which limits the death penalty to "the most serious crimes", prohibits its imposition for offences committed by persons under 18, and guarantees the right to seek pardon or commutation. The Human Rights Committee has interpreted the most serious crimes as crimes of extreme gravity involving intentional killing. The Second Optional Protocol to the Covenant, which aims at abolition, had 92 States parties as of 9 June 2026, following the accession of Zambia in December 2024. The Protocol has no denunciation clause, so abolition under it is legally irrevocable.

The trend towards abolition is substantial. The report records that some 170 States have abolished the death penalty, introduced a moratorium in law or in practice, or ceased executions for more than ten years. In December 2024, the General Assembly adopted resolution 79/179 on a moratorium on the use of the death penalty by 130 votes in favour, the largest majority yet recorded for such a resolution. Within the Council, the question is addressed through decision 18/117 and a set of related resolutions on children of those sentenced or executed, on transparency and on the rights of families of death-row prisoners. The next General Assembly moratorium resolution is expected in December 2026, and ACHRS regards it as an opportunity for States in the region to show their commitment.

THE REPORT AND THE SESSION

The Secretary-General's report describes two opposing movements. New laws have abolished the death penalty, and legal reforms have narrowed the scope of capital offences. At the same time, executions have risen sharply in a small number of States. The report stresses that this concentration is the central feature of the current picture. When the Equality and Non-Discrimination Branch of the Office of the High Commissioner for Human Rights presented the report, it drew the Council's attention to this concentration and to the lack of safeguards in several of the States concerned.

The report records a number of encouraging reforms. The Gambia removed the death penalty in March 2025, including for murder. Guinea restored an explicit constitutional ban in September 2025. A parliamentary committee in Lebanon approved, in February 2026, a draft law that would replace the death penalty with life imprisonment under strict conditions. Viet Nam reduced its capital offences from eighteen to ten, and Pakistan removed for the death penalty for two offences. Indonesia's new Criminal Code, in force from January 2026, classifies the death penalty as a special last-resort sentence. Courts have also acted. The Constitutional Court of Kyrgyzstan held in December 2025 that proposed amendments reintroducing the death penalty were unconstitutional.

Against these reforms, the report documents reinstatement, expansion and resumption. Israel adopted legislation in March and May 2026 that effectively reintroduces the death penalty for offences which, the report notes, may in practice apply only to Palestinians, and a special military court was created in May 2026. The High Commissioner and special procedures raised concerns about due process and discrimination. Burkina Faso's Council of Ministers approved in December 2025 a draft bill reinstating the death penalty for treason and terrorism, among other offences. Chad established a commission in June 2025 to consider reinstatement, four years after abolishing the death penalty. Several States have also widened the scope of capital punishment for drug offences. The Maldives introduced it for drug trafficking in March 2026, Algeria extended it to drug-related offences in July 2025, and Kuwait broadened its anti-drug law in December 2025. Myanmar enacted the death penalty for election-related offences in July 2025. The report also records resumed executions after long gaps, including in Japan, South Sudan, the United Arab Emirates and Taiwan, and the lifting of the de facto moratorium in the Democratic Republic of the Congo in March 2024, which the High Commissioner described as a major step backwards.

Drug offences form the largest single category of concern. The report records at least 1,212 drug-related executions worldwide in 2025, of which 955 took place in Iran. Saudi Arabia reportedly carried out some 240 drug executions in 2025, nearly twice the 2024 figure, and Singapore carried out 15 of its 17 executions in 2025 for drug offences, as well as all 12 in the first half of 2026. The High Commissioner expressed alarm in January 2026 at the rising share of drug executions. The Human Rights Committee holds that drug offences, however serious, can never justify the death penalty under Article 6, and the report records death sentences for conduct that falls far below the threshold of the most serious crimes, including a sentence in Tunisia for social media posts. The report also links the executions in Iran to the repression of dissent, as documented by the Fact-Finding Mission on Iran.
The report treats the mandatory death penalty as arbitrary and incompatible with the most serious crimes threshold. Mandatory death sentences were reportedly imposed in 2025 in Iran, Nigeria, Pakistan, Saudi Arabia, Singapore, Trinidad and Tobago and Yemen. In February 2025 the African Court found that the mandatory death penalty for murder in Tanzania violated the right to life.

The report also addresses methods and public executions. Article 7 of the Covenant prohibits painful or humiliating methods and public executions, and a breach renders an execution arbitrary. Louisiana carried out an execution by nitrogen gas in March 2025, and the High Commissioner and experts have called for a ban on nitrogen asphyxiation as a potential form of torture.

Afghanistan carried out public executions in a sports stadium in April and October 2025.

The report also shows what safeguards can achieve. Morocco commuted 24 sentences through royal pardons. Malaysia commuted more than 1,000 sentences after abolishing the mandatory death penalty in 2023, although 97 people remained on death row in November 2025, and the share of women among them fell from 9.65% in 2022 to 1.43% in January 2025. In Japan, a man who had spent 46 years on death row was acquitted on retrial in September 2024. The report warns, however, that prisoners facing indefinite detention may fall outside resentencing reforms, as in Malaysia.

On children, the report recalls that the prohibition in Article 6(5) of the Covenant and Article 37(a) of the Convention on the Rights of the Child applies by reference to age at the time of the offence, and that the benefit of the doubt applies where age is uncertain. Four people were executed in Somalia in August 2024 for offences committed as minors, and one such execution took place in Saudi Arabia in August 2025, with four others at risk.
On persons with psychosocial or intellectual disabilities, the report notes that 83% of the 39 people executed in the United States in 2025 had a significant vulnerability, such as severe mental illness or brain injury.

On gender, it records that Iran executed 48 women in 2025, a rise of 55% on 2024, and that women who act in self-defence are rarely assessed in light of prolonged abuse. The report also addresses the families of those on death row. Drug-related executions in Iran left at least 222 children without a parent in 2025. Secrecy, the Special Rapporteur has observed, deprives families of notice and of any chance to prepare, and their suffering may amount to cruel, inhuman or degrading treatment.

Transparency is a serious obstacle. Resolution 60/17 calls on States to publish full, accurate and disaggregated data. China and Viet Nam classify such data as State secrets, and civil society raised transparency concerns in fifteen States, including Algeria, Iran, Iraq, Kenya, Lebanon, the Maldives, Nigeria, Somalia and Sri Lanka. On deterrence, the report finds no conclusive evidence that the death penalty deters crime more effectively than other forms of punishment.

Its recommendations are addressed to States. They call for moratoria with a view to abolition, an end to capital punishment for offences that do not involve intentional killing, the abolition of mandatory death sentences, effective clemency procedures, the publication of data, an end to executions of juvenile offenders, the prohibition of the death penalty for persons with disabilities, and the protection of the children of those on death row.

THE REPORT AND THE SESSION

The trends described in the report are most visible in the Middle East and North Africa, where ACHRS works. While the world as a whole moves towards abolition, this region moves in both directions at once. On 10 October 2026, the World Day Against the Death Penalty, ACHRS, JCADP and ACADP issued a joint statement reaffirming their opposition to the death penalty in all circumstances. The statement records that executions are rising among the small group of States that still carry them out, and that close to half of all known executions in 2025 were for drug-related offences, in breach of international law.

Lebanon offers the region's clearest model. On 11 August 2026, Lebanon abolished the death penalty and replaced it with life imprisonment with hard labour, becoming the first State in the Middle East to abolish capital punishment formally. The reform followed the parliamentary committee's approval of a draft law in February 2026, which the Secretary-General's report records as the preceding stage.

Other States are moving in the opposite direction. Israel's law of March 2026 on the death penalty for "terrorists" applies, by its own wording, primarily if not exclusively to Palestinians. Human rights organisations and several governments have denounced it as discriminatory, and the report records the concerns raised by the High Commissioner and special procedures.

Jordan is the case that ACHRS has most reason to examine closely. On 21 June 2026, six men were executed in a single morning, ending a de facto moratorium that had been in place since March 2017. They had been convicted by the State Security Court of terrorism and drug-trafficking offences that caused the deaths of members of the security forces. Jordan had reinstated the death penalty in December 2014, but executions since then had been sporadic. Courts, however, never stopped imposing death sentences during the moratorium. The National Center for Human Rights reported 284 people under sentence of death in 2023 and 276 in 2024, including 22 women. Each of them now faces the risk of execution. According to the joint statement, the Prime Minister announced on the day of the executions that the law would be amended so that major drug traffickers and smugglers linked to external networks would face the death penalty. ACHRS deeply regrets this announcement. For nine years, Jordan stood apart in the region by refraining from executions. Resuming executions and planning to expand the scope of capital punishment represent serious steps backwards.

The joint statement also identifies a broader concern shared by ACHRS. Renewed "tough on crime" approaches, particularly in the war on drugs, are driving the rise in executions across the region and beyond. The death penalty is increasingly presented as the answer to insecurity, rising crime and threats to national unity. ACHRS rejects this narrative. There is no evidence that capital punishment deters crime more effectively than other punishments. National cohesion does not rest on executions. It rests on respect for the rights of every person and, above all, on social and economic conditions that address the root causes of crime, such as poverty, unemployment, exclusion and lack of opportunity.

ACHRS therefore calls for three measures. First, the commutation of the sentences of all persons currently on death row to terms of imprisonment. Second, the abandonment of any plan to extend capital punishment, in particular to drug-related offences, which do not meet the threshold of the most serious crimes. Third, the establishment or maintenance of moratoria by all States of the region, following Lebanon's example, and support for the General Assembly's moratorium resolution in December 2026. ACHRS also calls on Arab States to respond to the Council's communications and to provide information on their use of the death penalty. The right to life is not a privilege granted by the State. It belongs to every person, whatever the crime of which they are accused. ACHRS calls on Jordan to return to the path it followed for nine years, and on every State in the region to follow Lebanon towards abolition.

HUMAN RIGHTS OF OLDER PERSONS: REPORT OVERVIEW

BY BASEMA ABU SHAMMALEH

BACKGROUND

Pursuant to Human Rights Council Resolution 60/11, the Independent Expert on the enjoyment of all human rights by older persons submitted a report titled 'Cognitive impairment and the continuing exercise of Human Rights by Older Persons' (A/HRC/63/35). The report was entered into the record ahead of the Council's 63rd session, to be considered under Item 3.

INTRODUCTION AND NORMATIVE FOUNDATION

The report "Cognitive impairment and the continuing exercise of Human Rights by Older Persons" examines how older persons with cognitive impairment can continue to enjoy and exercise their human rights. Its central concern is that cognitive impairment can sometimes result in older persons being spoken for rather than listened to, excluded from decisions affecting their lives, or treated as though their legal and social status has been reduced. The report therefore calls for a human rights-based approach that recognizes older persons as rights holders throughout changes in their cognitive abilities.

The report emphasizes that cognitive impairment should not be understood as diminishing a person's personhood. Instead, it requires greater attention to the conditions that allow people to exercise their rights. Societies have a responsibility to create environments in which older persons can continue to exercise rights related to dignity, equality, autonomy, participation and non-discrimination. Communication, relationships, appropriate support and inclusive environments can help older persons exercise these rights meaningfully even as circumstances change.

INHERENT DIGNITY, EQUALITY AND NON-DISCRIMINATION

The report places human dignity and equality at the center of the human-rights framework. It refers to the principle that all human beings are born free and equal in dignity and rights. It also emphasizes the protection of the inherent dignity of the human person under international human-rights law.

Older persons should be able to live with dignity, independence and participation, and discrimination against older persons is inconsistent with human-rights obligations. The report further explains that cognitive impairment falls within the scope of disability and therefore receives additional protection against discrimination. Cognitive functioning should never become a basis for diminishing recognition of a person's rights.

RECOGNITION BEFORE THE LAW AND LEGAL CAPACITY

Another important principle is that older persons with cognitive impairment remain persons before the law and retain their legal capacity. The report states that mental capacity should not be used as a justification for denying legal capacity.

Instead, systems should develop supported decision-making arrangements that respect the person's rights. The purpose of support is to enable the individual to continue making decisions and exercising human rights rather than replacing the individual's decisions. This approach is particularly relevant to older persons living with dementia.

WILL, PREFERENCE, AUTONOMY AND PARTICIPATION

The report presents autonomy as a right that may require support. A person's decision-making ability may fluctuate, but this does not remove the person's right to participate in decisions concerning their life.

Support can include communication assistance, advance planning and other forms of assistance that enable the individual to express their will and preferences. Autonomy therefore continues not only in formal decisions but also in everyday life, relationships, care arrangements, community participation and social inclusion.

IDENTITY, PERSONHOOD, RELATIONSHIPS AND SOCIAL INCLUSION

The report stresses that human rights include the protection of a person's identity, family life, relationships and participation in society. Institutionalization and segregation can undermine social inclusion and participation in family and community life.

Inclusion means more than simply being physically present. Older persons with cognitive impairment should have opportunities to develop and maintain relationships and participate meaningfully in everyday life. Their personhood can continue to be expressed through decision-making as well as through relationships and participation in community life. Cognitive impairment may change how personhood and human agency are expressed, but it does not eliminate them.

HEALTH, CARE AND FREE AND INFORMED CONSENT

Health care is presented as an important part of the protection and exercise of human rights. The report refers to the right to the highest attainable standard of physical and mental health and emphasizes that health services should respect relevant ethical principles, including autonomy.

Health care for persons with disabilities should be provided on the basis of free and informed consent. Care and treatment should support, rather than replace, the person's continuing exercise of autonomy. Thus, health care providers have responsibilities not only to provide treatment but also to respect the individual's rights and dignity.

STANDARDS SPECIFIC TO OLDER PERSONS

The report also highlights standards concerning older persons specifically. Older persons should remain integrated into society and should participate in the formulation and implementation of policies that directly affect their well-being.

They should receive health care and be treated fairly regardless of age, disability or their need for care. This reinforces the idea that needing assistance or experiencing cognitive changes does not place an older person outside the protection of human rights.

FROM PERCEIVED INCAPACITY TO RECOGNITION

Cognitive impairment may involve changes in memory, orientation, language, judgment, executive functioning and other cognitive abilities. However, the report distinguishes the existence of cognitive impairment from the assumption that a person's human rights or social value have diminished.

A human-rights approach does not require denying impairment or the need for care and support. Instead, it requires recognizing that older persons with cognitive impairment remain persons with equal dignity and equal rights.

Recognition means creating conditions that allow people to exercise their rights freely through appropriate support, participation and communication. The report therefore shifts the focus from perceived incapacity to the continuing recognition of the individual as a person and rights holder.

THE CONTINUING EXERCISE OF AUTONOMY

The report develops a broader understanding of autonomy. Autonomy should not be equated with complete independence from other people. Instead, autonomy can be exercised through relationships of mutual support, care and interdependence.

Dependence and vulnerability do not diminish a person's protection under human rights. Support should create the conditions necessary for autonomy to continue. The objective is not to isolate the individual or remove all risks, but to enable the person to continue shaping their own life as far as possible.

Families, professionals, communities and public institutions therefore have an important responsibility to create conditions in which older persons can express and develop their own will. The report describes the movement from substitute decision-making toward supported decision-making as a practical consequence of this broader understanding of autonomy. Its effectiveness depends on legislation, equality, communication, participation and institutional culture.

EXPRESSION OF HUMAN AGENCY

A major theme of the report is that older persons with cognitive impairment may continue to express what matters to them in many different ways. Human agency does not have to be expressed only through clear spoken language or formal decisions.

A person may communicate through words, gestures, emotions, behavior, routines, relationships, silence, creativity, responses, places and activities. These expressions should not be treated as meaningless. Families, professionals and institutions have a responsibility not merely to receive information but to interpret and support the person's expressions while respecting their dignity and individuality.

Communication is therefore essential to exercising human rights. Participation also occurs through ordinary daily choices, such as decisions about what to eat or what to wear. These everyday choices can represent continuing expressions of autonomy and should be supported in ways that reflect the person's values and maintain their sense of belonging to family and community.

The report identifies social withdrawal and institutional practices as important barriers. Institutions should not lower expectations or fail to create opportunities for inclusion simply because a person has cognitive impairment. Barriers to rights are often created not by the impairment itself but by assumptions, routines and institutional practices that overlook or replace the person's own voice.

RIGHTS-REALISING SYSTEMS

The report asks how human agency can be effectively supported in practice. It proposes rights-realising systems that support the continuing exercise of human rights as circumstances change.

Such systems should embed human rights throughout policies and coordinate legal, social, health and community responses. The guiding approach should be:

- Support rather than substitution,
- Participation rather than passive care,
- Non-discrimination in access to services and opportunities,
- Recognition of the older person's continuing ability to shape their own life.

The success of such systems should be understood in terms of whether older persons remain able to exercise their rights and influence their own lives.

Health and care services should therefore be treated as integral parts of a rights-realising system rather than merely as systems for treatment and care. The report calls for movement beyond institutional and crisis-based models toward more community-based approaches.

A human-rights-based approach requires coordinated action across sectors to remove barriers, promote accessibility and ensure that public institutions respond appropriately to cognitive changes. Older persons should remain visible within their families, communities and society, and people living with cognitive impairment should have the skills and support necessary for autonomy, communication, participation and inclusion.

CONCLUSIONS

The report's overall message is that cognitive impairment does not end an older person's human rights or human agency. Older persons remain persons with equal dignity and rights, even when they require assistance with communication, decision-making, health care or everyday activities.

The appropriate response is therefore not to replace the person's decisions or exclude them from participation, but to provide the support, communication, relationships and inclusive environments necessary for them to continue exercising their rights.

The report ultimately promotes a shift away from viewing older persons primarily through incapacity and dependence toward recognizing their continuing personhood, autonomy, will, preferences, relationships and participation. Families, professionals, communities, health services and public institutions all have responsibilities in creating systems that allow these rights to be exercised throughout changing circumstances.

HUMAN RIGHTS OF WOMEN AND CHILDREN IN CONFLICT SITUATIONS

BY VICTORIA REBOK

BACKGROUND

In its Resolution 60/19, the Human Rights Council requested that the United Nations High Commissioner for Human Rights prepare a report on best practices and main challenges in the promotion and protection of the human rights of women and children in conflict and post-conflict situations. The Council discussed the findings of the report through an Interactive Dialogue (ID) on 16 and 17 September.

REPORT AND INTERACTIVE DIALOGUE (ID)

Introducing the report, OHCHR Director Ms. Peggy Hicks highlighted the growing scale of conflict-related violations, noting that the number of armed conflicts had reached 61 in 2024, while an estimated 473 million children lived in conflict-affected areas. She emphasised that women and children face heightened exposure to violence, displacement and exclusion, compounded by gender- and age-based discrimination. In the occupied Palestinian territory, these harms include exceptionally high civilian casualties, starvation, attacks on healthcare infrastructure and severe restrictions on sexual and reproductive healthcare. In Sudan, OHCHR documented rape, gang rape and sexual slavery, often on ethnic grounds, while millions of children have been displaced or deprived of education. Ms. Hicks stressed that accountability must not be undermined by political alliances, and that women, children and survivors must participate meaningfully in peacebuilding and transitional justice processes.

The ensuing interactive dialogue saw Palestine emerge as the principal focus of Arab States' interventions, with delegations repeatedly condemning violations against Palestinian women and children and calling for an end to impunity. Speaking on behalf of the Arab Group, Iraq emphasised that women and children face "murder, displacement, and deprivation of basic services", with the consequences of conflict persisting long after hostilities end. The Group called on the international community to fulfil its responsibility to protect Palestinians, implement international instruments and agreements, and end impunity. However, Iraq also objected to terminology in the report that it considered to be lacking intergovernmental consensus and not grounded in language used in international human rights conventions. Similarly, Bahrain, speaking on behalf of the Gulf Cooperation Council (GCC), condemned the deprivation of humanitarian assistance and basic services experienced by Palestinians and called for unhindered humanitarian access, the protection of humanitarian personnel, recovery and reconstruction. The GCC likewise urged OHCHR to avoid terminology it considered to be lacking consensus. Neither delegation specified what these contested terms were.

A similar position emerged in the intervention delivered by Pakistan on behalf of the Organisation of Islamic Cooperation (OIC). While acknowledging that the existence of justice mechanisms does not necessarily guarantee access to justice, the OIC stressed that procedures must be accessible in practice and responsive to victims' circumstances, with safeguards against stigma, reprisals and further victimisation.

It identified Gaza as a particularly urgent case, citing killings, starvation, forced displacement and the destruction of hospitals, schools and other civilian infrastructure. The OIC argued that persistent impunity compounds Palestinian suffering and undermines prospects for durable peace, insisting that justice, effective remedies and reparation must remain integral to international accountability efforts. At the same time, it echoed the Arab Group's objections to contested terminology in the report. Qatar, meanwhile, speaking jointly with Costa Rica as the core group behind the Council resolution mandating the dialogue, emphasised that the objective must extend beyond reaffirming rights to securing "concrete protection, accountability, justice, and reparation" for women and children affected by conflict.

Beyond Palestine, Yemen highlighted the specific risks facing women and children in its ongoing conflict. Its delegation reported that women had been kidnapped, tortured and held in detention centres, while their freedom of movement had been restricted. It also raised concerns over the forced recruitment of children, including through summer camps, before their deployment to the front lines. The Yemeni government called for the implementation of Security Council resolution 1325 on women, peace and security, alongside a roadmap for child protection. It further urged the international community to end the forced recruitment of children and support their rehabilitation, including through legal and psychological assistance. Algeria, meanwhile, emphasised the need for a comprehensive approach that integrates protection into peace processes and reintegration programmes, strengthens UN assistance through adequate resources and training, and increases women's representation in peacekeeping operations. It also highlighted the importance of strengthening education systems in conflict-affected areas, noting that children deprived of education are particularly vulnerable to recruitment by armed groups.

The dialogue also addressed the situation in Afghanistan, whose delegation highlighted the restrictions imposed by the Taliban on women's and girls' education, movement and employment, alongside the use of discriminatory legislation to entrench their exclusion. Afghanistan called for the Independent Investigative Mechanism for Afghanistan to retain its Geneva base and full operational capacity, as well as continued cooperation with the International Criminal Court (ICC) following the issuance of arrest warrants in July 2025. Its intervention underscored the importance of preserving evidence and ensuring that perpetrators cannot evade accountability by virtue of their official position. Iran, meanwhile, condemned attacks against civilians, including women and children, and called for accountability for alleged war crimes without exception or impunity. Its representative cited civilian casualties during the 2025 and 2026 conflicts involving Iran and highlighted the attack on a school in Minab. These allegations were presented by the Iranian delegation and should be distinguished from independently verified findings.

Overall, the dialogue revealed broad agreement among Arab States on the need to protect women and children, facilitate humanitarian assistance and address impunity, but also a recurring dispute over the language used to describe violations. Palestine dominated the regional discussion, with the Arab Group, GCC and OIC placing particular emphasis on civilian suffering, access to essential services and accountability for violations committed in Gaza. Yemen's intervention, by contrast, focused on abductions, detention and child recruitment, while Algeria emphasised prevention, education and women's participation in peacekeeping.

OBSERVATIONS & RECOMMENDATIONS

The Amman Center for Human Rights Studies (ACHRS) welcomes the High Commissioner's report and the ensuing Interactive Dialogue (ID). ACHRS expresses deep concern over the increasing risks faced by women in conflict situations, particularly in light of the findings of the Secretary-General's most recent report on the implementation of Security Council Resolution 1820 (2008) (S/2026/321), published in May 2026. The report documents a marked escalation in conflict-related sexual violence (CRSV), with 9,788 verified cases recorded in 2025 alone. This represents more than double the 4,600 cases reported in 2024, which had itself marked a 25% increase from 2023. Although men and boys are also affected, women and girls accounted for 95% of verified victims.

ACHRS is particularly concerned by the systematic use of CRSV by Israeli military and security forces, which was addressed during the ID. ACHRS also highlights that the widespread and systematic nature of the violence has resulted in Israel's inclusion on the Secretary-General's list of actors credibly suspected of using CRSV as a tactic of war. In light of these findings, and given the heightened risk of CRSV posed by Israel's illegal incursion into southern Lebanon, ACHRS continues to call on the Human Rights Council to reaffirm its commitment to accountability for conflict-related sexual violence and to recognise CRSV not as a series of isolated acts but as a systemic instrument of violence and repression. ACHRS hopes that this issue will continue to be addressed in subsequent sessions.

RIGHT TO POLITICAL PARTICIPATION

BY VICTORIA REBOK

BACKGROUND

In 2018, the Office of the United Nations High Commissioner for Human Rights (OHCHR) developed draft guidelines on the effective implementation of the right to participate in public affairs, which were subsequently presented in Human Rights Council Resolution 39/11 as a set of orientations for States to follow. Pursuant to Human Rights Council Resolution 57/17, the OHCHR has prepared a follow-up report (A/HRC/63/50) on good practices and challenges that States face when implementing the guidelines. The Council considered this report during the General Debate under Item 3, which took place from 17 to 18 September.

REPORT AND GENERAL DEBATE

The report A/HRC/63/50 examines progress and challenges in implementing the right to participate in public affairs, with a particular focus on elections. It highlights good practices to promote inclusive political participation, including legislative and institutional reforms, civic education, access to information and measures to increase the representation of women and marginalised groups. The report stresses that meaningful participation extends beyond voting to include the ability to influence public decision-making and requires an enabling environment in which fundamental freedoms are protected.

Nevertheless, restrictions on freedom of expression and peaceful assembly, discrimination and barriers to genuine electoral competition continue to undermine effective participation. The report also examines the growing role of digital technologies in electoral processes, recognising their potential to facilitate participation while raising concerns regarding privacy, equality and other human rights. It calls on States to strengthen democratic institutions, protect civic space and ensure that electoral processes are inclusive, transparent and consistent with international human rights standards.

The State interventions during Item 3's General Debate reflected different approaches to the relationship between political participation, national sovereignty and the broader promotion of human rights. Iraq called for international action to end violations against Palestinians, including lifting the blockade and ensuring unhindered humanitarian access, while Kuwait emphasised the indivisibility of human rights and the importance of development and social justice, advocating international cooperation through "objective dialogue, far from any sort of politicization". Bahrain, aligning itself with the Gulf Cooperation Council (GCC), highlighted national legislative and institutional measures, support for its national human rights institution, and implementation of recommendations under the Universal Periodic Review (UPR). The United Arab Emirates similarly emphasised national initiatives to encourage participation, particularly among young people, women, persons with disabilities and older persons, alongside international cooperation and the exchange of good practices. Oman stressed that the central challenge lies in translating international commitments into tangible results, while reaffirming State sovereignty and opposing the selective politicisation of human rights.

The discussion also highlighted the importance of protecting the conditions necessary for meaningful participation. Czechia, which contributed to the preparation of the report, cited amendments enabling citizens living abroad to vote without visiting an embassy in person. It also warned that restrictive legislation, the criminalisation of civil society as "foreign agents", repression and funding constraints can discourage public participation. The delegation further highlighted the growing role of digital technologies in electoral processes, welcoming OHCHR guidance on ensuring their use is consistent with international human rights standards.

OBSERVATIONS & RECOMMENDATIONS

The Amman Center for Human Rights Studies (ACHRS) welcomes the OHCHR's follow-up report and the discussions held during Item 3's General Debate. Nonetheless, ACHRS would have welcomed a more comprehensive discussion of political participation in a more comprehensive manner, particularly as it pertains to Arab states. As highlighted during our oral intervention, States in the region are increasingly using security concerns as a pretext to curtail democratic reforms. However, democracy and security are not competing priorities. Meaningful participation is an essential component of peace. ACHRS hopes that this issue will receive further attention in subsequent sessions of the Council.

FREEDOM OF SPEECH & EXPRESSION

BY VICTORIA REBOK

BACKGROUND

In its Resolution 56/7, the Human Rights Council requested that the Office of the United Nations High Commissioner for Human Rights (OHCHR) conduct a study on the impact of strategic lawsuits against public participation (SLAPPs) on freedom of opinion and expression, and convene a workshop on the topic. However, due to the liquidity crisis affecting the organisation, OHCHR was unable to complete the requested study. Instead, the Council had before it a summary of the workshop convened on 28 May 2025 (A/HRC/63/47) during the General Debate on Item 3, held on 17 and 18 September.

REPORT & GENERAL DEBATE

The OHCHR-convened workshop highlighted how SLAPPs are used to intimidate, exhaust and silence individuals and organisations speaking out on matters of public interest. Such lawsuits are often brought by powerful private actors against journalists, human rights defenders, activists and civil society organisations through defamation claims or other legal proceedings. Even when unsuccessful, they can impose substantial financial and psychological burdens, encourage self-censorship and discourage others from exposing corruption, human rights violations or corporate misconduct. The report identifies SLAPPs as an abuse of judicial processes that threatens freedom of expression, access to information and meaningful public participation.

The report highlights the need for comprehensive safeguards against abusive litigation, including early dismissal of manifestly unfounded claims, protection against disproportionate legal costs, access to legal assistance and measures to prevent the misuse of civil and criminal law. It also stresses the importance of protecting journalists, human rights defenders and other public-interest speakers from intimidation and reprisals, while ensuring that legitimate legal claims remain possible. Ultimately, the report calls on States to strengthen legal protections and exchange good practices to prevent litigation from being used to suppress criticism and restrict civic space.

The General Debate addressed the broader relationship between freedom of expression, civic space and the protection of human rights. Thailand highlighted legislative efforts to prevent strategic lawsuits against public participation (SLAPPs), including progress towards anti-SLAPP legislation and judicial guidance intended to facilitate the dismissal of abusive proceedings. Other delegations emphasised the importance of protecting freedom of expression and ensuring that restrictions imposed in the name of national security remain consistent with international human rights obligations. These interventions reflected the broader concern that legal frameworks should not be used to deter legitimate criticism or public participation.

Within the Arab region, State interventions addressed restrictions on civil and political rights, although they did not necessarily refer directly to SLAPPs. Delegations raised concerns about the situation in Palestine,

the impact of regional conflicts on human rights and the importance of respecting international law. Jordan, for example, stressed that human rights must be respected in practice rather than merely recognised on paper, calling for dialogue, de-escalation and respect for international human rights and humanitarian law. Qatar condemned attacks across the region and called for diplomatic engagement, while also raising concerns about Israeli settlement activities, forced displacement and attacks affecting Palestinians. These statements provided broader regional context for the report's concerns about the conditions in which people can exercise their rights and participate in public debate.

Overall, the debate reinforced the importance of protecting fundamental freedoms and ensuring that legal and institutional frameworks uphold, rather than undermine, human rights. However, the available State interventions did not establish a sustained, country-specific discussion of SLAPPs comparable to the report's analysis.

OBSERVATIONS & RECOMMENDATIONS

While welcoming the report on the OHCHR-convened workshop, the Amman Center for Human Rights Studies (ACHRS) regrets the limited attention paid to the issue of freedom of expression during the Council's 63rd session, especially considering the repeated references made to the shrinking of civic space throughout the world. During its oral intervention, ACHRS, in conjunction with ASAF, highlighted the concerning state of academic freedom throughout the Arab world. Freedoms across universities have been curtailed in the name of protecting national security, while institutions have come under physical attack in conflict zones. ACHRS hopes that this issue will be more comprehensively addressed in subsequent sessions of the Council.

ITEM 7: HUMAN RIGHTS SITUATION IN PALESTINE AND OTHER OCCUPIED ARAB TERRITORIES

BY ROMINA M. IRAMLOO

BACKGROUND

ACHRS welcomes the continued inclusion of Item 7, concerning the human rights situation in Palestine and other Arab territories, on the Human Rights Council's agenda, underscoring the continued importance of maintaining this stand-alone agenda item. While no reports were submitted under Item 7 during the 63rd session, the Council used this opportunity to address several important issues.

GENERAL DEBATE

The discussion focused on the continuing deterioration of the human rights situation in Palestine, particularly in occupied Gaza and the West Bank, and on the broader consequences of the prolonged occupation. For ACHRS, the situation cannot be understood only through individual incidents of violence. It must also be understood through the structures and policies that have made displacement, restricted movement, insecurity and the denial of basic rights part of everyday life for Palestinians.

One of the central issues raised was the ongoing genocide in Gaza. Despite repeated announcements and agreements regarding a ceasefire, which have raised hopes among Palestinians that the violence may finally come to an end, these hopes have repeatedly been met with the reality of continued suffering. During the council, the Palestinian delegate stressed that "there is no ceasefire, although there have been several agreements". For ACHRS, this reveals the gap between political declarations and the reality experienced by civilians on the ground. A ceasefire must mean more than an announcement. It must provide civilians with genuine safety. Therefore, ACHRS strongly calls for an immediate and lasting ceasefire and, importantly, for unrestricted humanitarian access to Gaza. The humanitarian crisis cannot be separated from the destruction of homes, infrastructure and civilian life, compounding the suffering Palestinians have endured throughout the decades of occupation. Palestinians must be given the opportunity to rebuild their communities and live ordinary lives in circumstances that have been anything but ordinary. Humanitarian assistance should not be treated as a political bargaining tool, but as a necessity for a population facing an immense humanitarian crisis.

The situation in the occupied West Bank was another major concern raised during the council. After decades of occupation and struggle, it is no longer enough to simply discuss the situation on a global stage. Palestinians need action and change. ACHRS condemns the continued expansion of settlements, the confiscation of Palestinian land and the displacement of families from homes in which generations have lived. Violence by settlers, forced removals and the destruction or theft of property do not only affect individuals in the moment; they contribute to a wider process in which Palestinians are being subjected to ethnic cleansing and pushed away from their homes.

We are particularly concerned by the lack of accountability for violence committed by terrorist settlers. Palestinians cannot be expected to have confidence in a system of justice when those responsible for violence and intimidation are not adequately investigated or held accountable. The right to security and equal protection under the law must belong to everyone. Yet for Palestinians, impunity has become part of a reality they have been forced to live with for far too long. We emphasise that justice therefore cannot remain a promise; it must become a reality.

Restrictions on movement were also discussed. Checkpoints and other forms of movement control are repeatedly justified in the name of "security". However, ACHRS questions the extent to which "security" can be used to justify restrictions that severely interfere with the everyday lives of Palestinians. A journey that would ordinarily take twenty minutes can become several hours because of checkpoints and delays. People are prevented or delayed from reaching work, education, healthcare, family members and other essential parts of everyday life. For us, this is not simply a question of inconvenience. The language of securitisation must therefore not be used to normalise policies that restrict Palestinians' freedom and contribute to their exclusion from ordinary social and economic life.

ACHRS also raised concerns regarding the expansion of policies that permit the death penalty against Palestinians. The use of criminal justice and punishment must comply with international human rights standards and cannot be applied in ways that reinforce unequal treatment and contribute to ethnic cleansing.

The discussion also addressed developments beyond the Palestinian territories. ACHRS condemns Israel's continued expansion of its territorial and military presence in Syrian territory, including the occupied Golan Heights. For ACHRS, such actions further contribute to displacement, contribute to regional instability, and undermine respect for international law and the territorial integrity of Arab states.

OBSERVATIONS & RECOMMENDATIONS

ACHRS believes that the international community cannot remain passive in the face of these developments. International institutions, including the ICJ, must continue to investigate alleged violations and ensure that those responsible are held accountable. Accountability is essential because without consequences, violations risk becoming normalised and repeated. ACHRS therefore calls on States to take meaningful action, including political and economic measures against Israel, and to use their influence to pressure for an end to the occupation, protection of civilians and respect for international law. The responsibility to protect human rights should not depend on political alliances or geopolitical interests. At the centre of ACHRS's position is the belief that Palestinians have the right to live with dignity, freedom and security in their own homeland. The Palestinian people have the right to self-determination and to a sovereign state. A sustainable future cannot be built on continued occupation, displacement, unequal treatment and restrictions on everyday life. These are not extraordinary demands. They are basic human rights.

Our Center therefore urges the international community to employ appropriate methods to sanction the Zionist regime for its violations of international law. We thank the following States for imposing sanctions last month on Israeli settlements: Canada, Denmark, Finland, France, Iceland, Ireland, Norway, Poland, Portugal, Spain, Sweden and the United Kingdom.

SUDAN

BY VICTORIA REBOK

BACKGROUND

In its Resolution 62/1, the Human Rights Council requested that the Office of the United Nations High Commissioner for Human Rights (OHCHR) present an oral update on the human rights situation in and around El Obeid, to be presented at the 63rd session. This is complemented by Resolution 60/3, in which the Human Rights Council requested the independent international Fact-Finding Mission for Sudan to submit a comprehensive report on its work (A/HRC/63/23), with particular attention paid to El Obeid. This report was presented to the Council during its opening meeting on 7 September, and was followed by an Interactive Dialogue (ID) on the topic. The oral update was presented to the Council the following day, prior to the opening of Item 2's General Debate.

REPORT BY THE FACT-FINDING MISSION OF SUDAN & INTERACTIVE DIALOGUE (ID)

Introducing the Fact-Finding Mission for Sudan's report, Chair Mohamed Chande Othman highlighted two key findings: the transformative impact of weapons technology– particularly long-range drones– on the battlefield, and the role of external support in sustaining these advanced military capabilities. On the former, Mr. Chande Othman highlighted how the use of long-range drones by both the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF) has resulted in "civilians [...] been harmed in their homes, schools, hospitals, markets, displacement sites and places of refuge", and even while "attending weddings, funerals and other community gatherings". As emphasised by Mr. Chande Othman, "women and children continue to bear a heavy burden". Indeed, Section C of the report focused on the "differentiated impact" of drone attacks on women and children. While the entire healthcare system in Sudan has been affected, the impact has been particularly pronounced on women, as repeated disruptions to obstetric care have led to healthcare professionals reporting "increases in miscarriages, stillbirths and pregnancy complications". Likewise, children have seen "damage to civilian infrastructure necessary for their survival and development", with girls being particularly affected and increasingly at risk of "child marriage, exploitation and other forms of gender-based harm". Based on these findings, Mr. Chande Othman concluded that there are "reasonable grounds to believe that both the Sudanese Armed Forces and the Rapid Support Forces committed serious violations of human rights and international humanitarian law, which may amount to war crimes".

This is particularly concerning given the Mission's conclusion that external actors are helping sustain the hostilities in Sudan. Evidence points to a transnational support network facilitating RSF operations, involving individuals and entities in the United Arab Emirates, Chad, Libya and Somalia, as well as foreign fighters from Colombia, South Sudan, Chad and Ethiopia. This network provides weapons, drone-related equipment, military personnel and logistical assistance. The Mission is also investigating potential external support to the SAF, with analysis of open-source imagery and footage suggesting the use of foreign-supplied drones. Nevertheless, it is too soon to determine the exact nature and extent of this support, or its source.

As the report highlighted, and Mr. Chande Othman reiterated, it is a crime under international law for a State to knowingly aid and abet in the perpetration of war crimes. Likewise, States have a responsibility under the United Nations International Convention on Mercenaries to prohibit and suppress all mercenary activities.

Prior to the publication of the report, the Fact-Finding Mission reached out to several concerned states with requests for information seeking clarification of their involvement in the Sudanese conflict. Ethiopia, Libya, South Sudan and Somalia did not reply. Meanwhile, representatives from Chad and Colombia met with the Fact-Finding Mission to clarify the steps their countries are taking to prevent entities and individuals from partaking in the conflict. While welcoming this engagement, the Mission urged both States to strengthen their efforts to curb illicit activities. The United Arab Emirates, meanwhile, categorically denied allegations that it had provided military, logistical, financial or political support to the RSF. It pointed to domestic legislation criminalising war crimes, crimes against humanity and genocide, and maintained that companies registered in the country could be held legally liable. Nevertheless, in light of the evidence of external involvement, the Mission called on the UAE to consider further, more robust measures.

Concluding his report introduction, Mr. Chande Othman urged states to immediately stop supporting any conflict parties that violate international law. He called on governments to investigate any complicit domestic entities, enforce and expand the Darfur arms embargo across Sudan, preserve evidence, and hold those responsible accountable at every level.

Following Mr. Chande Othman's statement, the floor was given to the Sudanese delegation, represented by the Chair of the Fact-Finding Commission of Violations of International Human Rights and International Law. This state-led initiative is positioned by Khartoum as a domestic alternative to the UN Independent International Fact-Finding Mission for Sudan, which the Sudanese government has strongly opposed since its establishment in October 2023.

The Sudanese delegation characterised the conflict as a "proxy war", driven primarily by "the channelling of support to rebel militia by their sponsors, particularly the United Arab Emirates". Welcoming the explicit naming of the UAE in the report, it called for accountability for those responsible for supporting the RSF. While affirming that government forces are not above the law and that allegations against them are duly investigated, the delegation maintained that "the SAF [is] working hard to restore security and stability". It concluded by urging the UN to "adopt a complementary approach [...] to ensure that trials are duly prosecuted in Sudan", rather than undermining the work of the Sudanese judiciary.

The ensuing Interactive Dialogue (ID) saw several recurring themes emerged. States repeatedly called for a solution that safeguards "the unity, sovereignty, and territorial integrity of Sudan" and condemned foreign interference in the conflict. They also urged all parties to respect international humanitarian law (IHL), with particular emphasis on upholding the 2023 Jeddah Declaration of Commitment to Protect the Civilians of Sudan. However, several SAF-aligned States focused their condemnation on the RSF, repeatedly labelling it an "insurgent militia" while portraying the SAF as a legitimate government force and largely overlooking allegations against it. Egypt, for instance, condemned "the violations [civilians] are experiencing at the hands of the Rapid Support Forces".

In its intervention, the United Arab Emirates rejected all allegations of interference in the conflict, insisting that it had supplied no weapons to either party. Condemning both the SAF and the RSF, the UAE reminded the Council of its consistent support for extending the Darfur arms embargo to the whole of Sudan. The delegation reiterated these points when exercising its right of reply against "the baseless allegations" espoused against it. Reiterating that the UAE "has never delivered military equipment or arms to any party in Sudan", it stated its refusal "to constructively engage with the [Commission of Inquiry]".

CONTEXT: THE DARFUR ARMS EMBARGO

The UN arms embargo on Darfur was originally imposed as an open-ended ban in July 2004, via Security Council Resolution 1556. Implemented in the context of the 2003 War in Darfur– which erupted when the Sudan Liberation Movement (SLM) and the Justice and Equality Movement (JEM) rose up in protest of the central government's historic discrimination against Darfur's non-Arab population– the embargo originally targeted the government-backed Janjaweed militia (which has since evolved into the Rapid Support Forces, or RSF). The Security Council expanded the restrictions in March 2005 (Resolution 1591) to include all belligerents, keeping the measures automatically active for nearly two decades. However, the council converted the embargo to a time-limited status in March 2023, meaning it now requires periodic renewal votes to survive.

Since the outbreak of hostilities in March 2023, there have been increasing discussions about extending the embargo to the whole of Sudan. The proposal is backed by the US, which insists that the Security Council "must act to stop external financial and military support to the parties [...] from entering Sudan". However, Russia and China oppose the move, with both countries claiming that it would hinder the Sudanese Armed Forces' (SAF) effectiveness while benefitting the RSF. This may also explain the UAE's support for extending the embargo.

The RSF has well-established illicit arms supply networks, with its stronghold in Darfur reportedly receiving a steady flow of weapons from the UAE. A nationwide arms embargo could therefore disproportionately constrain the SAF while leaving the RSF's existing supply routes largely intact, potentially shifting the balance of the conflict in the RSF's favour.

On 9 October, the Security Council voted to extend the arms embargo on Sudan's Darfur region by two months, but failed to agree on the US-led proposal to widen it to the whole country, with both Russia and China vetoing the motion.

OHCHR ORAL UPDATE

Delivering the OHCHR's oral update, the Deputy High Commissioner for Human Rights, Ms. Awa Dabo, welcomed signs that international pressure on belligerent parties is having a noticeable effect on the ground: drone strikes in El Obeid decreased sharply in July. However, she stressed that the situation in the country remains dire. Over the past six months, the OHCHR documented at least 1,120 civilian deaths as a result of drone strikes across Sudan, accounting for 80% of all documented civilian fatalities.

The situation is especially dire in the Kordofan region, particularly in El Obeid. Humanitarian workers are particularly at risk, as are women and children. The Deputy High Commissioner also highlighted that "tensions between communities are deepening, fueling hate speech". She expressed particular concern over the increase in intercommunal violence.

Concluding her oral update, the Deputy High Commissioner reiterated the Fact-Finding Mission's call for external actors to cease supplying arms to parties suspected of committing war crimes. She further stressed the need to preserve evidence, ensure accountability, and sustain international efforts towards a lasting ceasefire and inclusive civilian rule.

Responding to this update, the representative of Sudan highlighted the National Commission for Inquiries and Investigations' progress in recording "the violations committed by armed militia on civilian infrastructure". The delegate stressed that "such conduct could be described as terrorist activity", and urged the international community to recognise it as such. They also recalled that said militia "have even used drones that they obtained through the United Arab Emirates", insisting that "that state must be held accountable". The delegate concluded by calling on the international community to "reaffirm [its] commitment to the national unity of Sudan".

RESOLUTION A/HRC/RES/63/2

The Resolution adopted by the Council on this topic (A/HRC/RES/63/2) condemns in the strongest possible terms all violations of International Humanitarian Law (IHL) committed by "all parties to the conflict, including the Sudanese Armed Forces and the Rapid Support Forces". It called on all parties to respect international law, protect civilians, and facilitate "full, safe, rapid and unimpeded humanitarian access", making special reference to ensuring the full implementation of the Jeddah Declaration of Commitment to Protect the Civilians of Sudan. The Resolution further "condemns all forms of external interference that fuel the conflict", without making explicit reference to any specific State or party. Article 18 "urges all parties and States to respect and uphold the unity and territorial integrity of the Sudan, and to reject efforts to establish a parallel governing authority in areas controlled by the Rapid Support Forces". Lastly, the Council decided to extend the mandate of the Fact-Finding Mission for a period of one year.

The Resolution was adopted by a recorded vote of 28 to 10, with 9 abstentions. Among those who voted against the resolution is the bloc of Arab States, composed of Egypt, Iraq, Kuwait and Qatar. These States aligned themselves with the delegation of Sudan, which– as an observer State of the Human Rights Council– asked member States to vote against the Resolution. Echoing earlier discussions, Egypt criticised the Resolution's insistence "on placing SAF and RSF on the same scale without giving further weight to existing national institutions and mechanisms". Likewise, Qatar Qatar objected to the Resolution on the grounds that it "equates an illegal militia with a legitimate, recognised government", and joined the delegation of Egypt in expressing its regret that the core team drafting the Resolution did not cooperate with Sudan.

OBSERVATIONS & RECOMMENDATIONS

The Amman Center for Human Rights Studies (ACHRS) welcomes the Human Rights Council's continued attention to the situation in Sudan, particularly the extension of the Fact-Finding Mission's mandate as a vital mechanism for documenting violations and advancing accountability.

ACHRS particularly welcomes the focus of this session on the role of external actors in sustaining the conflict, as well as the Fact-Finding Mission's report on this issue. However, it is deeply concerned that the discussion and resulting resolution did not adequately address the measures needed to stem the flow of external support. Extending the arms embargo beyond Darfur to cover all of Sudan is a critical step towards preventing the continued supply of weapons to the parties to the conflict. Yet, during the Interactive Dialogue, only three delegations– the United Arab Emirates, the European Union and Switzerland– expressed support for such an extension. The resolution itself makes only a passing reference to the issue in paragraph 17, reiterating the Fact-Finding Mission's call for "all States and other entities [to] comply with relevant Security Council resolutions, including the arms embargo". While the Human Rights Council cannot independently extend the embargo, it can recommend that the Security Council do so. Moreover, extending the embargo's geographical scope must be accompanied by measures to address existing gaps in its implementation and enforcement, which risk allowing external actors to continue supplying arms to parties to the conflict with impunity. ACHRS regrets that the Council did not more firmly address these shortcomings.

Looking ahead, ACHRS urges the Council to give greater attention to the ethnic and communal dimensions of the conflict. While these concerns were acknowledged during the session, with the Deputy High Commissioner warning of escalating intercommunal violence and the resolution condemning the RSF's seizure of El Fasher as potentially displaying "the hallmarks of genocide", these references do not adequately reflect the scale and systematic nature of ethnically targeted violence. The targeting of non-Arab communities, including the Zaghawa, Fur and Masalit, demands sustained scrutiny and a response commensurate with the gravity of the violations. ACHRS therefore encourages the Council to examine these patterns more comprehensively in future sessions, including through engagement with relevant minority rights mechanisms. The forthcoming 19th session of the Forum on Minority Issues could provide a valuable platform to address the persecution of minority communities in Sudan, amplify affected communities' experiences and identify concrete measures for their protection.

NEXT STEPS

In accordance with the adopted resolution, the Fact-Finding Mission for Sudan is set to provide the Human Rights Council with an oral update on its work during the 65th session, to be followed by an enhanced Interactive Dialogue (ID). It has also been requested to submit a comprehensive report for the Council's 66th session, which will be followed by an Interactive Dialogue (ID). The Office of the United Nations High Commissioner for Human Rights has also been requested to submit a report on the situation of human rights in Sudan at the Council's 67th session, also to be followed by an Interactive Dialogue (ID).

SYRIA

BY VICTORIA REBOK

BACKGROUND

Under Resolution 61/3, the Human Rights Council extended the mandate of the Independent International Commission of Inquiry on the Syrian Arab Republic. On 8 September, the Commission presented an oral update to the Council, assessing developments in Syria's transition while highlighting persistent human rights concerns and obstacles to accountability.

COMMISSION OF INQUIRY ORAL UPDATE

Delivering the update, Ms. Fionnuala Ní Aoláin acknowledged the significant changes Syria has undergone in the nearly two years since the fall of the Assad regime. She highlighted the establishment of the People's Assembly as a promising step towards an "independent and representative legislature". The announced dissolution of the Syrian Democratic Forces (SDF) and progress towards their integration into state forces were likewise welcomed. The Commission also expressed its appreciation to the Syrian government for facilitating regular visits to the country, including visits to Damascus, Sweida, Aleppo and Homs since March. These missions have enabled closer engagement with the authorities and strengthened the Commission's ability to fulfil its mandate.

Nevertheless, the Commission identified several pressing human rights concerns. First, Ms. Ní Aoláin warned of the expansion of Israel's "belligerent occupation" in southern Syria. Following meetings with affected communities in Quneitra and Daraa, the Commission reported that Israeli military activity was becoming increasingly entrenched, characterised by recurring ground incursions, patrols, raids and searches. It further identified 49 individuals, including two children, detained by Israeli forces on Syrian territory in acts that "may amount to war crimes".

Second, the Commission underscored the importance of ensuring that "all perpetrators of violations are equally [...] the subject of accountability", describing this as a "central component of [a] successful transitional justice process". Selective accountability, it warned, risks violating international legal obligations, deepening existing grievances and undermining reconciliation. Due process and the right to a fair trial must also underpin the transition. In this regard, the Commission urged the government to ensure the legality of detention for thousands of individuals held over alleged links to Assad-era security institutions.

Third, Ms. Ní Aoláin expressed deep concern over the violence in Sweida earlier this year. While acknowledging government efforts to restore order, she stressed that fundamental issues remain unresolved, including the displacement of thousands of Druze and Bedouin families and the fate of missing and detained persons. The situation is exacerbated by "a continued standoff between local authorities and the national government", compounded by continued Israeli interference in Syria. The Commission also raised concerns over persistent, localised sectarian abuses against the Alawite community, particularly in Homs.

CONTEXT: TENSIONS IN SWEIDA

The violence in Sweida in July 2026 erupted amid longstanding tensions between the Druze community, which forms the majority of the governorate's population, and local Bedouin communities. Clashes between Druze armed groups and Bedouin fighters escalated, prompting the intervention of Syrian government forces. The situation deteriorated further as fighting spread and allegations of serious abuses against civilians emerged. Under the pretext of protecting the Druze community, Israel intervened militarily, carrying out strikes against Syrian government forces.

The violence resulted in widespread displacement and significant loss of life, with abuses reported against both Druze and Bedouin civilians. Despite ceasefire efforts, tensions persist over local security, the relationship between Sweida's Druze leadership and the central government, and the role of external actors. The episode has highlighted the challenges of protecting minority communities and establishing lasting stability during Syria's political transition.

Fourth, the Commission highlighted continued deaths in detention, recording nine such cases this year. While recognising the challenges involved in eradicating these practices, Ms. Ní Aoláin urged the government to intensify its efforts to prevent deaths in custody and safeguard fundamental rights, including freedom of expression. Although cases of repression have declined compared with the Assad era, the Commission has continued to document the arrest of activists for criticising the government. It also warned of hate speech targeting groups perceived to be affiliated with the former government, stressing the need to "counter hate speech while respecting freedom of expression".

Finally, the Commission acknowledged government efforts to address violations committed during the military offensive against the SDF in Aleppo earlier this year. Nevertheless, investigations remain ongoing, and the fate of hundreds of SDF-aligned fighters who remain missing is a particular concern. Ms. Ní Aoláin also drew attention to the plight of women and children allegedly linked to Daesh. Approximately 2,000 family members, predominantly women and children, remain detained at Raj camp, which the Commission described as the world's largest mass arbitrary detention camp. She urged States whose nationals are held there to support their repatriation and rehabilitation.

In response, the Syrian delegation outlined measures undertaken to advance transitional justice and ensure a smooth political transition, including cooperation with national institutions, civil society organisations and UN mechanisms. It highlighted the work of bodies such as the National Missing Persons Commission and condemned Israeli incursions, calling on Israel to cease its violations of Syrian sovereignty.

OBSERVATIONS & RECOMMENDATIONS

The Amman Center for Human Rights Studies (ACHRS) welcomes the Commission of Inquiry's oral update and the progress made towards Syria's political transition. ACHRS particularly appreciates the Syrian government's willingness to engage with UN mechanisms, recognising such cooperation as essential to advancing accountability, strengthening human rights protections and ensuring a successful transition.

Nevertheless, ACHRS remains concerned by reports of intercommunal violence, including clashes between Druze and Bedouin communities in Sweida and sectarian abuses targeting the Alawite community in Homs. If left unaddressed, these tensions risk deepening communal divisions and fuelling further instability. ACHRS therefore stresses the importance of sustained community-building initiatives, intercommunal dialogue and effective protections for all minority communities. It hopes these issues will receive greater attention in future Council sessions, including at the 19th session of the Forum on Minority Issues.

AFGHANISTAN

BY VICTORIA REBOK

BACKGROUND

Pursuant to Human Rights Council Resolution 60/2, the Special Rapporteur on the situation of human rights in Afghanistan submitted a report (A/HRC/63/22) outlining developments and emerging concerns between November 2025 and August 2026. The Council discussed the report through an Interactive Dialogue (ID) with the Special Rapporteur, which took place on 7 and 8 September.

SPECIAL RAPPORTEUR'S REPORT & INTERACTIVE DIALOGUE (ID)

Introducing the report, the Special Rapporteur on Afghanistan, Mr Richard Bennett, emphasised that "the Taliban's unrelenting restrictions, policies, and practices not only violate the human rights of Afghans, but are reshaping the social fabric of the country". The report documents the extensive legislative framework through which the Taliban has entrenched its control and institutionalised discrimination, including:

- Suspending the 2004 Constitution and subjecting all laws enacted under the Islamic Republic to review.
- Abolishing the Ministry of Women's Affairs, replacing it with the Ministry for the Promotion of Virtue and Prevention of Vice.
- Banning girls from secondary education in 2021 and women from higher education in 2022.
- Enacting the Law on the Propagation of Virtue and Prevention of Vice in August 2024, further formalising restrictions on individual freedoms.
- Issuing the '11 Journalism Rules' in September 2021, prohibiting the publication of stories deemed contrary to Islam or insulting to national figures and authorities.
- Issuing Decree No. 18 on Separation of Spouses in January 2026. Although the decree allows women to seek separation on grounds of 'oppression', it requires mandatory arbitration. Where oppression is deemed preventable through other means, separation without the husband's consent is not permitted. The decree also raises serious concerns about child marriage: it establishes no minimum legal age for marriage, refers to "boys" and "girls", and provides that a girl who has reached puberty is eligible for marriage, with her "silence" interpreted as consent.

- Issuing Decree No. 12 on Criminal Rules of Courts in January 2026. The decree permits violence against women unless it constitutes “severe beating” resulting in “a fracture, a wound or bruising”. The burden of proof rests on the woman, while the maximum punishment for a husband is just 15 days in detention.

The consequences of these restrictions are devastating, particularly for women and girls. During his intervention, the Special Rapporteur recalled the words of a young woman that had stayed with him: “three words have come to define our lives: fear, tears, and despair”. The report contains similarly harrowing testimonies. One young girl described her longing for a freedom many take for granted: “I love cycling. My biggest wish is that, one day, I can ride my bicycle again. It sits in our garage, and sometimes I sit on it too, but I cannot take it outside”.

The resulting mental health crisis is increasingly evident. The Special Rapporteur reported repeatedly hearing accounts of girls dying by suicide. Boys are also affected: while girls are excluded from secondary education, boys’ schooling is increasingly shaped by Taliban ideology. Meanwhile, many children are denied access to education altogether. Despite formal prohibitions, child labour is increasing, while the country’s deepening economic crisis is driving some families to sell their children. The Special Rapporteur estimated that “9 million Afghan children are facing severe hunger, and 3.7 million under five are acutely malnourished”.

As the Special Rapporteur stressed, the harms inflicted on children cannot be separated from gender. They are inseparable from the Taliban’s “institutionalised and systematic regime of gender-based discrimination, oppression and domination”, which he has previously described as gender apartheid.

Yet, as he also emphasised, “Afghan young people are not only victims”. Girls are learning in secret and teaching one another, while young people as a whole are organising and documenting what’s happening to them, finding ways to participate in their country’s future despite restrictions. The Special Rapporteur urged the international community to support them in this endeavour.

He also expressed deep concern over the “rising pressure on minority religious and ethnic communities”. A recent decree restricts recognition of preachers to followers of the Hanafi school, while another overrides Shia personal status law. The Ashura celebrations represent a clear example of the persecution faced by Shias: commemorations were confined to specific locations, while dozens of men were detained for displaying Ashura flags. Pashtun and Hazara communities have also been targeted, as have the Uzbek, Turkmen and Tajik. This is exacerbated by a further shrinking of civic space, with a new statute approved by the Taliban banning all demonstrations throughout Afghanistan.

External factors are also aggravating the situation. The Special Rapporteur estimates that “cross-border attacks this year have killed or injured well over 1000 civilians, many of them women and children”. The mass return of Afghan refugees from countries like Iran and Pakistan is also a pressing issue, with many arriving “to find little work, and a humanitarian response a fraction of what is needed”. Many returnees are also at risk because of their past affiliations, links to the former republic or identities.

While appreciating that Pakistan and Iran have hosted millions of Afghans for decades, the Special Rapporteur emphasised that there can be "no removal without individual protection screening", as "Afghanistan is not safe for involuntary return".

Concluding his statement, the Special Rapporteur called on States "to refrain from normalising relations with the Taliban until they have reversed their oppressive policies", emphasising that "neither dialogue with the Taliban nor isolating them appears to make any difference". The approach, he argued, is "more humanitarian assistance and [...] well-designed support that reaches Afghans directly".

Taking the floor, the representative of Afghanistan's internationally recognised government reminded the Council that "the consequences [of the Taliban's policies] extend beyond the denial of fundamental human rights today– they affect Afghanistan's future human capacity". He thanked the Special Rapporteur for his report, which "provides a clear and sufficient basis for the Council to move beyond the cycle in which violations are documented, condemned, and repeated". He called on States to "ensure a full and urgent operationalisation of the Independent Investigative Mechanism for Afghanistan", and to rethink the placement of this in Vienna. Echoing the Special Rapporteur's words, the representative called for the "codification of gender apartheid as a crime against humanity". Lastly, he called on States to "support universal jurisdiction proceeding[s] and Afghan-led transitional justice initiative[s] so that accountability is not confined to institutions in Geneva and The Hague, but rather reaches those who commit these violations".

CONTEXT: THE INDEPENDENT INVESTIGATIVE MECHANISM FOR AFGHANISTAN (IIM-A)

The Independent Investigative Mechanism for Afghanistan (IIM-A) was established by the UN Human Rights Council in October 2025 through Resolution 60/2. Its mandate is to collect, consolidate, preserve and analyse evidence of international crimes and the most serious violations of international law committed in Afghanistan, and to prepare files to facilitate fair and independent criminal proceedings before courts with jurisdiction. The mechanism is intended to complement existing accountability efforts, including the work of the Special Rapporteur on Afghanistan, with particular attention to crimes committed against women and girls.

As of October 2026, the IIM-A remains in its establishment and operationalisation phase. Although funding has been approved and recruitment for key positions has begun, the Human Rights Council has called for its staff to be appointed as expeditiously as possible. Its full investigative capacity has not yet been publicly confirmed. The pace of its operationalisation will be crucial to ensuring the secure preservation of evidence, effective cooperation with civil society and the eventual pursuit of accountability for international crimes committed in Afghanistan.

Speaking on behalf of the Organisation of Islamic Countries (OIC), the delegation of Pakistan emphasised the un-Islamic nature of the Taliban's policies. On girls' education specifically, the delegate highlighted that "Islamic teachings are crystal clear: education is a fundamental human right".

They called on the de facto Afghan authorities to adhere to the principles of both the UN and OIC Charters. Yet, while reaffirming Pakistan and the OIC's solidarity with the Afghan people, the delegation emphasised "the importance of combating terrorism [...] in Afghanistan and ensuring that [its territory] is not used as a platform of safe haven by any terrorist group".

The European Union (EU) likewise expressed concern over the situation of women and girls in Afghanistan. Emphasising the importance of accountability, the EU committed itself to financially supporting the operationalisation of the IIM-A, while also asking the Special Rapporteur how he envisioned his collaboration with the body.

UN Women likewise reiterated the dire situation of girls in Afghanistan, pointing to their recent report on the matter. Emphasising that "Afghan girls are growing up with fewer memories of women studying, working and participating [...] freely", the delegate observed that "what mothers experienced as a sudden loss, their daughters risk knowing simply as the way life is". Illustrating this point, they highlighted that this day marked one year since the Taliban banned Afghan women from UN premises– an unprecedented ban in the UN's 80-year history.

Qatar joined the international community in expressing outrage at the situation of women and girls in Afghanistan, highlighting the steps it has taken to help mitigate this through the Qatar Fund for Development and Education Above All Foundation and the Qatari Red Crescent. The delegates emphasised the need to "adopt a comprehensive approach that combines humanitarian response with the responsible political engagement to meet the aspirations of the Afghan people to security".

Taking the floor again, the Pakistani delegation welcomed the report by the Special Rapporteur while also criticising it for overlooking the Taliban's "persistent failure" to deny the use of Afghan territory by terrorists. Recalling that "the Afghan-based TTP has been attacking Pakistani innocent citizens", the delegate emphasised that "no nation can tolerate such unprovoked and blatant aggression against its citizens". They also asked the Council to recall that, over the past four decades, "Pakistan has hosted more than 4 million Afghan refugees, demonstrating generosity and compassion". "In line with the principle of international responsibility", Pakistan called for increased burden-sharing among nations on the issue of Afghan refugees.

On this topic of Afghan refugees, the delegation of Iran emphasised the country's generosity in providing these communities with "extensive access to essential services, including healthcare, particularly to children". They lamented that "this long-standing humanitarian responsibility has placed significant economic and social pressure on Iran", calling for the international community to "strengthen international burden-sharing and assistance" on this matter.

Concluding this Interactive Dialogue (ID), the Special Rapporteur thanked the EU and Germany for announcing their financial support for the IIM-A, and noted the steps taken by OHCHR to set it up. On the topic of complementarity, he emphasised that he and the IIM-A are "two sides of the same coin". While he monitors the situation on the ground, the IIM-A builds the case for prosecution.

Additionally, while the Special Rapporteur's mandate is subject to renewal, the IIM-A's is "comprehensive and not time-limited, giving hope to victims [throughout] the entire period". He called for the international community to "start naming gender apartheid and codify", in addition to increasing humanitarian funding and supporting civil society. On education specifically, he called on the international community to "fund the alternatives", such as "community classes and online learning" and "support certification so that learning acquired online, underground or in exile is recognised".

RESOLUTION A/HRC/RES/63/1

The current Resolution (A/HRC/RES/63/1) condemns in the strongest terms the human rights situation in Afghanistan, paying particular attention to the challenges faced by women and girls. The resolution also condemns the persecution of human rights defenders and journalists, people belonging to ethnic and religious minorities, and other vulnerable persons. It also condemns abuses against children, including not only violence against girls but also bacha bazi (sexual slavery of boys). In this Resolution, the Council also decided to extend the mandate of the Special Rapporteur on Afghanistan for a period of one year. On the IIM-A, the Council requested that the Secretary-General appoint the staff of the mechanism as soon as possible.

The Resolution was adopted without a vote.

OBSERVATIONS & RECOMMENDATIONS

The Amman Center for Human Rights Studies (ACHRS) welcomes the Council's decision to extend the Special Rapporteur's mandate and its request that the Secretary-General expedite the appointment of staff to the IIM-A.

However, while the Resolution is strong in its condemnation of the Taliban, ACHRS considers that there are a number of unaddressed issues. Chief among them is the failure to call upon the international community to refrain from normalising relations with the Taliban or recognising it as the country's legitimate authority. While Article 11 "urges the international community to adjust further its engagement with any stakeholders in Afghanistan", this provision is vague and stops short of calling on governments to refrain from legitimising the Taliban in any way, shape or form.

Likewise, there are no operative clauses addressing the issue of Afghan refugees. The only mention of this occurs in a pre-ambulatory clause, in which the Council expresses deep concern at the displacement in Afghanistan and emphasises "the need to support neighbouring countries that are generously sheltering large numbers of refugees", while reiterating that any return should be "voluntary, safe and dignified". Given the UNHCR estimate that 3 million people have been returned to Afghanistan, many of whom have been forcibly deported, ACHRS considers that this issue should have been more comprehensively addressed. As emphasised by the Special Rapporteur, many of those who are being forced to return face punishment for their political views or ethnic/religious identities, with women and girls facing systematic persecution on the basis of their gender. ACHRS believes that the Council should have taken this opportunity to condemn any such returns, while also advocating for increased international cooperation and burden-sharing.

ACHRS would also have welcomed a more comprehensive treatment of education. While the final Resolution placed considerable emphasis on the "right to education" in Afghanistan, this was understood primarily in terms of ensuring women's and girls' access to education. While undoubtedly essential, this narrow focus overlooks other critical dimensions of the right to education that the Council should have addressed.

The Special Rapporteur highlighted the increasing ideological indoctrination of boys who remain in education. Indeed, ACHRS' written statement– submitted jointly with ASAF– drew attention to the Taliban's ideological overhaul of the curriculum to align it with its interpretation of "Islamic values". As part of this overhaul, 18 subjects have been banned and 201 others modified in higher education, while 679 books have been prohibited, 140 of which were authored by women. Religious instruction is increasingly prioritised over academic education, further undermining opportunities for open debate and critical thinking. ACHRS would therefore have welcomed greater recognition by the Council that upholding the right to education requires more than ensuring access: it also demands quality education that fosters critical thinking, intellectual freedom and the ability to engage with diverse perspectives.

NEXT STEPS

The Human Rights Council requested that the Special Rapporteur present a report on the human rights situation in Afghanistan at its 66th session, alongside a study specifically examining the situation of persons belonging to minorities. Both are to be presented at the General Assembly's 82nd session, together with an oral update. The Special Rapporteur is also to deliver an oral update on the situation of women and girls in Afghanistan at the Council's 65th session, followed by an interactive dialogue (ID). The Council further requested that OHCHR prepare a comprehensive report on the impact of the Taliban's dismantling of Afghanistan's legal and judicial framework, to be presented at its 64th session.

YEMEN

BY VICTORIA REBOK

BACKGROUND

In its Resolution 60/31, the Human Rights Council requested that the United Nations High Commissioner for Human Rights present a report on the implementation of technical assistance provided by the OHCHR to the National Commission of Inquiry in Yemen (A/HRC/63/78). The report was presented to the Council on 2 October.

REPORT (A/HRC/63/78)

The High Commissioner's report highlighted that "despite structural, financial and external challenges", the National Commission of Inquiry remains "one of the few mechanisms working to document violations and abuses in Yemen". The report therefore emphasised that "the Commission conduct effective investigations, including the collection of evidence according to the required standards, and ensure that its findings are backed by comprehensive legal analyses grounded in international law".

To this end, the "OHCHR remains committed to providing technical assistance and advice to the National Commission of Inquiry", even if the organisation's liquidity crisis forces this to be done "at a reduced level".

While welcoming the regular field visits made by the National Commission throughout Yemen, the High Commissioner recommends strengthening its mandate, increasing its budget and resources, and protecting victims from retaliation, among other measures. The delegation of Yemen welcomed the report and its recommendations, and renewed its "commitment to cooperating fully" with international mechanisms.

RESOLUTION (A/HRC/RES/63/33)

In addition to calling on all parties to cease hostilities, Resolution (A/HRC/RES/63/33) requested that the High Commissioner present a report on the implementation of technical assistance at the Council's 66th session. ACHRS welcomes this decision, and calls for continuing cooperation between the OHCHR and the National Commission of Inquiry.