



EUSR for Human Rights – Newsletter – October 2024

Wars have rules, and they are violated daily. The intolerable levels of damage to civilians must not be seen as the new norm. The **war in the Middle East** has now expanded to Lebanon but without any sign of the relentless attacks decreasing against Gaza, where the civilian toll is intolerable and unacceptable by any standards. The UN and other parts of the accountability architecture collects evidence pointing to very serious breaches of international humanitarian law (IHL) and international human rights law (IHRL). We have to insist on accountability.

On 25 October, UN High Commissioner for Human Rights Volker Türk and others expressed alarm over the situation in the **north of the Gaza Strip**, including Israel subjecting the population to bombing, siege and risk of starvation, as well as to having to choose between mass displacement and staying in an active conflict zone.

Despite concerns raised by the EU and many others, the Israeli Knesset passed two bills seeking to redefine the status of the **United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA)**. This development does not only risk putting UNRWA operations to an end in East Jerusalem, but also in the West Bank and Gaza. It has major human rights and humanitarian implications. The EU is a major supporter of UNRWA, which is a lifeline for many Palestinians. In March 2024, the International Court of Justice indicated provisional measures urging Israel to *“take all necessary and effective measures to ensure, without delay, in full co-operation with the United Nations, the unhindered provision at scale by all concerned of urgently needed basic services and humanitarian assistance”*.

In **Ukraine**, Russia continued to commit grave breaches of international law. Among them, the reported **executions of 25 prisoners of war (PoW)** in Donetsk and Kursk, which brought the total number of prisoners of war who lost their lives in Russia captivity to at least 177 according to reliable sources. October also saw the report of the death of a Ukrainian journalist, who had been among thousands of civilians held in detention in Russia and the occupied Ukrainian territories.

On 8 October in an update to the Human Rights Council, the UN High Commissioner for Human Rights qualified the **torture perpetrated by Russia** as systematic, stating that **97 per cent of Ukrainian prisoners interviewed by his office provided consistent and detailed accounts of torture** or ill-treatment during captivity. This corroborated the reports I have been receiving, including an in-person testimony by a Ukrainian soldier, himself a former PoW, who has been working as a peer-to-peer consultant in a rehabilitation centre for former PoWs. The deeply alarming reports that the Democratic People's Republic of Korea (DPRK) has sent troops in support of Russia's invasion add to the long list of violations of international law by the Pyongyang regime and indications of further deteriorating human rights situation for the population there.

In the context of the latest wave of violence in the Al Gezira region of **Sudan**, including mass killings and rapes, the HR/VP also urged massacres against civilians to stop and to ensure accountability. My office is closely following these developments.

BILATERAL AND MULTILATERAL ENGAGEMENTS

As usual, I travelled extensively last month. I was invited to speak at various international fora, including on **climate change and human rights** and on the role of **business and human rights**. I used these speaking engagements in Seoul and Nairobi respectively to also hold talks with the governments, judiciary, parliaments, civil society, national human rights commissions and others.

In **the Republic of Korea**, I was updated on the massive and systematic violations of human rights and dignity in **DPRK**. North Korean defectors shared with me their stories of despair and hardships in DPRK, and for many women, the ordeal continues if they make their way to China. The EU will continue to draw attention to the human rights situation in DPRK, including by leading on the file in the UN. In Seoul, I also exchanged with the South Korean government on deepening our multilateral cooperation including in the Human Rights Council where Korea will serve as an incoming member. We also discussed some pertinent issues in the Republic of Korea, including deepfake sex crimes, the death penalty, the adoption of a comprehensive anti-discrimination law, and the gender equality gap. In Brussels, I had the opportunity to meet Choi Jin-young, the son of South Korean missionary Choi Chungsil, who has been held in the DPRK since 2014, abducted for doing humanitarian work.

In **Kenya**, I suggested that we deepen our dialogue on human rights, given the challenges and the opportunities also for cooperation as Kenya takes a seat in the Human Rights Council (HRC). The response to the social protests earlier this year has left scars, and many interlocutors raised with me the need for a renewed social dialogue and accountability very much in line with the model Constitution of Kenya. The protest may have taken authorities by surprise but the many stories of repression and heavy-handed response - so far without accountability - need to be dealt with rigorously in order to restore trust.

I was impressed by the work of the **AU Commission for Human and Peoples Rights (ACHPR)** in the Gambia as I attended its 81st Ordinary Session. The African Union has a strong Human Rights architecture with both integrity and purpose, made up by the Commission in Banjul and the Court in Arusha. We support them, but so should the African countries. These Institutions offer a very useful tool to build stronger social contracts based on respect for human rights as set out by the African Charter on Human and Peoples' Rights – something as needed in Africa as elsewhere.

While in Banjul, I also engaged with the **Gambian authorities**, which was a timely opportunity to get a better understanding of the human rights situation and the challenges the country is facing seven years after entering a democratic transition. There is an important ongoing process of reforming the Constitution, which, if successful, would underpin the Gambia's commitment to democracy and the rule of law. Gambia deserves support also in the truth and reconciliation effort underway.

Last month, I further **travelled to Geneva** together with the Director of the **EU Fundamental Rights Agency**, Sirpa Rautio, and colleagues from EEAS and the Commission, for the Annual Strategic Consultation with the Office of the High Commissioner for Human Rights, Volker Türk, and his team. In times plagued by conflicts, blatant human rights violations and geopolitical tensions challenging multilateral cooperation, the role of the High Commissioner for Human Rights as the international guardian for human rights is essential. We discussed the human rights situation globally and within the EU and looked at areas of closer cooperation. I look forward to working together ever more closely including on the human rights economy, on human rights in the digital space and on human rights for people on the move.

Early October, I had the pleasure of re-engaging on **Liberia**, and to receive in Brussels the Minister of Foreign Affairs, Sara Beysolow Nyanti. We discussed many important human rights issues, including the perspectives for the abolition of the death penalty, ongoing work on transitional justice as well as EU-Liberia cooperation within the UN. I also raised the need to advance gender equality and women's

rights and anti-discrimination more broadly, including on grounds of sexual orientation and gender identity, and to push back on undercurrents pushing for female genital mutilation. Liberia deserves our full support in their very strong commitment in consolidating democracy after years of conflict.

CIVIL SOCIETY SPACE AND DEMOCRACY

The regions of Eastern Europe and Central Asia have not been immune to the global pushback on human rights and democratic backsliding, something I discussed with directors from all the EU member states at an EU internal meeting and in an engagement with the Executive Director of the **European Endowment for Democracy**. According to the **CIVICUS' 2024 report**, five Central Asian states and four Eastern European countries are currently placing serious restrictions on civil society. This phenomenon is also captured by democracy indices, including the latest **Global State of Democracy Report** by International IDEA.

In October, my office received communication on the enforcement of the NGO law in **Kyrgyzstan** concurrently revised by the Venice Commission, and the sentences handed down to Kyrgyz journalists. The situation of civic space in **Uzbekistan** and of environmental activists in **Armenia** were also brought to my attention. As I write this newsletter, **Georgians** are in the streets demonstrating their attachment to democratic values and their country's EU path in light of the election held on 26 October. On a positive note, in **Moldova**, despite the unprecedented malign interference by Russia, citizens decided in a referendum to enshrine EU accession in their constitution.

I also met with representatives of **Cambodia**'s independent civil society, discussing the serious and systematic human rights violations in the country, particularly regarding freedom of expression, the shrinking space for independent media, and the broader context of restricting human rights.

HUMAN RIGHTS DEFENDERS

It was both inspirational and humbling to meet with many brave activists from all around the world at the 12th **Dublin Platform for Human Rights Defenders** (Ireland). I heard inspirational stories of defending human rights from Georgia and India to Nigeria, Eswatini, Saudi Arabia, Antigua and Barbuda, and Kyrgyzstan and other countries, often at a great personal risk. In a panel discussion at the Dublin Platform, I referred to the EU's strands of action in support of civil society and human rights defenders around the world, including emergency grants and temporary relocations in especially critical situations. In many parts of the world, civil society working for human rights is under siege. I will continue raising individual cases of concern throughout my engagements with governments.

I had the opportunity to discuss the human rights situation in **Cuba** with Sakharov fellow Carolina Barrero as well as with representatives of international NGOs. We received worrying details regarding the **Nicaraguan** indigenous leader Brooklyn Rivera, who has not been seen since September 2023. Nicaragua's track record in limiting space for dissent is abysmal.

On **Azerbaijan**, my office has been informed of the detained human rights defender **Anar Mammadli**, activist **Famil Khalilov** and lawyer **Alasgar Mammadli** require urgent medical attention, whereas many others detained on politically motivated charges are held in degrading conditions, often deprived of their fundamental rights. In Russia, the Teacher's Day of 5 October brought to light cases of **persecution of educators** defending their rights.

As part of my upcoming preparations for a mission to Egypt, my team met many human rights defenders and families of detainees, including of 65 year-old lawyer **Hoda Abdelmoneim** whose case was "recycled" into a new one after she had served her full sentence along with extensive periods in

pre-trial detention. Such practices are part of the issues under scrutiny as part of Egypt's ambition to improve compliance with human rights obligations.

IHL, ACCOUNTABILITY AND THE ROLE OF HUMAN RIGHTS IN PEACE PROCESSES

In Geneva, I met with President of the **International Committee of the Red Cross (ICRC)**, Mirjana Spoljaric Egger. Against the backdrop of the escalation of conflicts and growing geopolitical tensions worldwide, and of multiple reports of IHL violations, including targeted attacks against humanitarians, in all theatres of conflict, I reiterated the importance the EU attaches to cooperation and coordination with ICRC as the guardian of IHL. We discussed the role of and challenges faced by ICRC in several country situations. I will be following with great interest the work of the recently launched **ICRC High Level Initiative on IHL**, which seeks to galvanise political commitment to IHL, and to respond to current IHL challenges through the formulation of concrete and practical recommendations. With new technologies, including ever increasing application of AI, cyber and “de-humanising” weapons systems, there is an important discussion to be had on IHL compliance.

I further had the opportunity to discuss **Colombian experiences** on transitional justice with a Magistrate from the Colombian Special Jurisdiction for Peace, Catalina Diaz and other experts on Colombia as part of a Seminar in Brussels on the Colombian Special Jurisdiction for Peace as a possible model for others countries.

I took part in a panel discussion of the **EU Community of Practice on Peace Mediation**, organised by the European External Action Service – Peace, Partnerships and Crisis Management Directorate (PCM) – and the European Commission’s Service for Foreign Policy Instruments (FPI), which covered human security in the context of peace negotiations and dialogue. I emphasised the need for the EU and its Member States to view human rights up front as indispensable for any sustainable outcome of peace negotiations and for the UN to retake centre stage especially in a context where more and more actors including neighbouring states with vested interests that do not prioritise rights are taking are leading mediation processes.

NON-DISCRIMINATION: MINORITIES, WOMEN, LGBTIQ+ and YOUTH

We have witnessed a number of setbacks with regard to gender equality, children’s rights and rights of LGBTIQ+ persons recently. Russia ranked as the most dangerous place for LGBTQI+ persons in Europe in 2024. In **Georgia**, legislation adopted on ‘family values and protection of minors’ undermines fundamental rights and risks further discrimination and stigmatisation. The **Iranian authorities** have added new restrictions and imposed punishments for persons violating compulsory **dress laws** under the “Protection of the family through promoting the culture of hijab and chastity” law. This law comes after the women of Iran have fiercely protested for their rights and hopes of reforms under a new government including positive statements by President Masoud Pezeshkian.

In **Iraq**, negative amendments to the **Personal Status Law**, currently one of the most progressive ones in the region, have been suggested by some members of parliament. Such amendments, if passed, could legalise child marriage and have other devastating consequences on women. Iraq has already recently passed legislation foreseeing imprisonment for people engaging in consensual same-sex relations and banned the use of the word “gender”, while the passage of a new law on domestic violence has been stalled.

I am also concerned about the general trend and pushback against the rights of LGBTIQ+ persons that we observe in Africa. The latest cause for concern is **Burkina Faso’s** new draft Code of the Person and Family (CPF), which proposes to criminalise homosexuality.

Early in the month, I met with **Ahmadi** representatives who shared with me information about discrimination this religious community faces in **Pakistan**, including attacks and hatred instigated by political and religious leaders. I will have the opportunity to discuss issues of freedom of religion and belief during my planned visit to Pakistan early next year. My team also engaged with the **Baha'i community**, including in preparation of our visit to Egypt. Across the region, Baha'i face challenges related to their personal status such as recognition of their marriages, access to burial ground and other aspects of their daily lives, including employment.

On a more hopeful note, I participated in the **Global Gateway High-Level Youth Event**, hosted by the European Commission and Commissioner Jutta Urpilainen. There, I engaged in a thought-provoking panel discussion with young activists from Sudan and Venezuela, on peace, democracy and human rights in geopolitically challenging times. The dedication and drive of the young people I met, during the panel discussion and afterwards, are laudable. We must capitalise on their critical role, as a driving force for positive change, especially in countries affected by democratic backsliding or conflict. I reminded them of the **Pact for the Future**, adopted in September in New York, and to hold their leaders to account.

UPCOMING ENGAGEMENTS

In November, I will among many engagements visit **Egypt** to discuss the human rights situation there. I have been invited to give the Anna Lindh Lecture at Lund University later in the month. I will also visit Strasbourg for meetings with the **Council of Europe** and further discussions on how to better promote human rights around the world, starting in Europe.

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