

## LOCKED OUT DURING LOCKDOWN AN ANALYSIS OF THE UN SYSTEM DURING COVID-19



© 2020 Women's International League for Peace and Freedom

SEPTEMBER 2020 LOCKED OUT DURING LOCKDOWN: AN ANALYSIS OF THE UN SYSTEM DURING COVID-19 1st edition 28 pp.

Permission is granted for non-commercial reproduction, copying, distribution, and transmission of this publication or parts thereof so long as full credit is given to the organisation and author; the text is not altered, transformed, or built upon; and for any reuse or distribution, these terms are made clear to others.

Written by Ray Acheson

With inputs and drafting support from Allison Pytlak, Katrin Geyer, Patrizia Scannella, Tessa Cerisier, Zarin Hamid, Genevieve Riccoboni, and Madeleine Rees

Thanks to Kasia Derlicka-Rosenbauer and Erin Hunt for inputs

Cover photo: UN Web TV broadcasts - This Meeting is Closed" message to viewers © Ray Acheson

# TABLE OF CONTENTS

Introduction	1
Overview	5
Recommendations	9
Details on specific forums	
UN General Assembly	
UN Security Council	
Commission on the Status of Women	1
Disarmament forums and processes	5
Human rights forums and processes	2

## Introduction

ince March 2020, the COVID-19 pandemic has had a significant impact on the functioning of the United Nations (UN), as it has on all other aspects of human life. UN Headquarters in New York City and the UN Office at Geneva (UNOG) both locked down for months, cancelling or postponing in-person meetings and trying, to various degrees of success, to move certain forums and functions online. The move to virtual formats has been challenging, as it has been for everyone shifting to remote work and learning. But the levels of transparency, accessibility, and functioning across multilateral forums has varied widely, with differing impacts on participants, the work at hand, and our world order. The impact of the pandemic has been exarcebated by the liquidity crisis faced by the UN, which did not start this year. In October 2019, Secretary-General Antonio Guterres warned that the UN was facing

its "worst cash crisis" in nearly a decade because almost one-third of its member states had not paid their annual dues.

This report is meant to provide an overview of the impact of the COVID-19-related changes in process and procedure at the United Nations, particularly in terms of transparency and accessibility to civil society. It does not cover every UN forum or mechanism. It focuses on processes and forums related to disarmament and human rights, and covers briefly the work of the UN General Asssembly, UN Security Council, and the Commission on the Status of Women. This is due to the participation of WILPF's programmes in UN work on disarmament, human rights, and the women, peace, and security agenda. The report covers the period of March to mid-September 2020.



Photo: UN Headquarters in New York City @ the blowup | Unsplash

## Overview

A cross the UN forums and mechanisms covered in this report, UN institutions and member states have dealt with the COVID-19 pandemic very differently.

For the most part, the human rights mechanisms continued to function, albeit not fully, adapting reasonably quickly—compared some other parts of the UN—to online formats and ensuring that civil society could continue to participate, even though such participation was not without challenges.

The disarmament forums were decidedly mixed. Some treaty bodies such as the Convention on Cluster Munitions and Mine Ban Treaty—which were negotiated outside of the UN system but whose meetings are now part of the UN meeting roster—made best efforts to carry on in a transparent and accessible way. In contrast, others such as the Arms Trade Treaty, the nuclear Non-Proliferation Treaty, and the processes on autonomous weapons and cyber security either came to a standstill or moved deeper into the shadows, minimising public participation or scrutiny.

Similarly, while the UN General Assembly continued to function, albeit with less transparency and in a less democratic fashion than usual, the UN Security Council more or less imploded immediately. Its inability to function at all during the early months of the lockdown in New York, coupled with its watered down, ultimately meaningless efforts around the global ceasefire, illuminate the already-existing rot within the Council.

The key problem with the Security Council is, as it always has been, that its permament members' competing agendas take precedence over their charged mandate of advancing international peace and security. They gave themselves each a veto over issues that mean life and death for human beings and our planet, and they wield their vetos like playing cards. The inability of the UNSC to come to a timely and meaningful consensus around the efforts for a global ceasefire clearly demonstrated its failure to act decisively as a body tasked to maintain international peace and security; to develop friendly relations among nations; to cooperate in solving international problems and in promoting respect for human rights; and to be a centre for harmonising the actions of nations when the lives of millions of people around the world are dependent on their decisions.

Regardless of what happens moving forward with any of the processes and forums covered here, it is clear that multilateralism—in particular disarmament diplomacy—is continuing to take some serious hits. Our militarised "world order," such as it is, is more violent for it.

#### Transparency and accessibility

In addition to continued investments in militarism during the pandemic, the number of doors being shut to civil society is also undermining global cooperation and transparency. The ability of non-governmental stakeholders to not just access, but also participate meaningfully in, the many of the forums described above is increasingly uncertain, in particular in relation to those on disarmament.

Historically, for example, civil society has observed and participated across most disarmament-related meetings with relative ease. While some meetings involve an accreditation and registration process, this has not been difficult to obtain for civil society actors with a record of work on the issue. Civil society groups have been able to deliver oral statements within these forums; as well as observe sessions, receive conference materials, distribute reports or other resources, speak on and organise side events, and liaise with governments on matters of content.

Of course, travel and public safety restrictions related to COVID-19 will necessarily limit the number of individuals who can attend any inperson meetings. But this elevates the importance of accessible webcasting; openformat meetings; virtual ways for civil society to intervene; and the transparent availability of relevant documentation. But virtual meeting formats for disarmament forums have been an unexpected point of contention between states during this time.

Based on interventions by governments in disarmament-related meetings and consultations that have been accessible to civil society, it seems that most government representatives acknowledge that they are imperfect for negotiation and the interpersonal nature of diplomacy, but realise that other options are limited in the foreseeable future. A few states, however, have objected consistently across multiple UN forums to having wholly virtual meetings, even insisting on in-person gatherings at a time when many countries were fully engulfed in the pandemic. A diverse set of other states have expressed concern about virtual meetings within specific meetings or processes, for reasons ranging from the challenges of time differences, to the security of platforms being

used, and confidentiality agreements with interpreters. Conversely, others have argued for virtual meetings in order to enable the participation of subject matter experts based in capital, who cannot travel to New York or Geneva now.

A "written format" process, which was employed by the Arms Trade Treaty Conference of States Parties in August, was not favoured by delegates to other processes when they were consulted on the best way forward for meetings in 2020. Given the issues around transparency and accessibility at the ATT Conference, described below, it is indeed a poor model from the civil society perspective as well. While written format "meetings" enable a way for all stakeholders to register their views on key issues, the experience so far has been that such meetings do not allow sufficient space for participants to reflect upon or engage with those views.

Furthermore, the silence procedure decision-making process compounds existing transparency problems—as has also been seen in several forums discussed in this paper. Taking decisions by allowing each state a set period to object to the proposal effectively gives every state a veto over every decision. While this kind of procedure may be necessary in exceptional circumstances, mechanisms to ensure transparency around government positions and objections, and commitment to the principle of majority rule, must be followed.

From a civil society perspective, virtual meetings can enable a more cost-effective, equitable, and accessible way to observe and participate in multilateral meetings. Of course, other dangers may present themselves in particular for organisations working in more restrictive or repressive contexts where online activities are

tracked; or who lack safe, reliable, and highspeed internet connections. These risks need to be acknowledged and addressed, but the potential benefits of virtual convening at a time when in-person interaction is so limited should not be dismissed out-of-hand, or for political reasons or a desire to stall diplomacy and progress.

Options for remote participation coupled with regular physical participation can provide some opportunities for civil society participation, for example, activists can make statements in UN forums without travelling to Geneva or New York. But participation is more than reading out a statement. Activists will not be able to fully participate in advocacy in a remote situation. Remotely reading a statement is one thing; actual advocacy needs some physical access since a lot of conversations happen on sides of meetings. Moreover, surveillance, lack of online freedom, and internet shutdowns may disenfranchise human rights defenders and even put them at risk. Inequalities in internet access, both between countries and within countries. power cuts, can also severely hamper the ability to meaningfully participate in online meetings.

#### **Building back better**

The mounting challenges to transparency and accessibility feels, in some forums, to be a deliberate attempt by some states to use the opportunity of COVID-19 to further move processes into the shadows in order to not have to deal with advocacy and scrutiny, and to prevent progress from being either measured or pushed forward. It is clear from the relative success of some of the human rights forums and some disarmament meetings to convene online, or in a hybrid format, with participation of civil society that it is not impossible or even that difficult to adapt to these new circumstances.

It's a matter of political will—and it is clear where states do and do not have that will.

The dysfunction of many disarmament mechanisms and in particular of the UNSC mirrors many national governments' responses to COVID-19. They are protecting militarised political economies at the expense of people and planet. The impasse in many forums at the UN have enabled these states to behave in this way—without transparent multilateral processes, they can consolidate the power they seek without having to deal with the rest of the world's pursuit for genuine cooperation and transnational approaches to peace, security, and equality.

The failings of the UN, are not about multilateralism or even the institution as a whole. The failings come down to certain member states privileging their interests above all else, and either ignoring or tearing down any international rule or agreement that gets in their way. The failings are about the structures these states have set up, and the ways in which these structures enable their self-interested trashing of our planet.

If UN member states are to make good on their commitments made 75 years ago, they must stake a claim for peace and security based on cooperation and collaboration, not on competition and corrosive politicking. "Global security is improved through mutual trust, transparency, and disarmament," noted the Austrian ambassador at a recent UN event against nuclear testing. This is the foundation of diplomacy.

In this unprecedented time, delegates should be more flexible in terms of the modalities they accept for meetings. The world desperately needs disarmament to free up resources to address the impacts of the pandemic and to ease international tensions. It needs human rights, it needs gender equality.

This is also a good opportunity to take stock of the UN forums and their various outputs, in order to identify ways of being more efficient both in time and resources. If the pandemic is a portal, as Arundhati Roy says, through which we can either drag through our "dead ideas" or "walk through lightly, with little luggage," then perhaps this is a good time to evaluate what will help us to imagine and achieve the world promised by the UN Charter.

As UN member states begin the 75th session of the General Assembly, it is clear that they need to take serious action immediately if they want to preserve multilateralism—not just as a system or method of operation within the United Nations, but as a principle necessary for the achievement of international peace and security. The unhinging of several forums during this period, most notably the UN Security Council but also several disarmament forums, show us more clearly than ever that a handful of states the most militarised in our world—continue to put their interests above those of our collective needs and our shared planet. If the UN is to survive not just the pandemic but the active unravelling of multilateral pursuits, the majority of its member states need to stand up together, now, and build structures, forums, and processes that work for more of us all.

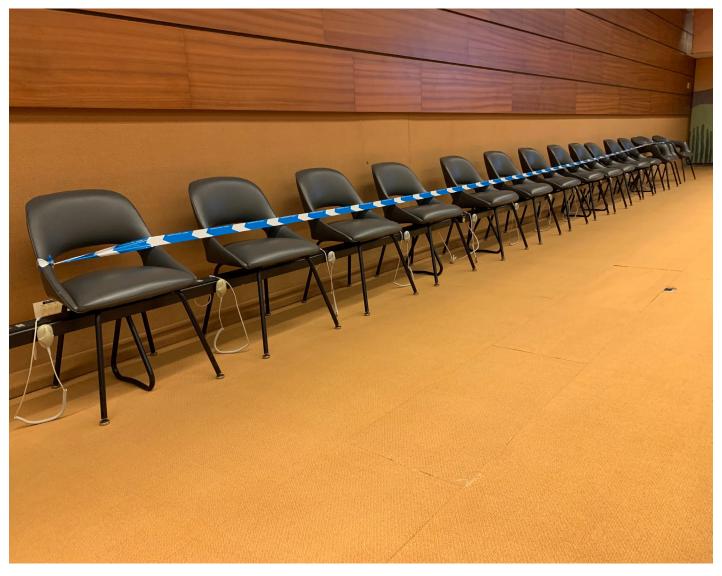


Photo: Chairs blocked off at UN Office at Geneva @ Patrizia Scannella

### Recommendations

xceptional times call for exceptional measures. Continuing to uphold structures that are dysfunctional is not an option. The most obvious failure in the UN system is the UN Security Council. It has demonstrated once again that it is beyond ineffective; it is actively harmful to the UN principles of cooperation, inclusion, and equality, as well as to achieving and sustaining international peace and security. Discussion as to its reform has failed to make progress. It is time for those states that adhere to international law and multilateralism to restore the UN to the Charter. This means removing the power of the Security Council and effecting its dissolution. This may be exceptional, but it is absolutely necessary.

With respect to the measures adopted to ensure that the other bodies of the UN can continue to function, the foremost principle must be that there be no retrogression in the multilateral system; participation and transparency must be preserved. Based on the findings in this report, the following are some recommendations for member states and the UN system as the pandemic continues, but also beyond this unprecedented time:

• No UN forums should use the silence procedure to take decisions except, if needed, in very exceptional cases. While we understand the arguments around efficiency during the pandemic, it effectively gives every state a veto and generates secrecy and confusion within processes. In disarmament forums and the UNSC, this has proven catastrophic to progress. When the silence procedure may need to be used for very exceptional cases, full transparency and inclusivity must be ensured about the whole process, including states' positions. UN forums need to identify and use decision-making processes that can be used in the interim, when needed, but that fully comply with the principles of transparency, inclusivity, and equality.

- The principles of transparency, predictability, inclusivity, and accessibility must guide all arrangements made. All forums and processes should ensure transparency around programmes of work, negotiations of resolutions and other agreements, allowing civil society access to the same documentation they would have access to during in-person meetings. Rather than, or in addition to, the e-deleGATE system, for example, the UN must make documents accessible to civil society and observer participants through PaperSmart, email, treaty websites, or other systems. The very recent creation of a dedicated space for Zero draft resolution on the HRC extranet is a really good step that can serve as a model for other forums.
- The publication of written submissions to a process should be made available, particularly when this is used in lieu of a verbal meeting statement or as input to another document, such as a report, resolution, or outcome document.
- Where in-person meetings are convened, moving forward, rooms with sufficient size for safe physical distancing, not just for

- diplomats but also civil society representatives, must be guaranteed.
- Where online or hybrid negotiations are held there should be a possibility for delegations to book "virtual meeting rooms" with the necessary technical support. All such meetings must be shown on the official Scheduling of meetings with all necessary information, such as the links to participate remotely, provided.
- Where hybrid or online meetings are held, civil society must have the same level of access for participation that they are normally mandated to have for the process or forum in question.
- The technology and methodology used for remote participation must incorporate

- protections and safeguards for safe online participation and must ensure accessibility for persons with disabilities relying on screen readers and sign language;
- Working methods that allow for remote participation should be maintained even once it will be again possible to hold in-person meetings, as this potentially expands the accessibility of these meetings to civil society and diplomats not in Geneva or New York.
- The sustainability of the system and of UN
  meetings, including in the exceptional context
  of the pandemic and the arrangements it
  demands, critically depends on member
  states paying their contributions. All member
  states must pay their due contributions to
  the UN budget without further delay.



## Details on specific forums

#### **UN General Assembly**

Assembly (UNGA) has largely managed to function. It has continued to adopt resolutions and decisions, including on the coronavirus; member states have tabled joint statements, including one endorsed by 170 states in support of the UN Secretary-General's appeal for a global ceasefire; elections were held for the latest non-permanent members of the UN Security Council; and the UNGA's 75th session, including several high-level events and the general debate, are going ahead virtually.

However, while the UNGA has always been the UN system's most democratic body, this has been functionally challenged during the pandemic. In March, the President of the General Assembly (PGA) introduced a "silence procedure" for taking decisions, through which he would circulate draft decisions to member states and, if no delegations raised objections within 72 hours, that decision would be considered adopted. This de facto gave each member state a veto, when normally, the UNGA takes decisions by majority vote.

through the silence procedure between late March and the end of August 2020. There is no publicly available information about decisions that were not adopted during this period—either in terms of content or number or reasons why there was opposition. This poses yet another challenge to transparency and to the ability for civil society to conduct advocacy or to

understand government positions on certain issues.

While it is positive that the UN is proceeding with its work, including with the <u>virtual general</u> <u>debate</u>, the pre-recorded statements accentuate the sense of separation, lack of unity, and disparity of power among UN member states. The aggressive posturing and boasting by the most heavily militarised states at the start of the debate sits in stark with those, in the majority, appealing for global solidarity and unity.

## High-Level Political Forum on Sustainable Development

The High-Level Political Forum (HLPF) on Sustainable Development is a subsidiary body of both the UNGA and the UN Economic and Social Council (ECOSOC). In July 2020, the annual HLPF met virtually to review progress towards Agenda 2030 and the Sustainable Development Goals (SDGs). It witnessed far less civil society engagement and participation than in previous years. In "normal" times, participation of civil society was already extremely limited. Stakeholder groups have long been advocating for more space at the HLPF to participate, particularly in Voluntary National Reviews (VNR). In the lead up to this year's HLPF, meetings were held by the ECOSOC president to address the issue of stakeholder participation. The extent of stakeholder participation was a contested issue in the HLPF and ECOSOC's reform resolution drafting process, signaling that there may be even more restrictions on civic space at the HLPF.

Furthermore, VNRs continue to be largely a onedirectional process. Civil society shadow reports and data have no formal space at the HLPF and following each VNR presentation (10-15 minutes), there is only space for one to three stakeholder groups to provide a short comment. This year, many governments also pre-recorded their submissions. Moreover, internet access and the digital divide was a barrier, with some civil society speakers unable to deliver statements, comments, and questions during the HLPF sessions and the VNR due to internet issues even though they were prepared to do so. There was also no translation for parts of the HLPF; many statements were delivered in Spanish or French in the thematic sessions with no translation to other UN languages. Further, the chat function was disabled for the participants in the sessions, including for individuals from civil society who were selected as lead discussants. In addition, due to COVID-19, there were more limitations on the space for advocacy on the sidelines.

Stakeholders were largely left out of the outcomes drafting process this year, including in the drafting of the HLPF and ECOSOC reform draft resolution and the ministerial declaration. Meanwhile, states were unable to pass a ministerial declaration as an outcome of the HLPF, setting a bad precedent for future years. Some of the contentious issues included climate change, gender equality, violence against women, foreign occupation, and debt.

#### **Upcoming events**

The annual high-level general debate is currently scheduled for 22–29 September. It will be webcast, and one representative per member state will be physically present in the General Assembly Hall. A slate of <a href="https://high-level.events">high-level.events</a> are being held virtually, including:

- High-level meeting to commemorate the 75th anniversary of the UN, on Monday, 21 September 2020;
- Biodiversity Summit, on Wednesday, 30 September 2020;
- High-level meeting on the 25th anniversary of the Fourth World Conference on Women on Thursday, 1 October 2020; and
- High-level plenary meeting to commemorate and promote the International Day for the Total Elimination of Nuclear Weapons on Friday, 2 October 2020.

#### **UN Security Council**

n the first few months of the COVID-19 pandemic, the UN Security Council (UNSC) came to a grinding halt, with no meetings or agenda. The competing dynamics between the permanent members forstalled any progress on the UNSC's key country and thematic priorities. It's dysfunction, inaction, and inability to deal with the pandemic or any of the key issues on its agenda amplified the problems already existing within the Council.

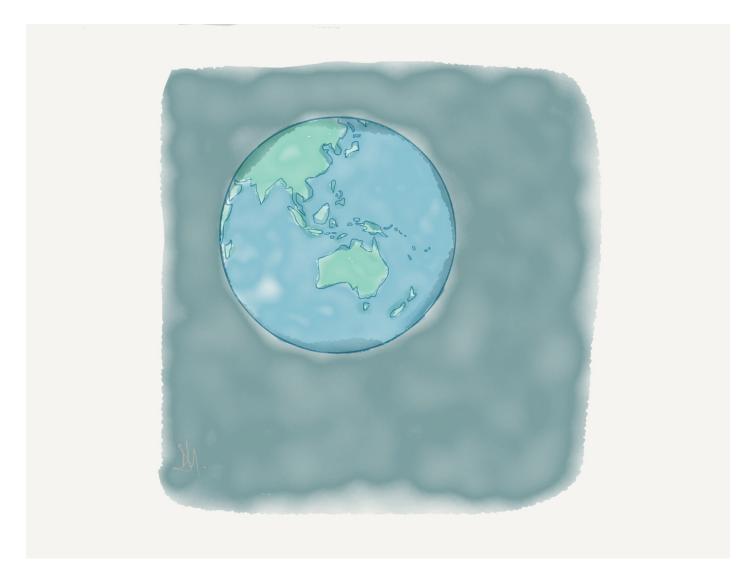
It took the UNSC months to deal with the UN Secretary-General's call for a global ceasefire and even then the Council could only issue qualified support. It adopted a resolution on 1 July for a three-month "humanitarian pause" in fighting. This helped generate a few temporary truces, such as Colombia, Ukraine, the Philippines, and Cameroon, but many expired without any extension or results on the ground, and the three-month pause will expire at the end of September. Furthermore, after six weeks of negotiations the Council wasn't able to come to a consensus on a resolution on COVID-19.

With the improvements in remote meetings—referred to as closed videoconferences

(VTCs)—and other provisional measures, the Dominican Republic and Estonia led the way to re-opening the UNSC meetings and open debates after months of inaction. As a result of the virtual nature of the open VTC meetings (versus closed VTCs, which are not streamed via webcast), there is an increase in the sharing of statements. Over the past few months, this approach has allowed for civil society to participate in making statements on country and thematic topics, and for states and briefers to submit written statements published as a letter from the president of the Council.

Resolutions are adopted through a <u>24-hour</u> written procedure, in which each UNSC member has 24 hours to vote on draft resolutions. After the voting period has concluded, the president

will circulate the results in writing, after which members may provide a written explanation of vote. Within twelve hours of the conclusion of the voting period, the president will hold a video conference to announce the outcome of the vote, with members present but not speaking. The lack of interpretation led Council members to decide to conduct meetings in English, with no provision for members to deliver an explanation of vote during adoptions. Interpretation is still not available for VTC meetings in the UNSC. Due to the current format, the wider UN states membership cannot participate in the open debates and from June to August, states presiding over the programme of work have been weak in their support for civil society briefers, particularly women civil society representatives despite calls from civil society



to ensure states are not further decreasing civil society space.

The Council has generally been able to adopt decisions necessary to renew mission mandates and sanctions regimes. Security Council Report notes, "The number of decisions over this period is almost exactly the same as in 2019. The Council adopted 33 decisions (resolutions and presidential statements) in the first half of 2020. Over the same period in 2019, the Council adopted 34 decisions. The Council adopted six presidential statements during this period, one more than in 2019. The number of resolutions fell slightly from 29 to 27."

From 1 January 2020 to 1 July 2020, the Council held 53 formal meetings and 64 open VTCs, during which 21 civil society briefers have delivered statements. 11 of whom were women. This represents a 38.9 per cent decrease compared to 2019. As of August the NGO Working Group on Women, Peace and Security nominated 18 civil society representatives under all six presidencies to brief the Council on 12 different agenda items, pursuant to the UNSC's commitment to invite women civil society representatives to brief during country-specific meetings under UNSC Resolution 2242 (2015). While civil society groups have scheduled informal meetings with UNSC members, these informal meetings and backchannels cannot be used to replace formal briefings and engagement with the UNSC.

#### Open debates and Arriaformula meetings

The regular business of the UNSC has undoubtedly been hampered by the pandemic and Council dynamics, such as described above, but a bright spot may be UNSC initiatives of its members and/or presidents in this time.

For example, as part of its presidency in May, Estonia convened an Arria-formula meeting on "cyber stability, conflict prevention, and capacity building". Lasting over five hours, the meeting received interventions from more than 50 UN member states in total, comprising both UNSC members and non-members, as well as from two international organisations. There was not inclusion of any civil society representatives, but it did create a space to express concern over the increase in malicious cyber operations happening as a result of the pandemic, that could not be meaningfully addressed in other relevant UN forums because they were not being convened.

In July, Peru convened an informal interactive dialogue, which is an informal private meeting of Council members, on the challenges and opportunities of the use of unmanned aerial vehicles (UAVs). Prior discussions on this subject were either in the context of counterterrorism or peace operations and proved divisive. Peru's initiative was intended to promote frank dialogue about UAVs and as separate from those two thematic issues.

A number of other Arria-formula meetings have taken place, as have open debates, such as the annual open debate on the Protection of Civilians in Armed Conflict.

## Commission on the Status of Women

The Commission on the Status of Women (CSW) is a functional commission of the Economic and Social Council (ECOSOC). In 1996, ECOSOC decided the Commission should take a leading role in mainstreaming a gender perspective in UN activities and in monitoring

and reviewing progress and problems in the implementation of the Beijing Declaration and Platform for Action, which was adopted in 1995 at the Fourth World Conference on Women. The 64th session of CSW was supposed to convene 9–20 March in New York to mark the 25th anniversary of the Beijing agreements. Due to COVID-19, CSW64 was shortened from two weeks into a one-day meeting on 9 March to adopt the political declaration, and then the session was suspended. There have been some follow-ups on Beijing+25 by states and civil society, but not to the scale of replacing what was meant to be at CSW64.

There was an online Beijing+25 meeting in July and there will be a high-level event to mark the anniversary during UNGA 75th session. The July meeting was underwhelming in terms of content, but it had interpretation as well as interactive features like a chat function for participants to contribute. Non-ECOSOC accredited organisations could register to participate along with ECOSOC groups.

Currently, <u>CSW65</u> is scheduled to take place 15–26 March 2021 in New York. The <u>Generation Equality Forum</u>, which is a UN- and state-convened conference to mobilise civil society for gender equality, has also been postponed to 2021.

## Disarmament forums and processess

N disarmament forums and processes already some of the most restricted spaces in the UN system—have become even less accessible and transparent during the COVID-19 pandemic. Many scheduled meetings were **postponed** to the indefinite future, including:

- The third round of consultations on a political declaration on explosive weapons (EWIPA), originally scheduled from 23–24 and 26–27 March in Geneva;
- The Fourth Conference of Nuclear-Weapons-Free Zones and Mongolia, originally scheduled to take place on 24 April in New York:
- The Review Conference of the nuclear Non-Proliferation Treaty (NPT), originally scheduled for 27 April–22 May 2020 in New York:
- The Seventh Biennial Meeting of States of the UN Programme of Action on Small Arms and Light Weapons, originally scheduled from 15–19 June in New York;
- The first session of the 2020 Group of
   Governmental Experts (GGE) on lethal
   autonomous weapon systems, originally
   scheduled for 22–26 June in Geneva, then
   rescheduled for 10–14 August and postponed
   again until 21–25 September and 2–6
   November (though these dates remain
   tentative);
- The meetings of experts convened under the Biological Weapons Convention (BWC), originally scheduled for 25 August-3
   September, are now scheduled for 1–10
   December. The BWC's Meeting of States
   Parties (MSP,) originally scheduled from 8–
   11 December, is now scheduled from 12–15
   April 2021, with the first session of the Preparatory Committee taking place back-to-back with the meeting; and
- The third substantive session of the UN
   Open-ended working group on developments in the field of information and communications technologies (ICTs) in the context of international security, originally scheduled for 6-10 July in New York.

Some meetings were **cancelled**, including:

- An <u>intersessional informal exchange of the</u>
   Open-ended working group on ICTs,
   originally scheduled from 30–31 March in New York:
- The <u>UN Disarmament Commission</u>, scheduled to take place in April, has not met; even before the pandemic set in, it <u>twice</u>
   <u>postponed</u> its organisational meeting to enable the Committee on Relations with the
   Host Country to address concerns about the non-issuance of visas by the United States;
- Arms Trade Treaty (ATT) Working Group meetings and the second informal preparatory meeting for the ATT Sixth Conference of States Parties, originally scheduled from 14–7 April in Geneva; and
- The <u>second intersessional informal exchange</u>
   of the Open-ended working group on ICTs,
   originally scheduled from 28–29 May in New
   York.

Some meetings went ahead, including:

- The <u>Conference on Disarmament</u> has continued meeting in-person in Geneva;
- A preparatory meeting for the Second Review
   Conference of the Convention on Cluster
   Munitions took place in Geneva on 29 June
   in a room limited to one delegate per
   nameplate and was broadcast on UN Web
   TV;
- Intersessional meetings for the Mine Ban
   Treaty were held entirely online 30 June–2
   July;
- The <u>third session of the Group of</u>
   Governmental Experts on ammunition took
   place virtually from 20–24 July;
- The third session of the <u>Group of</u>
   Governmental <u>Experts on advancing</u>
   responsible state behavior in cyberspace
   took place virtually from 17–21 August;
- The <u>Sixth Conference of States Parties</u>
   (CSP6) to the Arms Trade Treaty (ATT) took

- place in "written format" in August;
- A <u>high-level event to mark the International</u>
   <u>Day against Nuclear Tests</u> was held online 26

   August; and
- Informal consultations of the Open-ended Working Group on ICTs.

#### Convenings so far

Of those meetings that have been held, the UN Secretariat, Chairs or bureaus of the processes, and member states have decided on various procedures to meet safely in person or in virtual formats. Among these convenings, there has been varying levels of accessibility and transparency.

The Conference on Disarmament, which holds a weekly plenary meeting in Geneva despite not producing any substantive work for more than twenty years, has continued to meet in-person. The meetings are not webcast, though digital recordings and some statements are available. Civil society has not been allowed to attend. Under normal circumstances, civil society representatives are only permitted to sit in the gallery and not to engage in discussions.

The Groups of Governmental Experts on ammunition and on responsible state behaviour in cyberspace were both convened virtually, but continued to exclude civil society.

The Convention on Cluster Munitions preparatory meetings for the Second Review Conference limited the number of participants in the room to one per delegation for states and civil society, but webcast the proceedings in all official languages and made statements and other documents available online. Civil society was able to attend and to make interventions. The intersessional Mine Ban Treaty meeting was held entirely online and accessible to civil

society. Some sessions enabled delivery of statements though in a shortened format. Delegations held virtual side events, and statements and documents were available on the Secretariat website. In addition, during plenary meetings the virtual system had a chat function that enabled participants to communicate with the plenary and ask questions of panelists. To compensate for limited interactivity of the virtual plenary the International Campaign to Ban Landmines live tweeted and posted messages and statements on social media.

The high-level commemorative event for the International Day against Nuclear Tests was also held entirely online; the webcast was publicly available and civil society was able to live Tweet from the proceedings. Two civil society speakers were also invited to deliver

remarks in real-time at the event. Statements were not made available online.

The Arms Trade Treaty (ATT) Sixth Conference of States Parties (CSP6) went ahead in "written format"—which meant participants submitted written statements and that draft decisions were tabled for adoption by silence procedure, which meant there was not an opportunity to deliberate over their contents. This pushed a process further into the shadows that was already weakened by the refusal of states parties to address serious challenges to Treaty compliance. CSPs have become increasingly preoccupied with procedural and administrative matters and while some have reached agreement on important points of substance, such as gender-based violence and the arms trade, there is never any accounting for the



Image: Twisted gun at UN Headquarters © Dimity Hawkins

actual—and very problematic—arms transfers of some states parties. The number of states parties who keep their annual reports confidential has jumped in the last two years, a blow to transparency objectives of the Treaty.

Initially, civil society and even observer states were denied access to the draft decisions under consideration. However, per the ATT Rules of Procedure, all conference participants—including observer states, international organisations, and civil society groups—can receive formal conferences documents and would, in an in-person format, also be able to react to those and hear reactions of states parties in an open setting. Once certain states parties raised this, the decision was reversed.

Still, transparency took a big hit at CSP6. There were states parties that raised concerns about certain decisions but did not want to break silence: it's not possible to know how their concerns were received and responded to and will be addressed going forward. Another state party reportedly broke silence on a draft decision that was ultimately maintained. It was challenging for civil society to follow the conference or report on it, because there was no open format in which states parties could give voice to concerns, or to hear and react to what others, including civil society, have to say. While behind-the-scenes consultation is a way that impasses are bridged in diplomacy, there is almost always a space for public discussion and interaction as a component of getting to agreement. The chosen format for CSP6 eliminated that option, which meant that bilateral and backchannel interactions became the sole way to manage disputes.

Since the formal meetings of the **Open-ended Working Group on ICTs** have all been cancelled or postponed, the Chair of the Group has

announced that he will convene online informal consultations for states to respond to a predraft of a final report. However, these will be closed to civil society, which compounds preexisting issues of civil society access to the two formal OEWG sessions that took place prepandemic. Accreditation to those sessions was denied to non-governmental stakeholders without ECOSOC status, even those with a track record of credible work in the area of ICTs.

Such a broad denial of access to relevant. qualified stakeholders is extremely rare in disarmament and security forums and could be used to set a dangerous precedent. No formal explanation was provided; the general understanding is that a small group of states had objected to wide participation, leading to the blocking of non-ECOSOC groups. Many other states have gone on record as supporting wider access and other efforts were made to bring non-governmental perspectives into the process through other channels such as a multistakeholder session and posting of NGO statements and materials online. It's deeply disappointing that the remaining informal consultations will be closed entirely, and most anticipate there being obstacles to wide civil society participation at the final formal substantive session scheduled for March 2021.

#### Upcoming events

Disarmament processes that were postponed or scheduled for September and beyond are now starting to consider how to conduct their work.

The first session of the 2020 Group of Governmental Experts (GGE) on lethal autonomous weapon systems, postponed from June and August, is now meeting 21–25 September and is tentatively scheduled to meet again 2–6 November 2020. The September

meeting is taking place in a hybrid format, with one person per delegation in the room and others able to participate remotely. Civil society can participate in-person and remotely and the webcast is publicly available in all six UN languages. Parameters for the November meeting, if it goes ahead, will likely be the same. However, at time of publication, the delegation of Russia is objecting to the convening of the September meeting, noting that no consensus was reached during consultations on convening the GGE or the modalities for that.

During earlier stages of the pandemic, the Chair of the GGE held two informal online consultations for all interested delegations, including civil society. About 100 people participated in each of the meetings and conveyed perspectives on the GGE process. though neither resulted in a clear plan for moving the process forward. The two main sticking points seem to be the reluctance of certain Geneva delegations to meet in-person without the presence of experts from capital and the concern that not all delegations have the technological capacity necessary to participate effectively in online meetings, which would also face significant time zone challenges. However, given the examples set by the Mine Ban Treaty and Convention on Cluster Munitions, it's not clear why these models could not be applied to work on autonomous weapons. The Chair also invited delegations to submit written commentaries or working papers on advancing the GGE's work on autonomous weapons. So far, 26 governments, the International Committee of the Red Cross, and the Campaign to Stop Killer Robots have submitted commentaries. About half of these are publicly available so far.

It is not clear at the time of publication of this paper what the **UN General Assembly's First** 

Committee on Disarmament and International Security will look like this year—if delegates will meet in person or virtually or both, if resolutions will be tabled and negotiated or not, or if the session will be postponed. One key issue to flag is that if the Committee goes forward, it should not rely just on the "e-deleGATE Portal" for posting statements, resolutions, and other documentation, as this is only accessible by governments. PaperSmart provides an alternative platform that is publicly accessible, but to date it has only been used to publish final resolution texts, not drafts. Without in-person access to written materials—especially resolutions that are being developed and negotiated—it's more important than ever that documentation is made publicly available, at least to all participants in meetings including civil society.

Multiple meetings of the Convention on Certain Conventional Weapons (CCW), which is the treaty that mandated the GGE on autonomous weapons, are scheduled to take place in Geneva in November 2020. This includes the annual meeting of its High Contracting Parties (HCPs), as well as those states that are HCPs to the CCW's Protocol V and Amended Protocol II. It is not yet clear what the modalities will be.

The 25th Conference of States Parties to the Chemical Weapons Convention is still scheduled to take place in The Hague from 30 November–4 December. Its format and options for attendance and participation are under review by the Organisation for the Prohibition of Chemical Weapons.

It is also not clear if the **Non-Proliferation Treaty Review Conference**, which has been suggested to take place in January 2021 in New York, will convene as planned. Nor is it known when the negotiation process for the

development of a political declaration on the use of explosive weapons in populated areas, chaired by Ireland, will restart its work, or when or if several of the other postponed conferences will be rescheduled.

## Analysis of the disarmament forums

There is a direct connection between the UNSC's corruption and the stalemate over advancing disarmament. Last year, the UNGA First Committee on Disarmament and International Security also almost didn't happen. It was delayed multiple times due to concerns about restricted access for some delegations by the host country. When it did eventually stumble into gear, the most militarised governments in the world attacked each other relentlessly for several weeks, accusing each other of undermining the "international security environment".

It was also difficult to achieve progress at the GGE on autonomous weapon systems last year, where a small number of delegations objected to

advancing to more substantive work to prohibit or regulate these technologies, and one delegation in particular, Russia, put forward its best efforts to weaken the mandate for the 2020–2021 GGE. (Which is now proving rather ironic: it needn't have expended all that effort keeping delegations until 3am in the UN fighting about how many days the GGE should meet this year; COVID-19 took care of it.)

One positive development in disarmament diplomacy last year was the initiation of a process to develop a political declaration on the use of explosive weapons in populated areas (EWIPA). This agenda has been pushed forward by the International Network on Explosive Weapons and a few states for nearly a decade, resulting in recommendations from the UN Secretary-General, the ICRC, several governments, and many explosive weapon survivors, for the adoption of bold and clear commitments against the use of EWIPA. In late 2019, Austria and then Ireland held conferences to advance this process, and Ireland convened another consultation in 2020 before the pandemic interrupted the process. Continuing to



Photo: Together © Nick Fewings | Unsplash

collect written input to the draft declaration, Ireland is now waiting for it to be possible to meet safely in-person to finalise the text. This postponement is disappointing, as in the meantime, civilians around the world continue to be subjected to bombing and shelling in towns and cities. While a political declaration will not categorially end the use of EWIPA immediately, it could be an important tool for preventing it in the future. But it is important to note that in the meetings so far on this issue, several of the UNSC permanent members have aggressively tried to undermine the content of the declaration to ensure that their behaviour in bombing wherever, whenever they want is not impacted by any new political commitments.

Meanwhile, the postponement of the NPT Review Conference has not necessarily had an impact on the world—it was widely predicted to be "failure" given the US government's shredding of nuclear arms control agreements over the past few years, the continued violation of the NPT by all of the nuclear-armed states due to their refusal to not just implement their obligation to negotiate nuclear disarmament but also their active undermining of that legal obligation through their expansive (and expensive) <u>nuclear weapon modernisation</u> programmes. It is not clear what could have possibly been agreed at the Review Conference given this state of affairs—yet any loss of opportunity to talk about nuclear weapons feels like a grave setback, because the stakes are so extreme and the situation so dire.

Despite these negative trends, or perhaps because of them, states have continued throughout the pandemic to sign and ratify the Treaty on the Prohibition of Nuclear Weapons. Overcoming direct pressure by certain of the nuclear-armed states, several countries have joined the Treaty, while city councils,

parliamentarians, and financial firms also continue to throw their support behind the nuclear weapon ban.

This ongoing work helps put some of the delays and postponements across the disarmament field into perspective. Over the past six months, the most tangible work to reduce nuclear dangers and fulfil the original promise of the UN Charter to "save succeeding generations from the scourge of war" has been led by states who reject weapons as tools of security. The countries who have banned landmines, cluster bombs, and nuclear weapons have continued to try to promote and implement these respective agreements as humanitarian action, while the nuclear-armed states and the major weapon exporters have largely continued "business as usual," using the pandemic not as a moment to reflect and re-evaluate, but to double down on their commitments to and investments in violence.

For example, during the pandemic, in many countries arms producers have been deemed essential services—putting workers at risk and diverting money away from those in desperate need of protective gear, ventilators, medical personnel, and affordable access to health care. Arms transfers also largely continued unabated, despite the resounding rhetorical support for the UN Secretary-General's appeal for a global ceasefire in March. While some joint military exercises were cancelled, the US and some other countries continued to deploy troops to military bases around the world—exposing soldiers and local populations alike to the coronavirus, all in the name of "security". This approach has already damaged our world, and during a global pandemic has only strained international tensions further and weakened the material ways in which governments could help mitigate the suffering of people.

## Human rights forums and processes

he holding of meetings of human rights mechanisms in 2020 has been impacted both by the COVID-19 pandemic and especially by the liquidity crisis faced by the UN. On the latter point, since August 2020 at least two briefings about the financial situation faced by the UN Office at Geneva (UNOG) have been held for state delegations. To date no such briefings have been held for civil society organisations. Nor have civil society organisations received the letter by the UN Office of the High Commissioner for Human Rights (OHCHR) concerning the difficulties faced by the OHCHR in implementing certain activities mandated by the Human Rights Council (HRC) due to the current financial situation of the UN Secretariat and subsequent related updates on the list of affected activities. Having a sense of which events are likely to go ahead in 2020 and which format (e.g. hybrid, in-person only) very much relies on the ability of getting hold of such information from delegations willing to share it.

#### **Human Rights Council**

The 43rd session of the Human Rights Council (HRC43) was scheduled to run from 24 February to 20 March 2020. Due to the pandemic, all side events scheduled at the session were cancelled as of 3 March. The HRC subsequently decided to suspend the session on 13 March. Shortly after that, all meetings and conferences at UNOG were suspended. The resumed HRC43 was eventually held from 15 to 23 June 2020 and it was almost immediately followed by the 44th session. The 45th session started on 14 September and is expected to run until 7 October.

Starting in April, the HRC held virtual informal meetings relating to the pandemic. These included an informal briefing of the High Commissioner for Human Rights and one of HRC independent experts known as UN Special Procedures. NGOs could speak in these virtual meetings but the time available for NGO statements was rather limited. The meetings were held only in English, as interpretation in other languages could not be organised.

## Decision-making during the suspension of formal meetings

While still unable to resume its 43rd session, the HRC adopted a Presidential Statement (PRST 43/1) on the "Human rights implications of COVID-19" on 29 May. The statement was negotiated through virtual means and adopted through the "silence procedure" used by the UN General Assembly, the HRC's parent body. The HRC adopted, also through the silence procedure, decision A/HRC/DEC/43/116, which authorised the HRC President to circulate the draft President's statement to HRC members under a silence procedure. The decision also clarified that "the procedure for the adoption of the President's Statement on COVID-19 shall solely apply to the current exceptional circumstances during which plenary meetings of the Council are not possible due to the COVID-19 pandemic and that it shall not serve as a precedent once the Council can return to holding plenary meetings."

Conducting multilateral negotiations virtually poses many challenges and the Presidential Statement was no exception. However, the HRC President and her team set up a process that, in the circumstances, was quite transparent and accessible, including for non-governmental organisations (NGOs). States, NGOs, and other

HRC observers received the first draft of the statement and had the opportunity to send written input; WILPF sent recommendations for strengthening of the text as part of a joint NGO input coordinated by ISHR.

The HRC Presidency compiled all the recommended changes, additions, and comments in three documents: a matrix of all recommendations from states, one with those of other observers, including NGOs with ECOSOC status, and a third document with the "general comments." The recommended changes were shown in tables, with text in bold, strikethrough, etc. These three documents were available on the HRC extranet. If for all resolutions negotiated at the HRC—or elsewhere—such detailed information on the position of states, NGOs, and other observers were to be made available in writing and in a similar format, it would greatly facilitate the participation and engagement of smaller delegations and other stakeholders, including NGOs.

After circulating those three documents, the HRC President held an online meeting to "provide delegations with the opportunity to openly and transparently discuss the text of the presidential statement and the comments and edits that have been submitted." NGOs could attend the consultation and some were also able to make statements. The President then sent a letter to all delegations to clarify all the questions that had been raised around the "legality" of a silence procedure, explaining that it was "proposed under truly exceptional and challenging circumstances due to a global pandemic." In her letter, she added that a revised draft statement would then be prepared on the basis of the comments received in writing and/or at the virtual informal consultations: consultations would continue under the principle of transparency until a consensus text is

reached. She continued negotiations and, on 26 May, circulated a draft text that she thought was a good compromise of all positions and enjoyed consensus and put it to the silence procedure of 72 hours. The Presidential Statement and related HRC decision were adopted on 29 May 2020. When HRC43 resumed on 15 June, the Council formally took note of the adoption of Presidential Statement and the decision.

## Resumption of in-person meetings through hybrid formats

As noted, the HRC resumed its in-person meetings in June. Different modalities for participation have been applied for the resumed HRC43, the 44th session (HRC44, 30 June-17 July), and the current 45th session (HRC45, 14 September-6 October). Special Procedure mandate holders, members of the HRC's investigative mechanisms (e.g. the Commission of Inquiry on Syria), and panellists participate in the session via video link. State delegations not wishing to enter the plenary room physically can deliver their statements by pre-recorded videomessage. Similarly, NGOs in consultative status with ECOSOC can do the same insofar as interactive dialogues, panels, and adoptions of the Universal Periodic Review (UPR) outcomes are concerned. No "official" side events are held during these sessions (whether online or in-person). It is, of course, possible to organise events (online or in-person but outside the UN premises) during the weeks of the HRC session. But these are considered independent events and are not publicised as part of the schedule of events for the HRC.

We cannot but acknowledge the efforts made to help to overcome the challenges to participating in the HRC sessions, including those due to travel restrictions and mandatory quarantines for those travelling to Geneva from certain

countries and areas. Nonetheless, there have been barriers to NGO participation, several of which were outlined in a joint NGO statement to HRC44. These barriers included delays in finalising the programme of work for the session, which impact on the planning of the engagement with the session; and difficulties for those based in different time zones or with unstable or weak internet connection to monitor the live proceedings. The technical specifications (e.g. audio and formats) for uploading pre-recorded video statements were incredibly specific and could not be easily met without some prior knowledge of video editing, or some (time-consuming) do-it-yourself "crash courses" on video editing. The requirements have now been simplified for HRC45, including by providing the option to upload captions as a separate subtitle file.

Following negotiations of resolutions remotely (so-called "informal consultations") at HRC44 was far from easy. It very much depended on the willingness of those running the resolution to facilitate such participation (e.g. through Zoom), or on whether the audio conference monitoring of UNOG was connected for the relevant meeting room. During the discussions about arrangements to resume HRC43, delegations were initially asked to hold consultations on resolutions outside the UNOG premises or online. Holding consulations in person at the moment requires a room big enough to allow for the mandatory physical distancing, which substantially reduces the seating capacity of meeting rooms. Just to give an example, since resuming its in-person meeting in June, the HRC is holding its plenary in the Assembly Hall because Room XX—which is the room normally used by the HRC and has a capacity of about 750 seats—can now accommodate only about 100 participants. Several delegations, especially smaller ones, raised the fact that they did not

have rooms with such a big seating capacity. In our view, for the proposal to hold online meetings to be workable, it should have come with the possibility for delegations running resolutions to book "virtual meeting rooms," with the necessary technical support.

Negotiations, whether in-person or online, are part and parcel of the HRC sessions and should be fully supported as part of conference services.

The difficulty with following negotiations remotely added to the difficulty of getting ahold of the draft resolutions being negotiated, which had already started already last year when the HRC decided to adopt the platform "e-deleGATE." This platform, which was already used in New York, allows, among other things, to circulate to users zero-draft resolutions and revised versions, which used to be circulated by emails or (when it was still possible) in hard copies in the meeting rooms. The e-deleGATE is currently not accessible by NGOs, something that, apparently, the HRC Secretariat had not realised at the time that decision to adopt it was made.

Whether the lack of NGO access was known but put aside because it was more important to pursue more efficient working methods, or whether a question about NGO access had not even been asked before the decision was made, it is equally concerning. e-deleGATE is a persistent problem already in the New York forums, as mentioned previously. In a welcome very recent development, which reflects recommendations made by NGOs, a dedicated space in the HRC extranet has been set up athe current HRC45 for hosting all Zero drafts as posted on e-deleGATE.

#### **Universal Periodic Review (UPR)**

The UPR Working Group's 36th session was postponed from May 2020 to November 2020, during the dates originally envisaged for its 37th session. This had a domino effect on the scheduling of all other subsequent UPR Working Group sessions. For NGOs, this also meant that the deadlines to submit information to the UPR were also adjusted accordingly. The UPR Working Group sessions should continue to be live webcast and can thus be followed remotely.

At the time of writing, confirmation of the modalities for the UPR Working Group's 36th session scheduled for November 2020 is still on hold due to a "double booking" of the meeting room designated for use, the Assembly Hall. It has also been requested for use by the World Health Organisation. A solution to this double booking is being sought.

The pre-sessions normally organised by <u>UPR</u> <u>Info</u> ahead of the UPR Working Group's sessions will be held remotely.

#### **Special Procedures**

Special Procedures (i.e. Special Rapporteurs, Working Groups, etc.) of the HRC have postponed all country visits. Nevertheless, they have been very active since the pandemic outbreak releasing statements and elaborating guidance notes to assist states in their area of expertise. They have also continued their other regular activities, such as sending communications to states relating to individual cases.

They have presented their written reports to the HRC and the UN General Assembly and participated in interactive dialogues with the HRC remotely. In October 2020, they will

participate remotely in interactive dialogues with the Third Committee of the General Assembly.

### Other meetings mandated by the Human Rights Council

COVID-19 coincided with a severe UN funding crisis. In recent weeks UNOG indicated that, due to the liquidity crisis it is experiencing, it will not be able to provide 100 per cent of all scheduled activities for the remainder of 2020. These include some of the activities mandated by the HRC (e.g. workshops, intersessional seminars, intergovernmental working groups mandated to draft new standards). At the time of writing, it is not fully known which of these activities scheduled for 2020 will go ahead and in which format.

WILPF has been following closely developments around the holding of the session of the 6th session of the Open-ended intergovernmental working group (IGWG) on transnational corporations and other business enterprises with respect to human rights, scheduled to take place from 26—30 October. The nongovernmental Treaty Alliance, of which WILPF is a member, sent a letter to the Chair and the Secretariat of the IGWG detailing the measures that should be taken to ensure meaningful participation, especially of affected communities and organisations working at local and national level. These measures include:

- Setting times for the sessions in a way that allows the broadest participation, taking into account different time zones and the capacity to participate in virtual meetings;
- Guaranteeing simultaneous interpretation in all UN languages;
- Providing for written comments on the new draft text of the treaty to be sent by states and by NGOs in advance and for all contributions to be compiled in a single

document, organised article by article, to facilitate online participation and transparency (i.e. following the example of the above-mentioned HRC Presidential Statement on COVID19):

- An extranet space dedicated to the IGWG;
   ensuring a minimum number of interventions
   with sufficient speaking time to be
   guaranteed for different sectors of civil
   society; guaranteeing safe participation
   mechanisms for human rights defenders that
   do not endanger their physical or online
   security, or expose them to intimidation and
   reprisals by state or non- state actors; and
- The use of UN regional and/or country offices as safe participation spaces.

#### Human rights treaty bodies

Meetings by the so-called treaty bodies, which are committees of independent experts who monitor states' implementation of international human rights treaties, have also been affected by the COVID-19 pandemic, whose effects have been have been exacerbated by the severe liquidity crisis faced by OHCHR and UNOG. As noted, the liquidity crisis didn't start this year. In May 2019, almost 400 NGOs, including WILPF,

wrote an <u>open letter</u> addressed to all Permanent Missions to the United Nations to convey "our deep concern regarding the critical funding situation affecting the UN's human rights mechanisms and OHCHR."

Treaty bodies have cancelled or postponed either their sessions or some of their activities. On 16 March, the UN Office of the High Commissioner for Human Rights (OHCHR) announced that the UN human rights treaty bodies would not hold any sessions until the end of May 2020. On 15 May, OHCHR issued a note informing that treaty bodies would not hold inperson sessions until the end of August 2020, at the earliest. OHCHR has recently published a list of upcoming meetings of treaty bodies but has stressed that "dates are indicative for information purposes and based on the assumption that it will not be possible to organize in-person treaty body sessions in 2020. They are subject to change, pending Covid-19 developments and the availability of financial resources."

Some treaty bodies have already adopted measures to enable them to continue some of their work remotely; some have already held virtual meetings (e.g. the <a href="Committee on Enforced Disappearances">Committee on Enforced Disappearances</a>) but only for limited



Photo: Bird © Sunyu | Unsplash

activities. Treaty bodies' members have identified challenges with holding online sessions, such as time difference constraints in experts' countries of residence, confidentiality issues, accessibility for persons with disabilities, and internet connectivity issues.

Several treaty bodies have issued recommendations—through guidance notes, advice, statements and press releases—on a human rights-based response to the COVID-19 pandemic.

#### Pre-sessions

Activities relating to the adoption of the "list of issues" to which states parties reply as part of the Committees' reviews of their reports have taken place. Treaty bodies' pre-sessional working groups have held online private briefings with civil society representatives, or will hold such briefings in the coming months, as part of their process to adopt lists of issues for the countries that will be reviewed at future sessions.

## Rescheduling of reviews of states parties' periodic reports

Normally, during their sessions, the Committees review states' reports and responses to the list of issues, receive additional information from CSOs and other stakeholders, engage in a dialogue with the relevant states' delegations (known as "constructive dialogue"), and then adopt concluding observations, which include recommendations relating to the states' implementation of the treaty. Treaty bodies have postponed to future sessions the consideration of states parties' periodic reports (constructive dialogues). The deadlines for submissions of alternative reports relating to these country reviews from NGOs have also been postponed.

The announcement about the postponement of the constructive dialogues was made late, which meant that NGOs planning to engage with the process were drafting reports for reviews which is not yet clear when they will take place. It would be really concerning if treaty bodies, which are the only independent and expert bodies monitoring the implementation of the legally-binding UN human rights treaties, continue to being unable to consider the states parties' periodic reports in 2021. Pragmatic solutions must be found.

The Committee on Enforced Disappearances was going to go ahead with the review of Iraq's report (constructive dialogue) but, close to the start of the session, it announced that, following the infection of several members of the Iraqi delegation and the quarantine required to the rest of the delegation as a consequence, the Permanent Mission of Iraq requested the Committee to postpone the dialogue scheduled on 14—15 September 2020.

Upcoming treaty bodies sessions, which will all be held online, include:

- Committee on Economic, Social and Cultural Rights' 67th Pre-sessional Working Group (19–23 October 2020);
- Committee on the Rights of the Child's 87th
   Pre-Sessional Working Group (5–8 October 2020);
- Human Rights Committee's limited 130th session (12 October–6 November 2020);
- CEDAW Committee's 77th session (26
   October–5 November 2020), at which it is
   expected to finalise and adopt a <u>General</u>
   Recommendation on trafficking in women
   and girls in the context of global migration;
   and
- CEDAW Committee's <u>79th Pre-sessional</u> Working Group (9–13 November 2020).





The Women's International League for Peace and Freedom (WILPF), the oldest women's peace organisation in the world. It is a global feminist movement for peace, disarmament, economic and social justice, and environmental protection. This report is a collaboration of WILPF's global programmes on disarmament, human rights, and women, peace, and security.

Reaching Critical Will, WILPF's disarmament programme, coordinated this report. RCW works for disarmament and for an end to war, militarism, and violence. It also investigates and exposes patriarchal and gendered aspects of weapons and war. RCW monitors and analyses international processes and works in coalitions with other civil society groups to achieve change, provide timely and accurate reporting on all relevant conferences and initiatives so that those unable to attend can stay informed, and to maintain a comprehensive online archive of all statements, resolutions, and other primary documents on disarmament. RCW also produces research studies, reports, statements, fact sheets, and other publications on key issues relevant to disarmament, arms control, and militarism.