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Your Excellencies,

### **Questions from Human Rights Council Elections Pledging Event 2020**

On 9<sup>th</sup> September 2020, Amnesty International and the International Service for Human Rights held an online pledging event for candidate States to the Human Rights Council for the membership term 2021-2023.

This year's event, had around 250 online attendees and an overwhelming number of questions posed to candidates, providing an opportunity for candidates to present their visions for membership and to engage with a range of stakeholders on their human rights commitments and pledges.

We thank you for your participation in the event. With the goal of furthering dialogue, as well as improving adherence to Council membership standards and accountability, as articulated in UN General Assembly resolution 60/251, please find below the questions addressed specifically to Malawi as well as questions for all candidate States.

The questions, as well as your responses, will be shared on ISHR's website. We request that you please send your responses or any clarifications to Maithili Pai at [m.pai@ishr.ch](mailto:m.pai@ishr.ch) by 9th October 2020.

#### **Questions posed specifically to Malawi:**

1. *The South African Human Rights Defenders Network (Question posed during event):* "Does Malawi feel that the region of Southern Africa is now ready to domesticate the UN Declaration on Human Rights Defenders, especially given how human rights defenders were central in strengthening democracy in Malawi? If so, how would Malawi support such an initiative?"

2. *Kiana Outen (Question posed during event)*: “Due to Covid-19, outsiders cannot bring incarcerated family members food or supplies. Without outside food, young men are receiving, at most, 1 nutrition-less meal per day. How is Malawi protecting their most vulnerable during the pandemic?”
3. *Kiana Outen*: “In 2010, Malawi promulgated the Child Care Protection and Justice Act. Although the law has been active for 10 years, many judges and prosecutors are unaware of what the law says and therefore do not enforce it, meaning children are being illegally incarcerated. How does Malawi plan to ensure their child rights protection laws are actually enforced and implemented?”
4. *Kiana Outen*: “When does Malawi plan to ratify the Optional Protocol to the Convention on the Rights of the Child?”
5. *Kiana Outen*: “Since most people who appear before a judge do not have legal representation, how is Malawi ensuring that these defendants' legal and basic human rights are being protected?”
6. *Humanists International*: “Horrific acts of violence against women, children & older persons accused of witchcraft continue to occur in Malawi, and elsewhere. If elected, would Malawi be willing to lead a multilateral effort to address witchcraft related human rights abuses at the UN?”
7. *Kiana Outen*: “What is Malawi doing to stop harmful practices against widowed women, such as property dispossession?”

**Questions posed to all candidate States:**

8. *Jacob Blaustein Institute for the Advancement of Human Rights (Question posed during event)*: “the financial crisis affecting the UN has led to many human rights activities being cut back and impeded. If elected, will you pay your assessed dues on time? And will you provide additional unearmarked voluntary funds to fill the gap?”
9. *Latter Day Saint Charities*: “How will your contribution to the HRC support, strengthen and sustain families, enabling economic growth and social stability?”
10. *Permanent Mission of the Czech Republic to the United Nations*: “If (re)elected to the HRC, how would you tackle the issue of non-cooperation between countries and HRC mechanisms (e.g. not enabling visits by Special Rapporteurs)?”
11. *Permanent Mission of Australia to the United Nations*: “In 2018, Australia led the development of an HRC Incoming Members Pledge. The pledge reaffirms the commitment of HRC members to the obligation in resolution 60/251 to “uphold the highest standards in the promotion and

protection of human rights” and “fully cooperate with the Council”. Among other things, the Incoming Members Pledge confirms the need to:

- Cooperate in good faith with the Council, its mechanisms and the OHCHR;
- Address human rights concerns on their merits;
- Engage in a spirit of self-reflection, in good faith and in a transparent manner;
- Work in cooperation with civil society, including ensuring a safe and enabling environment for civil society, free from reprisals and intimidation.

Since 2018, nearly two-thirds of incoming members have endorsed the pledge. Would you be willing to endorse the Incoming Members Pledge if elected?”

12. *Human Rights House Foundation*: “Is it appropriate that HRC members repeatedly abstain on country-focused situations addressed by the Council as a position of principle?”
13. *CIVICUS and Human Rights Advocates*: “Do you support the participation of NGOs in the HRC? How will you engage with civil society in your role as an HRC member?”
14. *The Swedish Federation for LGBTQI Rights and the World Benchmarking Alliance*: “Given that more than 92% of SDG targets are linked to specific provisions of international human rights instruments, how do you plan to connect human rights and the 2030 Agenda during your mandate in order to strengthen the role of the Human Rights Council and the implementation of human rights for all?”
15. *Human Rights Watch*: “More than 150,000 people have been forcibly disappeared and arbitrarily detained in Syria. What role can your country play to deal with this issue at the HRC?”
16. *Attendee wishing to remain anonymous*: “In 2021, the Syrian conflict will enter its 10th year. Accountability and the ability investigate human rights abuses remains essential. Will your country vote in favour of the renewal of the mandate of the Commission of Inquiry on Syria as part of your country's pledge to protect and promote human rights at the HRC?”
17. *Human Rights in China*: “Does your government uphold the principle of universality of human rights—that every human being, with no exception, regardless of national conditions, is equally entitled to a set of fundamental, non-derogable rights?”
18. *Institute for NGO Research*: “How do you plan to tackle politicization and disproportionate focus on some human rights issues while others go ignored?”
19. *Women Working Group*: “What is the best progress your country has made in implementing covenant human rights related to handling a pandemic?”

20. *Dr Virginia Marshall, the Indigenous Peoples Organisation*: “What is your recovery planning for post COVID 19 including for Indigenous Peoples? What are your three priority goals?”
21. *Defence for Children International*: “Global efforts are needed to free detained children. The UN Global Study on Children Deprived of Liberty found at least 1.5 million are locked up each year. How will you work to uphold child rights in your role as an HRC member?”
22. *Permanent Mission of the Netherlands to the United Nations*: “What actions will you take as a member of the HRC to ensure the human rights of all persons are protected, including minorities and other persons in vulnerable positions, such as women and girls, religious minorities and LGBTI persons?”
23. *Permanent Mission of the Republic of Poland to the United Nations*: “The latest rise of violence against religious communities and people belonging to religious minorities remind us in a tragic way that the freedom of religion as a fundamental human right is in danger and that hatred towards religious groups may lead to mass persecution including killings of people solely on the grounds of their religion or belief. What specific measures or initiatives regarding freedom of religious belief does the State plan to pursue during its mandate as an HRC member?”
24. *Defence for Children International*: “Global efforts are needed to free detained children. The UN Global Study on Children Deprived of Liberty found at least 1.5 million are locked up each year. How will you work to uphold child rights in your role as an HRC member?”
25. *Anonymous attendee*: “What will your country’s engagement be on the climate change issue?”
26. *Andres Bello Catholic University, Venezuela*: “Venezuela has experienced a clear deterioration in the human rights situation in recent years. What would your country do in this regard?”

We look forward to hearing from you.



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