to: Mr. Goro Onojima  7 October 2021
A: Secretary of the Human Rights Council

THROUGH:
S/C DE:

FROM: Johannes Huisman, Director
DE: Programme Planning and Budget Division, OPPFB

SUBJECT: Oral Statement of programme budget implications arising from
draft resolution A/HRC/48/L.24 of the Human Rights Council

I would be grateful if the text of the attached oral statement could be read and distributed prior to adoption of draft resolution A/HRC/48/L.24, entitled “Situation of human rights in Afghanistan”.

cc: Mr. Ramanathan
    Mr. Pearce
    Ms. Veaudour
    Ms. Alirzaeva
ORAL STATEMENT BY THE SECRETARIAT IN CONNECTION WITH DRAFT RESOLUTION A/HRC/48/L.24 “ENTITLED SITUATION OF HUMAN RIGHTS IN AFGHANISTAN”

1. This statement is made in accordance with rule 153 of the Rules of procedure of the General Assembly.

2. Under the terms of operative paragraph 12, 13 and 15 of draft resolution A/HRC/48/L.24, the Human Rights Council would:

a) Decide to appoint, for a period of one year, a Special Rapporteur to monitor the situation of human rights as it develops in Afghanistan with the following mandate:

i. to report on the developing situation of human rights, and to make recommendations to improve it;

ii. to assist in fulfilling the human rights obligations arising from international treaties Afghanistan has ratified;

iii. to offer support and advice to civil society;

iv. to seek, receive, examine and act on information from all relevant stakeholders pertaining to the situation of human rights in Afghanistan;

v. to integrate a gender perspective and a survivor-centred approach throughout the work of the mandate;

vi. to present a written report to the Human Rights Council at its fifty-first session and to the General Assembly at its seventy-seventh session in accordance with their respective programmes of work.

b) Also decide that, in order to provide the necessary support to the new mandate holder to initiate the mandate in the particular circumstances, the mandate holder shall benefit from additional dedicated and specific expertise to be provided by the Office of the High Commissioner, in particular in the area of fact finding, legal analysis, rights of women and girls and of persons belonging to minorities, right to education, forensics, torture and other cruel, inhuman or degrading treatment or punishment; and

c) Request the Office of the High Commissioner to provide the Special Rapporteur with the assistance and resources necessary for the effective fulfilment of the mandate.
3. In order to implement the requests contained in the draft resolution, the following activities and one-time resources would be required in 2022:

(a) Annual travel of the Special Rapporteur: three trips to Geneva of five working days each (to report to the Council, to hold an annual consultation with States, OHCHR and relevant stakeholders and to attend the annual meeting of special rapporteurs/representatives, independent experts and chairpersons of working groups of the special procedures of the Council); one trip of five working days to New York to report to the General Assembly; and two country visits of 10 working days each;

(b) Travel of two staff to accompany the mandate holder during the two country visits per year of 10 working days each;

(c) Local transportation, security, communications and other miscellaneous expenses during field missions;

(d) General temporary assistance (GTA) based in Geneva, Switzerland as follows:

   i. **Legal Advisor (P-4)** for 7 months who will advise the team on matters related to the applicable legal framework; analyze the existing pertinent documentation and identify the legal standards applicable to the situation in Afghanistan; regularly review information collected by all team members to identify gaps; define trends and patterns of human rights violations and abuses, and violations of international criminal law and international humanitarian law; request additional information necessary to meet the legal thresholds, and orient the work accordingly; contribute to the production of the final reports and, where possible, research and draft chapters of the report related to legal analysis, accountability and options for addressing impunity.

   ii. **Gender Advisor (P-4)** for 7 months with expertise in monitoring and reporting, who will provide support to integrate a gender perspective and victim-centered approach into all stages of the work of the Special Rapporteur. In addition, provide advice on the gender dimensions of human rights violations, including through gender analysis and training in interviewing and evidence gathering activities. Collects information pertaining to women’s human rights and gender issues directly related to the mandate, and ensures proper documentation, collection, preservation of information, analysis and reporting on cases of sexual and gender-based violence and other gender-based human rights violations and abuses, and that the gender-specific impact of violations is assessed, documented, analyzed and reported.
iii. **Human Rights Officer (P-3)** for 7 months with expertise in Economic, Social and Cultural rights, with a specific focus on the right to education. Conduct research and produces analytical reports on issues of international human rights law and international humanitarian law, with a specific focus on the protection and promotion of economic, social, and cultural rights. Conduct substantive research and analysis of human rights issues/events, and assesses their impact on the human rights situation, collects and analyses existing documentation of human rights issues in Afghanistan. Further, support the mandate holder in fulfilling the mandate by: preparing talking points, communications, seminars, briefing notes, and press statements, facilitating country visits, accompanying the mandate holder during missions to the region or country, and assisting with the preparation of reports to the Human Rights Council and the General Assembly.

iv. **Human Rights Officer (P-3)** for 7 months with expertise on rights of ethnic, religious, and linguistic minority groups. The person will plan and coordinate activities related to the mandate of the Special Rapporteur. Conduct research and produces analytical reports on issues of international human rights law and international humanitarian law, with a specific focus on protection concerns of persons belonging to national or ethnic, religious, and linguistic minorities in the country. Conduct substantive research and analysis of human rights issues/events, and assesses their impact on the human rights situation and collects and analyses existing documentation of human rights issues specifically related to minority groups in Afghanistan.

v. **Forensic Consultant (C level)** for 4 months with expertise in forensics, torture, and other cruel, inhuman, or degrading treatment or punishment. The consultant will provide advisory services, local capacity building, and technical support in relation to forensic expertise, including, but not limited to, collecting evidence for sexual and gender-based crimes, torture and other cruel inhuman or degrading treatment or punishment, as well as collecting evidence of violent deaths of criminal cause, including the maintenance of the chain of custody on all the evidence collected, forensic quality control of the procedures, and compliance with the procedure for obtaining evidence.

(e) Conference services for the translation of annual reports and interpretation during field missions.
4. The activities referred to above relate to section 2, General Assembly and Economic and Social Council affairs and conference management; and section 24, Human rights; of the programme budget for the year 2022.

5. The adoption of the draft resolution would give rise to total one-time requirements of $824,200 as follows:

<table>
<thead>
<tr>
<th>(United States dollars)</th>
<th>Additional requirements</th>
<th>Included in the 2022 proposed budget</th>
<th>Additional one-time requirements for 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Section 2, General Assembly and Economic and Social Council affairs and conference management</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Simultaneous interpretation</td>
<td>69 900</td>
<td>-</td>
<td>69 900</td>
</tr>
<tr>
<td>Pre-session documentation</td>
<td>145 700</td>
<td>-</td>
<td>145 700</td>
</tr>
<tr>
<td><strong>Subtotal, section 2</strong></td>
<td>215 600</td>
<td>-</td>
<td>215 600</td>
</tr>
<tr>
<td><strong>Section 24, Human rights</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General temporary assistance: two positions at the P-4 level for 7 months in Geneva</td>
<td>263 600</td>
<td>-</td>
<td>263 600</td>
</tr>
<tr>
<td>General temporary assistance: two positions at the P-3 level for 7 months in Geneva</td>
<td>219 300</td>
<td>-</td>
<td>219 300</td>
</tr>
<tr>
<td>Consultants: one consultant at the C level for 4 months</td>
<td>35 600</td>
<td>-</td>
<td>35 600</td>
</tr>
<tr>
<td>Annual travel of the mandate holder: 3 to Geneva, 1 to New York and 2 country missions</td>
<td>51 100</td>
<td>-</td>
<td>51 100</td>
</tr>
<tr>
<td>Travel of 2 staff: to accompany the mandate holder on country missions</td>
<td>23,000</td>
<td>-</td>
<td>23 000</td>
</tr>
<tr>
<td>Local costs: transportation, security, communication, miscellaneous</td>
<td>16 000</td>
<td>-</td>
<td>16 000</td>
</tr>
<tr>
<td><strong>Subtotal, section 24</strong></td>
<td>608 600</td>
<td>-</td>
<td>608 600</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>824 200</td>
<td>-</td>
<td>824 200</td>
</tr>
</tbody>
</table>

6. The related provisions have not been included under the proposed programme budget for 2022. Accordingly, should the Council adopt draft resolution A/HRC/48/L.24, the related additional requirements of $824,200 would arise, including $215,600 under section 2, General Assembly and Economic and Social Council affairs and conference management; and $608,600 under section 24, Human rights, of the programme budget for 2022.

7. These requirements, in accordance with established procedures, would be brought to the attention of the General Assembly, at its 76th session, in the context of the annual report of the Secretary-General on the revised estimates resulting from resolutions and decisions adopted by the Human Rights Council during 2021.

8. With regard to operative paragraph 15, the attention of the Human Rights Council is drawn to the provisions of section VI of General Assembly resolution 45/248B of 21 December 1990, and subsequent resolutions, the most recent of which is resolution 75/252 of 31 December 2020, in which the Assembly reaffirmed
that the Fifth Committee is the appropriate Main Committee of the Assembly entrusted with the responsibilities for administrative and budgetary matters, and reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.