



# General Assembly

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## Human Rights Council

Forty-fourth session

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Agenda item 2

**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the  
High Commissioner and the Secretary-General**

### **Written statement\* submitted by Organization for Defending Victims of Violence, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[26 May 2020]

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\* Issued as received, in the language(s) of submission only.



## **Concerns on the Human Rights Violations in the United States of America (US), Canada, The United Kingdom of Great Britain and Northern Ireland (UK) and France**

### **The United States of America (US)**

Comprehensive US-imposed economic sanctions are negatively affecting the Islamic Republic of Iran's capacity to adequately respond to the health consequences of the coronavirus (COVID-19) pandemic. ODVV emphasizes that United States should take immediate action to lift sanctions and ensure Iran's access to essential humanitarian resources during the pandemic. On March 24, Michelle Bachelet, the United Nations (UN) high commissioner for human rights, said in a statement that for global public health reasons, and to support the rights and lives of millions of people living in countries under economic sanctions that are battling against the outbreak of COVID-19, "Sectoral sanctions should be eased or suspended".<sup>1</sup>

Another concern is that, the poor in the United States are being hit hardest by the COVID-19 pandemic and ODVV calls on that US government to urgently take additional steps to prevent tens of millions of middle-class Americans from being plunged into poverty. ODVV stresses that low-income and poor people face far higher risks from the coronavirus due to chronic neglect and discrimination, and a muddled, corporate-driven, federal response has failed them.<sup>2</sup>

On the US detention centers, ODVV believes that Government officials should rapidly address the exploding COVID-19 crisis in prisons and follow baseline standards for social distancing, cleaning, and care. Crowded, unsanitary conditions promote the rapid spread of COVID-19, which can be a death sentence for many detainees. ODVV emphasizes that all US prisons should enable prisoners to engage in social distancing, in accordance with the guidelines set for the general population, without resorting to punitive conditions that resemble solitary confinement, and Government officials should also ensure that everyone in jail or prison has access to adequate medical care.<sup>3</sup>

### **Canada**

ODVV expresses deep concerns over the impact of the COVID-19 virus, and the fact that restrictive measures being adopted in response, disproportionately impact First Nations, Métis and Inuit communities, Black and racialized communities, the elderly, people with disabilities, women and children at risk of violence at home, refugees and migrants, minority language communities, prisoners, the homelessness or people with inadequate housing, drug users, precariously-employed workers, people who are marginalized on the basis of gender identity and sexual orientation and other at-risk communities. Therefore ODVV calls on all levels of government in Canada to take urgent steps to strengthen human rights oversight amid the COVID-19 pandemic.<sup>4</sup>

ODVV criticizes Canada's decision to resume the approval of permits for military exports to Saudi Arabia and accuses Canada of breaching its own obligations under both domestic law and the global Arms Trade Treaty. In Yemen, where Saudi Arabia has been leading military operations against Houthi force, tens of thousands of civilians have been killed or injured. ODVV criticizes what it characterizes as the hypocrisy of the Canadian government for first

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<sup>1</sup> <https://www.hrw.org/news/2020/04/06/us-ease-sanctions-iran-covid-19-crisis>

<sup>2</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25798&LangID=E>

<sup>3</sup> <https://www.hrw.org/news/2020/04/29/us-avoid-covid-19-catastrophe-jails-prisons>

<sup>4</sup> <https://www.amnesty.ca/news/canada-301-organizations-academics-and-others-urge-governments-adopt-human-rights-oversight>

announcing a resumption of approvals for military exports to Saudi Arabia and then, days later, backing a UN call for a global ceasefire during the pandemic.<sup>5</sup>

### **The United Kingdom of Great Britain and Northern Ireland (UK)**

ODVV is concerned about the situation of National Health Service (NHS) in the UK. Since the pandemic reached the UK, ODVV have heard countless reports of doctors and nurses raising the alarm over the lack of personal protective equipment (PPE) when treating COVID-19 patients. While the number of National Health Service (NHS) staff who have lost their lives in the battle against Covid-19 is not clear, the British foreign minister put the figure at 69, but the true figure is considered to be far greater. It may be necessary for a public inquiry under the 2005 Inquiries Act, to investigate possible systemic breaches that have contributed to the deaths of NHS workers.<sup>6</sup>

Another source of concern in the UK is the Overseas Operations Bill. Given the distractions of the coronavirus pandemic, it's likely that the proposed new law - the Overseas Operations (Service Personnel and Veterans) Bill - from Prime Minister Boris Johnson's government on overseas military operations will get far less attention than it deserves. If passed, the bill would greatly increase the risk that British soldiers who commit serious crimes will avoid justice. The UK does indeed have a problem with justice for crimes committed by military personnel and civilian officials overseas – but the problem is that hardly anyone gets prosecuted, let alone convicted. ODVV is concerned that UK government's proposals are a sad reflection of its record of political interference to prevent justice and accountability. If this law is passed, it would set a terrible precedent for the “rules-based international order” it claims to uphold.<sup>7</sup>

Also, ODVV is concerned about “preventive strikes” in the UK prisons. Prison officers in Britain are allegedly punching compliant inmates who they suspect might misbehave in the future in a practice known as “preventive strikes”. ODVV is deeply concerned over finding of unjustified violence by the staff on prisoners in the form of preventive strikes, described as “preventively punching compliant prisoners whom staff perceived might, at some point in the future, become a threat”. More broadly, the prison system in England is in “deep crisis”, with the jails in “violent, unsafe and overcrowded” situations. ODVV raises concerns over “alarmingly high levels” of drug use in the prisons, as well as high numbers of prisoners suffering from mental health disorders.<sup>8</sup>

### **France**

In France, ODVV is concerned about discriminatory police stops. In response to the new coronavirus pandemic, France adopted confinement measures and declared a state of health emergency that went into effect on throughout the country. Since the beginning of the lockdown, many accounts, some corroborated by video posted on social networks, reveal police stops that appear abusive, violent, and discriminatory, sometimes accompanied by racist insults. Available official data, as well as information published in the media, also indicate a considerable concentration of police stops to enforce lockdown measures in “quartiers populaires” – working-class neighbourhoods with a high number of visible minority residents. ODVV urges the French government to take urgent and concrete steps to end discriminatory police stops.<sup>9</sup>

Unaccompanied migrant children are considered as another source of concern in France. Despite the threat posed by COVID-19, child protection authorities in several departments –

<sup>5</sup> <https://www.theglobeandmail.com/politics/article-human-rights-advocates-urge-trudeau-to-reverse-decision-on-resuming/>.

<sup>6</sup> <https://www.theguardian.com/commentisfree/2020/apr/25/nhs-staff-government-ppe-coronavirus>.

<sup>7</sup> <https://www.hrw.org/news/2020/03/20/uk-bill-license-military-crimes>.

<sup>8</sup> <https://www.theguardian.com/society/2020/apr/30/uk-prison-officers-punching-inmates>.

<sup>9</sup> <https://www.hrw.org/news/2020/05/15/france-end-discriminatory-police-checks-and-fines>.

including in Gap, in the Alps region, and in Marseille – are abandoning unaccompanied migrant children who are forced to live in unsanitary and sometimes overcrowded places where they have no protection against transmission of the virus or other illnesses. ODVV declares that by leaving these children to inadequate living conditions, authorities are breaking the law and expose these children to the risk of COVID-19 infection.<sup>10</sup>

## Recommendations

- ODVV urges the US government to lift sanctions on the Islamic republic of Iran in COVID-19 crisis, ensure access to essential resources and ensure that economic sanctions imposed on Iran are clearly and publicly interpreted to permit the shipment of anything the Iranian people need to protect all economic, social and cultural rights, which have been guaranteed by the bill of Human Rights.
- ODVV calls on the United States to provide immediate relief to the Americans in need, such as rental assistance and suspensions of debt collection and evictions, as well as long-term solutions to protect rights and combat insecurity, such as a green stimulus, a living wage and cancellation of student debt. This is a moment to re-evaluate failing health, housing and social support systems that have made this crisis especially painful for the less well-off.
- ODVV proposes human rights-based standards for US jails and prisons and makes recommendations to prevent widespread infection, severe illness, and massive loss of life among incarcerated people, prison and jail staff, and broader communities.
- ODVV urges Canada’s federal, provincial, territorial and municipal governments to adopt robust oversight measures to strengthen human rights protection and guard against potential human rights violations during the current public health crisis.
- ODVV calls on Prime Minister Justin Trudeau to reverse decision on resuming approval of permits for arms exports to Saudi Arabia.
- ODVV urges the British government to investigate the individual deaths of NHS workers, out of respect to them, so that future deaths can be prevented. The evidence appears to be that the government has failed to protect them from risk to their lives, and if that is the case then an investigation will be required by law.
- ODVV calls on UK authorities to ban the “reprehensible practice” immediately and undertake an investigation into all allegations of ill-treatment in UK’s prisons.
- ODVV calls on the French Government to end discriminatory police checks and fines and take concrete steps to end biased police behaviour during the coronavirus pandemic.
- ODVV urges the French Government to take steps to protect the children who were sent back to the streets in early March in the midst of the COVID-19 epidemic.

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<sup>10</sup> <https://www.hrw.org/news/2020/04/02/european-court-orders-france-protect-unaccompanied-migrant-child>.