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country report

Multilateral Dialogue Geneva



Geneva Barometer

Developments among Geneva-based international organisations from mid-February to mid-April 2023

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The 'Geneva Barometer' takes an occasional look at selected developments among international organisations based in Geneva.

Since the end of January, diplomatic business in Geneva has been running at full speed. The density of meetings was particularly high between the end of February and the beginning of April: this included a six-week session of the UN Human Rights Council in the course of which important mandates were extended. The speech by High Commissioner Volker Türk on the human rights situation worldwide was eagerly awaited. At the WHO, negotiations on a global pandemic agreement are gaining momentum: however, in light of the divergences between member states a conclusion by the 2024 World Health Assembly seems unrealistic. At the WTO, there is movement on several dossiers with a view to the Ministerial Conference in Abu Dhabi in ten months. However, observers warn against too high expectations. Financial constraints remain a major concern in the humanitarian sector.

52nd Human Rights Council - longest session in its history

One year after the start of the Russian war of aggression against Ukraine, the 52nd UN Human Rights Council met from 27 February to 4 April, chaired for the first time by the Czech representative in Geneva, Václav Bálek. At six weeks, it was the longest session in history to date, and with 43

resolutions, a significantly higher number of texts were adopted than in the previous year.¹ The initial high-level segment, during which over 130 government representatives took the floor (including five heads of state and government²), began with a minute's silence for the earthquake victims in Turkey and Syria. In view of increasingly intertwined crises and intensified attacks on human rights, the President of the 77th UN General Assembly Csaba Kőrösi, UN Secretary-General António Guterres and UN High Commissioner for Human Rights Volker Türk called for the rekindling of the Universal Declaration of Human Rights 75 years after its adoption. The Russian invasion of Ukraine, in particular, has led to massive human rights violations, Guterres said. German Foreign Minister Annalena Baerbock spoke in favour of extending the independent commission of inquiry on Ukraine, but also drew attention to the difficult situation of women in Iran and Afghanistan. Türk also called discrimination against women and girls "one of the most overwhelming human rights violations worldwide". The Iranian foreign minister's appearance was met with a "walk-out" by non-governmental organisations; diplomats, on the other hand, did not collectively leave the meeting room as they did in last year's protest at the speech by Russian Foreign Minister Sergei Lavrov. His deputy, Sergei Ryabkov, announced this year, among other things, Russia's renewed candidacy for the Human Rights Council in October 2023. Observers

¹ The current composition of the Human Rights Council can be found in the [Map of the Month 10/2022 \(6/6\)](#).

² A notable contribution was made by the President of the DR Congo, Félix Tshisekedi, who made massive accusations against Rwanda's role in the east of his country.

assume that Albania will enter the race against Russia in the group of Eastern European states. Also due to Albania's membership in the Organization of Islamic Cooperation (OIC), the country is considered a more promising counter-candidate than some of the other representatives of the same regional group. High Commissioner Türk's speech on the human rights situation worldwide and next steps of his office on the situation in Xinjiang was eagerly awaited. He briefly addressed the serious concerns about China. Channels of communication had been opened with a range of actors to follow up on a variety of human rights issues, including the protection of minorities. On other country situations, Türk spoke in more detail, partly using stronger language. Overall, Türk tried to address criticisms brought forward by liberal democracies in his speech, while at the same time trying not to alienate China and other autocratic countries at the very beginning of his term. He also addressed several country situations and issues that were important to many developing countries.

Overall, the spring session saw the extension of numerous mandates, including the Independent Commission of Inquiry on Ukraine (CoI), which presented evidence of a wide range of violations of international human rights law and international humanitarian law in its latest report³; many of which - including the forced transfers and deportations of Ukrainian children to Russia - constituted war crimes. Just one day after its publication, the International Criminal Court (ICC) issued an arrest warrant for Russian President Putin in connection with the deportations.⁴ The resolution, which also called for a halt to the deportations, was only rejected by China and Eritrea, with 17 states abstaining.⁵ The mandate of the UN Office of the High Commissioner for Human Rights (OHCHR) on Belarus, which alleges crimes against humanity in the country, was also extended.⁶ The commissions of inquiry or group of experts on South Sudan, Nicaragua and Syria as well as the special rapporteurs or experts on Iran, Myanmar, North Korea and Mali were extended and a new

expert was mandated for Haiti after the situation in the country deteriorated dramatically. A passage requested by Haiti itself (!) on an international military intervention in its own country (!) was deleted - with reference to the competence of the UN Security Council. Following the UN High Commissioner's visit to Haiti in February 2023, there are plans to open a new OHCHR office. Despite reports of serious war crimes and crimes against humanity, the fact-finding mission on Libya was not extended.⁷ A push by Ethiopia to end the International Commission of Human Rights Experts in its own country six months early was averted. The US also did not call for a vote on a resolution on the new right to a clean, healthy and sustainable environment, but "dissociated" itself from the consensus. When the Council first established the new right in September 2021, only Russia had voted against it. The US was not yet a Council member at the time, but supported the recognition of the right in the UN General Assembly the following year.

Moreover, ten new Special Procedures mandate holders were appointed, including for the first time on the human rights situation of a Security Council member: Russia. The Bulgarian national Mariana Katzarova, former head of the UN High Commissioner's Monitoring Mission to Ukraine (UN HRMMU) and former coordinator of the OHCHR's investigations on Belarus, will now hold the post of Special Rapporteur.

Global Health

Negotiation of a global pandemic agreement

After the presentation of a so-called "zero draft" for a pandemic agreement in February, discussions between the member states are in full swing. Most recently, the Intergovernmental Negotiating Body (INB) set up by the WHA met for the 5th time during Holy Week to discuss the current "zero draft" and further proposals with the delegations.

³ Resolution A/HRC/52/L.41/Rev.1 on Ukraine can be found [here](#). The latest report of the Commission of Inquiry on Ukraine can be found [here](#), other publications [here](#).

⁴ The ICC's press release can be found [here](#).

⁵ The result of the vote on the extension of the Commission of Inquiry on Ukraine can be seen [here](#) and [here](#).

⁶ Resolution A/HRC/52/L.14 can be found [here](#), the latest report [here](#) and more information on OHCHR's investigations [here](#).

⁷ More on the fact-finding mission on Libya [here](#).

Overall, the discussions were tense and finally culminated in a struggle over the question of how to proceed. First, written comments can now be submitted, from which the INB wants to draw up an overall document and make mediating proposals for the different options proposed. The text is to remain in the status of a preliminary draft ("bureau's text") and is decidedly not an official first draft of the members' negotiations.

Considerable differences are not only evident between the EU, other high-income countries and many African and Asian countries, there is also criticism of the INB itself. The INB had already started with text-based negotiations (line by line) on the basis of the zero draft, although the EU, the US, the United Kingdom and others still bemoan the current structure, which is not structured according to the pandemic chronology of prevention, preparedness and response and is unbalanced in its priorities. In detail, familiar lines of conflict emerged, especially with regard to the role of intellectual property (TRIPS).

This time, the EU increasingly brought in its own elements⁸ to balance the sequence of pandemic prevention, preparedness and response. It advocates a comprehensive chapter on preventing, detecting and reporting pandemic situations. A global rapid alert system should draw on data from various sources, collect information and share it quickly and efficiently. Special attention is given to the prevention and control of zoonotic disease transmission in the context of the One Health approach. A detailed annex is therefore devoted to antimicrobial resistant pathogens. The proposed texts also include provisions on access to and sharing of pathogen samples and data. Overall, the EU is committed to a voluntary transfer of technologies, know-how and skills.

To strengthen equitable access to vaccines, therapeutics and diagnostics at fair prices, the EU proposes partnerships similar to the activities of the so-called ACT Accelerator to combat COVID-19.⁹ To reinforce health systems at national and global levels, the EU proposes to establish an advising

Panel of Experts and an Implementation and Compliance Committee to support the work of the Pandemic (Political or Legal) Pact.

Proposed amendments to the International Health Regulations

The working group on the International Health Regulations (WGIHR) is also meeting at the end of April and is already discussing very concrete proposals for amendments to the legally binding IHR. Given the parallelism with the negotiation process of the pandemic agreement, diplomats are challenged to think of both processes as complementary. Many experts and diplomats hope, among other things, for better implementation control of the IHR.

According to official language, the conclusion of both processes is scheduled for the 77th World Health Assembly in May 2024. Amendments to the IHR must be submitted to WHO Director-General Dr Tedros no later than four months before that. However, especially for the negotiations on the pandemic agreement, many observers and diplomats see this deadline as impossible to meet.

First funding round of the Pandemic Fund

In November 2022, the Pandemic Fund was officially inaugurated at the G20 Summit in Bali. Current pledges amount to around USD 1.6 billion (far from the estimated USD 10-15 billion per year needed to improve pandemic preparedness worldwide). The Pandemic Fund is currently accepting applications for the first round of funding. The Board of Directors has released USD 300 million for this purpose. Funding will be provided for: 1) comprehensive disease surveillance and early warning, 2) laboratory systems, and 3) public health and community personnel and capacity. Funding will be provided for projects that contribute to strengthening core capacities in these priority areas and that promise to have an impact on prevention and preparedness for effective detection of and response to disease outbreaks.

⁸ The EU's proposed texts for an agreement on pandemic prevention, preparedness and response in full can be found [here](#).

⁹ This refers to the Medical Countermeasures Platform (MCM-P), i.e. the successor structure to ACT-A, which can be used for

the logistics and rapid distribution of therapeutics, diagnostics, vaccines and medical consumables.

Outlook for the World Health Assembly

The 76th World Health Assembly (WHA) will take place from 21-30 May. A total of eleven new resolutions are currently on the agenda, for example on topics such as new diagnostics and indigenous peoples, as well as six strategic roundtables on topics such as climate change and health, health workers, but also the preparation of the UN high-level meeting on pandemic prevention, preparedness and response (PPPR).

Another important issue, however, will be to increase members' annual fixed contributions to improve WHO's planning and working capacity. Currently, these are less than one-fifth of the budget. The plan is to gradually increase the share of fixed contributions in the overall financing of WHO's expenditure to 50% by 2031. As the increase in contributions is also intended to improve transparency and accountability with regard to the use of funds, each increase in fixed contributions has to be approved by the member states. The increase is therefore not automatic. The BRICS countries in particular are considered sceptics of an increase in the fixed contributions.

Change of personnel at WHO

About a year after his re-election, Dr Tedros, WHO Director-General, is making extensive changes at the top level.¹⁰ Among other things, Dr Catharina Boehme, his current German cabinet chief, will become Assistant Director-General for External Relations and Governance on 4 May. Her tasks will include monitoring the member states' discussions on the pandemic agreement and the issue of sustainable financing. Dr. Razia Pendse (India) will – as of 4 May – be the new head of cabinet.

World Trade Organization

Run-up to the 13th Ministerial Conference begins

While the implementation of the decisions of the last Ministerial Conference of the World Trade Organisation (June 2022) by its members is slowly

getting underway, negotiations are already gathering momentum with a view to the 13th Ministerial Conference ('MC13') in Abu Dhabi (United Arab Emirates) in February 2024.

All the while, the consequences of Russia's war of aggression remain an issue: In the first General Council meeting of the year, Russian WTO Ambassador Dmitry Lyakishev called the sanctions imposed by the US and EU, including the suspension of the Most Favoured Nation (MFN) clause against Russia, "illegal and unjustified". He pointed to the damage the sanctions would cause to the world economy and food security. The criticised countries made it clear that the measures were merely a reaction to Russia's war of aggression against Ukraine and that Moscow could end this war at any point in order to stabilise the global trading system again. Although the effects of the sanctions against Russia are reflected in lower economic growth,¹¹ data from the Geneva-based Trade Data Monitor¹² shows that the country continues to receive critical and sanctioned goods via third countries. Thanks to these exports and diverted supply chains, Russian spending increased significantly, especially in the area of military-grade technologies, such as for the import of semiconductors from Azerbaijan. Although trade in goods in this sector amounted to only USD 12.000 before the invasion, its turnover rose to USD 3.7 million last year.

In addition, the General Council discussed recurrent issues, such as WTO reform, and ventured an outlook for the 13th Ministerial Conference. Observers are already cautioning against too high expectations. WTO Director-General Dr Ngozi Okonjo-Iweala, however, is pushing for breakthroughs at the Gulf Summit and called on WTO members to identify issues where consensus could emerge. Dr Ngozi also announced the establishment of two expert advisory councils from civil society and the private sector to strengthen diversity of opinion on wide-ranging issues. However, concrete plans and concepts have not yet been published.

¹⁰ The designations can be found [here](#).

¹¹ Bloomberg, "Russia Lashes Out at the WTO for 'Illegal' Trade Curbs", 08.03.2023.

¹² More details on the Geneva Trade Monitor [here](#).

Discussions on reactivating the appeal function of the dispute settlement mechanism are in full swing. Members meet every two weeks for informal discussions. While the US continues to reaffirm its commitment to finding a solution by 2024, there is no clear indication whether such an agreement could be reached at the Ministerial Conference in February. Observers consider this highly unlikely. It is already foreseeable that the Appellate Body will most likely not be restored in its old form. It also remains to be seen whether the Multiparty Interim Arrangement (MPIA), which was created as a temporary solution, could play a long-term role. So far, the provisional arrangement has been used 12 times by participating WTO members. Most recently, Japan, another important WTO member, decided to join this initiative.

As a contribution to the WTO reform debate, the EU submitted a proposal which intends to strengthen the organisation's "deliberative function".¹³ Thus, in addition to its role as a negotiating forum, the WTO should offer space for exchanges on important trade issues and different (regulatory) approaches. If possible, the proposal should be negotiated by the next Ministerial Conference. It was generally well received. Many members referred to another proposal from the African Group which highlights the needs to support developing countries and calls on Members to help deliver on the promise of development through global trade. Both papers concur regarding the topics of inclusiveness and the need to engage with members' industrial policies. Some observers expressed quiet disappointment that the EU had not submitted a more ambitious proposal.

In addition, WTO members continue to focus on the issue of food security. Senegal, among others, called for food security not only to be achieved through exceptions and flexibilities in trade rules, but also for export bans, public stockholding and subsidies to be scrutinised more closely.

On e-commerce, there is movement on both the plurilateral initiative (JSI) and the Work Programme. India and South Africa lobbied for the Work Programme to be given a broader mandate. Despite the uncertainty surrounding the renewal

of the extension of the Moratorium on Customs Duties on Electronic Transmissions at the next Ministerial Conference, the Director-General expressed confidence. It remains to be seen how strongly the EU, which is pushing for a continuation of the moratorium, can count on other allies, including the US. Apart from this, expectations for results under the e-commerce Work Programme are rather low.

At the JSI negotiations, development issues related to digital trade were discussed most recently. Among other things, they dealt with possible transition periods and support mechanisms for developing countries. Members also discussed the possibility of making the Moratorium on Customs Duties on Electronic Transmissions permanent for signatories to the initiative. The JSI coordinators - Australia, Singapore and Japan - remain hopeful that negotiations will be concluded by the end of the year. However, there are still significant differences on crucial issues: cross-border data flows, privacy protection and access to source code.

Humanitarian Aid

Yemen Pledging Conference and Prisoner Exchange Negotiations in Geneva

A high-level pledging conference for Yemen in Geneva on 27 February saw only USD 1.16 billion in pledges come in against needs of USD 4.3 billion. According to the UN, Yemen is considered the worst humanitarian disaster in the world, with 21.6 million people, about 2/3 of the population, in need of humanitarian assistance. Pledges came from only 30 states, the EU Commission and the UN Central Emergency Response Fund (CERF); the highest from the US (444 million), the European Commission (207 million), Germany (129 million) and the UK (107 million).¹⁴ Saudi Arabia and the United Arab Emirates, as parties to the conflict, did not make any pledges themselves. From the Gulf region, only Kuwait announced USD 5 million. Overall, the appeal is currently only 20% covered. Last year, only about half of the required funds had been received by the end of the year. Aid organisations had to massively cut their services, as

¹³ The EU proposal can be found [here](#).

¹⁴ More details [here](#) and in the [Map of the Month March 2023](#).

the heads of several Geneva-based organisations (WHO, UNHCR and ICRC) noted. Towards the end of the conference, UN Emergency Relief Coordinator Martin Griffiths again appealed to the international community to at least double the amount of aid in the coming weeks.

Griffiths, however, said that beyond financial pledges, peace is the greatest gift for the people who have been suffering under the war for eight years. The UN Special Envoy for Yemen, Hans Grundberg, had so far described the latest developments as "the closest Yemen has been to real progress towards lasting peace". This is also linked, among other things, to a ten-day meeting of the Committee to Monitor the Implementation of the Agreement on the Exchange of Prisoners and Detainees in Geneva in March, at which the parties to the conflict came to an agreement facilitated by the UN and the International Committee of the Red Cross (ICRC) to exchange 887 prisoners. In total, as many as 973 people were released by 17 April.¹⁵ The parties are expected to meet again in early May to discuss further measures, such as visiting prison facilities.

Massive financial crisis at the ICRC

Only three months after adopting the highest budget in the history of the International Committee of the Red Cross (ICRC), at CHF 2.79 billion, the leadership was finally forced to announce budget cuts totaling CHF 440 million at the end of March due to significant funding shortfalls. Because of increasingly numerous and prolonged crises, the ICRC's budget had almost doubled in the past ten years. Now, for the first time in its 160-year history, none of the ten largest operations in Yemen, Ukraine, Nigeria, Afghanistan, Syria, South Sudan, Somalia, Iraq, DR Congo or Ethiopia are sufficiently funded. Around 90% of its budget is currently covered by governments that are parties to the Geneva Conventions. The budget cuts in over 100 countries amount to CHF 400 million, about 16% of the organisation's activities. CHF 30 million will be cut at the headquarters and another CHF 10 million for additional services. In total, there is talk of cutting 1500 jobs worldwide.

Black Sea Grain Initiative

As recently as mid-March, the Black Sea Grains Initiative, which allows the export of grain and other foodstuffs from three Black Sea ports in Ukraine, was extended by 60 days with the participation of Geneva actors. Even though talks for a further extension beyond 18 May are already taking place, Russia has recently expressed doubts whether it would agree to such an extension.

International Labour Organization

Work under new leadership takes shape

Six months after taking office, the priorities of the new ILO Director-General Gilbert Houngbo have become clearer. The work programme proposed to the Governing Body in March, together with the 2024/25 twin budgets, sets out five priorities: 1) Gender equality, non-discrimination and inclusion; 2) Transition from informal to formal economies; 3) Just transition to environmentally sustainable economies and societies; 4) Decent work in supply chains; and 5) Decent work in crisis management. As there is no consensus within the membership on gender-sensitive language, a majority decision on the programme proposal (with budget) had to be brought about in the Governing Body. The 111th International Labour Conference (ILC) will take the final decision in June.

The "Global Coalition for Social Justice" proposed by the Director-General in his election campaign, which brings together the ILO's tripartite members and organisations from the multilateral system, as well as other stakeholders, is intended to contribute to the reduction of poverty, inequalities and social tensions. Social justice plays an important role in achieving more inclusive and sustainable socio-economic development paths and is seen as key to achieving the Sustainable Development Goals (SDGs) of the 2030 Agenda, Houngbo said.

The ILC will also focus on the following countries, from which the Standards Application Committee expects a comprehensive report at this session:

¹⁵ More details [here](#), [here](#) and [here](#). More information is available [here](#).

Afghanistan (discrimination against women in education, training and employment), Nicaragua (intimidation and harassment of members of independent workers' and employers' organisations and violation of civil and political rights in the 2021 electoral process), Cambodia (detention with forced labour of members of an opposition party), Lebanon (delay in adopting legislation to protect migrant domestic workers subjected to abusive working conditions) and Nigeria (worst form of child labour in armed conflict)..¹⁶

World Summit on the Information Society (WSIS) Forum

The annual WSIS Forum took place in Geneva from 13-17 March. The event, organised by the International Telecommunication Union, gathered over 1500 guests on site and 1700 virtual participants. Through a variety of exhibitions and conferences, the WSIS Forum, some of which were attended by high-level participants, offers policy-makers, industry representatives and civil society actors the opportunity to discuss the use of information and communication technologies (ICTs) for sustainable development. This year, the focus was on digital inclusion, cybersecurity and trust in digital technology, as well as the challenges of using ICTs to combat climate change..¹⁷

Commentary

The fact that multilateral organisations reach their limits due to insufficient funding and have to make painful cuts in their work is nothing fundamentally new. In recent months, however, there have been several examples of this, such as the massive staff cuts at the ICRC and the so far timid response to the donor conference for Yemen. Other organisations such as the WHO are also already noticing a decrease in financial support. Added to this, there is the unwillingness of some emerging countries

to adapt their financial commitment to their growing importance and self-image in the multilateral system. Especially in the humanitarian field, an enlargement of the thin donor base would be important.

At the same time, the high frequency of meetings and important forums is pushing the staff of many diplomatic missions to their limits. The increase in the number of session weeks in the Human Rights Council from 10 to 14 due to the overcrowded agenda is a challenge for all countries represented in the body, but especially for those with small or medium-sized representations in Geneva. In addition, there are currently the meetings of the INB on the elaboration of a pandemic agreement, which are important for all countries and which, to the annoyance of some smaller countries, have been held in parallel to the Human Rights Council. This development becomes a concern when countries that are committed to rules- and values-based multilateralism no longer consider running for positions in forums such as the Human Rights Council - simply because of the resulting workload. This makes capacity-building support for such states all the more important, even if it is not a panacea.

Ultimately, a very difficult balance between speed, thoroughness and inclusiveness must be struck, especially with regard to the pandemic agreement: On the one hand, the tight deadline for negotiating a pandemic agreement (May 2024) is understandable: the global community has little time to lose in order to better prepare for future pandemics. On the other hand, in view of the still very considerable need for discussion, adequate participation and striving for a coherent and balanced solution are indispensable to eventually ensure acceptance for such an agreement.

¹⁶ More can be found in the [annual report of the Committee of Experts on the Application of Conventions and Recommendations \(CEACR\)](#), which is the cornerstone of the ILO's monitoring system for international labour standards (i.a. page 64).

¹⁷ More information [here](#).



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