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BRIEFLY NOTED*

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Judicial and Similar Proceedings

1. Germany Establishes Arbitral Tribunal for Nazi-Looted Art

https://schiedsgerichtsbarkeit-ns-raubgut.de/media/pages/grundlagendokumente/01d96a3a38-1762946202/verwaltungsabkommen.pdf [agreement in German]

https://kulturstaatsminister.de/presse/verwaltungsabkommen-zur-einrichtung-einer-schiedsgerichtsbarkeit-ns-raubgut-unterzeichnet# [Press Release in German]

On March 26, 2025, Germany's federal government, the states, and the leading municipal associations signed an administrative agreement creating a new arbitral tribunal for Nazi-looted art. The agreement states the foundation for transforming the former Advisory Commission into a legally binding dispute-resolution body and strengthens Germany's implementation of the Washington Principles.

Beginning December 1, 2025, victims of Nazi persecution and their heirs may unilaterally initiate proceedings before the tribunal, provided the cultural heritage institution has issued a standing offer or agrees to arbitrate. The tribunal's decisions will be binding.

Foundational documents, including procedural rules and arbitration rules are publicly available on the tribunal's official website.

Resolutions, Declarations, and Other Documents

1. United States withdraws from Universal Periodic Review (August 28, 2025)

https://upr-info.org/en/news/upr-or-without-usa

On August 28, 2025, Juliette de Rivero, the Chief of the Universal Periodic Review (UPR) Branch of the Office of the United Nations, announced that the United States has withdrawn its engagement from the UPR. The review of the United States' fourth cycle was scheduled for November 7, 2025, but the government failed to submit its National Report by the August deadline.

The UPR serves as a cooperative mechanism for the Human Rights Council to review state fulfillments of human rights obligations. During each cycle, UN members and observer states offer recommendations covering a broad range of economic, social, cultural, political and civil human rights issues.

This announcement follows the United States' decision to withdraw from the Human Rights Council in 2018, although the country continued to participate in the UPR by submitting its report in 2020. The current withdrawal may mark the first time in UPR history that a member state declines to take part in its own review. The decision reflects ongoing tensions between the current U.S. administration and the Human Rights Council. A U.S. States Department official told Reuters that participating in the UPR "implied endorsement of the Council's mandate and activities and ignores its persistent failure to condemn the most egregious human rights violators." In contrast, Office of the United Nations High Commissioner for Human Rights (OHCHR) chief spokesperson Ravina Shamdasani emphasized that "constructive engagement with the Council, by the U.S. and all States, has contributed to the promotion and protection of human rights worldwide over the years."

2. Amendment to EU-Morocco Trade Agreement concerning Western Sahara (October 3, 2025)

https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202502025

On October 6, 2025, the European Commission released a revised amendment to the EU-Morocco trade agreement concerning Western Sahara, a territory disputed between Morocco and the Algeria-backed Polisario Front. Listed by the UN as a "non-self-governing territory," Western Sahara has been under Moroccan

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occupation since 1975. Its people, the Sahrawi, continue to seek independence, while the region remains contested.

The amendment responds to rulings by the Court of Justice of the European Union (CJEU), which emphasized that EU agreements with Morocco cannot automatically apply to Western Sahara, as the Sahrawi people must be treated as a "third party." According to the Court, any agreement must meet two conditions: it "must not give rise to an obligation for that people," and it must confer "a specific, tangible, substantial, and verifiable benefit from the exploitation of the territory's natural resources, proportional to the degree of that exploitation." These benefits should reach the local population, follow sustainable development principles, and include mechanisms for monitoring and verification.

The amendment's main revisions include a requirement that products from Western Sahara carry origin labels, along with the establishment of a joint EU-Morocco assessment to review sustainable development and the use of benefits. However, implementation has fallen short because the labels follow a Moroccan administrative designation that does not clarify that products originate from occupied settlements, which can mislead consumers. The amendment also lacks concrete mechanisms to verify whether benefits reach the Sahrawi population. Most of the economic advantages continue to flow to Moroccan settlers in the territory, while the Sahrawi people remain largely excluded.

In practice, while the amendments introduce procedural safeguards, they fail to meet the CJEU's substantive requirements and leave the core issues of resource control and local benefits unresolved.

3. Human Rights Watch Publishes Report on Sierra Leone (November 2025)

https://www.hrw.org/sites/default/files/media_2025/10/sierraleone_wrd1125%20web.pdf

In November 2025, Human Rights Watch (HRW) released "No Money, No Care," a detailed report documenting obstetric violence in Sierra Leone's public health system. Sierra Leone, which has one of the highest maternal mortality rates in the world, has long been plagued by delays or outright denial of care for patients unable to pay hospital staff, despite the establishment of a free healthcare initiative in 2010.

Obstetric violence refers to abuse experienced by pregnant women seeking maternal, sexual, and reproductive health services. It includes verbal humiliation, coerced or unconsented procedures, denial of information, refusal or delay of care, and neglect, even in life-threatening situations. In March 2025, the African Commission on Human and Peoples' Rights recognized obstetric violence as a form of gender-based violence and a violation of fundamental human rights, including the rights to dignity, health, life, and freedom from torture or cruel, inhuman, and degrading treatment.

HRW found that Sierra Leone's maternal health system is marked by chronic underfunding, severe shortages of essential medicines, and widespread reliance on out-of-pocket payments. Patients, in turn, face cost-based discrimination as staff solicit informal fees for access to care, drugs, and medical supplies. HRW found that providers often delay or deny care to women who cannot pay, resulting in preventable injuries and deaths. The Princess Christian Maternity Hospital (PCMH), the country's main maternity hospital, has reported rising maternal mortality numbers since 2021, with 82 deaths in 2024.

Under international human rights law, Sierra Leone is obligated to respect, protect, and fulfill the right to health without discrimination. Meeting these obligations requires meaningful investment in maternal health systems and the elimination of coercive and discriminatory practices in healthcare settings.

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