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HUMAN RIGHTS COUNCIL  
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**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL,  
POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS,  
INCLUDING THE RIGHT TO DEVELOPMENT**

**Note by the United Nations High Commissioner for Human Rights**

The United Nations High Commissioner for Human Rights has the honour to transmit to the members of the Human Rights Council the report of the fourteenth meeting of special rapporteurs/representatives, independent experts and chairpersons of working groups of the special procedures of the Council and of the advisory services programme, held in Geneva from 18 to 22 June 2007.

**REPORT OF THE FOURTEENTH MEETING OF SPECIAL RAPPORTEURS/  
REPRESENTATIVES, INDEPENDENT EXPERTS AND CHAIRPERSONS OF  
WORKING GROUPS OF THE SPECIAL PROCEDURES OF THE HUMAN  
RIGHTS COUNCIL AND OF THE ADVISORY SERVICES PROGRAMME  
(GENEVA, 18-22 JUNE 2007)**

**Rapporteur: Vernor Muñoz Villalobos**

**Summary**

The fourteenth annual meeting of special procedures was held in Geneva from 18 to 22 June 2007. During the meeting, mandate-holders had exchanges of views with the High Commissioner, the Deputy High Commissioner, the former President of the Human Rights Council and the facilitator of the Working Group of the Council on the universal periodic review (UPR) mechanism. Participants also met with representatives of non-governmental organizations and national human rights institutions, and held a joint meeting with participants in the nineteenth meeting of persons chairing human rights treaty bodies.

Participants elected Gay McDougall Chairperson of the fourteenth annual meeting and of the Coordination Committee. Vernor Muñoz Villalobos was elected Rapporteur of the meeting and member of the Coordination Committee. Yakin Ertürk, Okechukwu Ibeanu and Miloon Kothari were elected members of the Committee. The former Chairperson, Vitit Muntarbhorn, is an ex-officio member.

Participants focused their discussions on the outcome of the institution-building process of the Human Rights Council. They welcomed the improvements to the human rights system brought about by the institution-building process, in particular the UPR mechanism. Concerning UPR, the importance of the participation of civil society and human rights mechanisms in the process was described as crucial for its effectiveness.

The desirability of engaging actively in the implementation of the Code of Conduct adopted by the Council in its resolution 5/2 was highlighted by many. Participants in the annual meeting decided to request the Coordination Committee to draft and present at its fifteenth meeting an appropriate procedure by which the Code of Conduct and other relevant documents, including the Manual, could be best implemented. They also decided that, in the meantime, the Committee would give appropriate consideration to any matter concerning the working methods of mandate-holders brought to its attention (see annex II).

When discussing the draft revised Manual for Special Procedures mandate-holders, participants decided to ask a number of mandate-holders, through the Committee, to look into comments received from stakeholders, as well as into the implications of the Code of Conduct, and to revise the Manual accordingly. It was agreed that the Manual would reflect some of the issues discussed during the meeting, including issues related to the cooperation of special procedures with regional human rights mechanisms, non-governmental organizations and national human rights institutions.

When discussing approaches to thematic and country situations, participants stressed the need to strengthen coordination between geographic and thematic mandates. The need to look at

complementarities within the entire system, including treaty bodies and country engagement strategies of the Office of the United Nations High Commissioner for Human Rights (OHCHR), was mentioned.

Participants discussed cooperation with regional mechanisms, including good practices. It was suggested that representatives of key regional mechanisms should be invited to participate in future annual meetings, and that ways to ensure more regular mandate-holder participation in meetings of regional organizations should be explored. Enhanced institutional arrangements for the exchange of information between regional organizations and OHCHR were considered necessary.

Participants also discussed their engagement with United Nations country teams, including how special procedures could better influence the programming process and the national development process. It was stressed how UPR implied a new collective responsibility for the United Nations system in the field of human rights. Participants welcomed the efforts of OHCHR to ensure enhanced integration of their work into country analysis and programming. It was stressed that training and awareness-raising of country teams were essential in order to achieve enhanced synergies. The need to think about ways to strengthen follow-up by country teams to special procedures recommendations was highlighted.

During the joint meeting with chairpersons of treaty bodies, participants exchanged views on UPR. Participants stressed that it could offer a political forum to follow up their work. The challenge was to see to what extent special procedures and treaty bodies should tailor their activities in order to have an impact on the UPR process. Participants also addressed the issue of non-cooperation with the UPR system, and the ways and means through which this could be addressed.

In the discussion with representatives of non-governmental organizations and national human rights institutions, the need for the Coordination Committee to take a greater role in coordination of country visits and joint statements was indicated. The desirability for the Committee to conduct an annual dialogue with the Council was highlighted. Other issues raised included increased focus on follow-up; more regular representation of mandate-holders in meetings of regional organizations; joint missions; closer attention to discrimination and violence on grounds of gender identity; the situation of people living in extreme poverty; translation of reports into local languages; and enhancing the website.

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## I. INTRODUCTION

1. Annual meetings of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and the Human Rights Council have been organized since 1994. The Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993 underlined the importance of preserving and strengthening the system of special procedures and specified that the procedures and mechanisms should be enabled to harmonize and rationalize their work through periodic meetings.<sup>1</sup>
2. The fourteenth annual meeting of special procedures was held in Geneva from 18 to 22 June 2007. It had before it a provisional annotated agenda and a series of documents prepared by mandate-holders, the Secretariat and other sources.
3. A list of the special procedures of the Council and mandate-holders attending the fourteenth annual meeting is contained in annex I.
4. During the meeting, mandate-holders had exchanges of views with the High Commissioner, the Deputy High Commissioner, the former President of the Council and the facilitator of the Working Group of the Council on the universal periodic review (UPR) mechanism. Participants also met with representatives of non-governmental organizations and national human rights institutions, and held a joint meeting with participants in the nineteenth meeting of persons chairing human rights treaty bodies.

## II. ORGANIZATION OF WORK

5. The meeting was opened by Vitit Muntarbhorn, the Chairperson of the thirteenth annual meeting and Chairperson of the Coordination Committee of Special Procedures.
6. Participants elected Gay McDougall Chairperson of the fourteenth annual meeting and of the Coordination Committee. Vernor Muñoz Villalobos was elected Rapporteur of the meeting and member of the Committee. Yakin Ertürk, Okechukwu Ibeanu and Miloon Kothari were elected members of the Committee. The former Chairperson, Vitit Muntarbhorn, is an ex-officio member.
7. Participants expressed their appreciation for the process of nominations that had been undertaken by e-mail by the outgoing Chairperson and called for even earlier and broader consultations to be undertaken in 2008.
8. Meeting participants expressed their deep appreciation for the impressive work carried out throughout the year by the outgoing Chairperson and the other members of the Coordination Committee, in particular in connection with the review of mandates process of the Council. Participants also thanked the Special Procedures Branch for its support to the Committee and for keeping mandate-holders informed about Council developments throughout the year.

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<sup>1</sup> A/CONF.157/24 (Part II), para. 95.

9. The agenda was approved by participants. The planned exchange of views with the new President of the Council could not be held because the Council was in session. The Chairperson of the meeting was asked to address an organizational session of the Council on 22 June. In her statement, she referred to the institution-building process and the role that special procedures were ready to play in the new framework, including in connection with the selection procedure for mandate-holders and the review of mandates process, UPR and the Human Rights Council Advisory Committee.

10. A number of issues were identified that should be given adequate time for discussion during the fifteenth annual meeting. They included exchanges of views with regional human rights mechanisms and representatives of other United Nations agencies and programmes; briefing on new human rights instruments, such as the rights of persons with disabilities; cooperation with national human rights institutions; and discussions on issues of special concern.

11. A number of parallel events were organized outside the formal agenda of the meeting. Several mandate-holders attended those events.<sup>2</sup>

### III. ACTIVITIES OF THE COORDINATION COMMITTEE

12. The outgoing Chairperson, Vitit Muntarbhorn, briefed participants on the activities of the Coordination Committee under his chairmanship.

13. The first thread of activities of the Committee was related to interaction with the Human Rights Council and other stakeholders with regard to the institution-building process. The aim was to ensure that the review of mandates would result in a more effective and strengthened system of special procedures.

14. The Chairperson of the Committee had delivered two statements on behalf of the special procedures mandate-holders at the first and second sessions of the Council. At the second and fourth sessions of the Council, the Committee held meetings with the President, the facilitators of the institution-building working groups of the Council and the coordinators of regional and other groups. The Chairperson gave a public briefing on 29 March 2007 in Geneva. At the final session of the Working Group on the Review of Mandates, in April 2007, the Chairperson of the Committee again held meetings with the President of the Council and other stakeholders.

15. The second thread of activities was related to facilitating cooperation among mandate-holders. The Committee held two meetings, in Geneva and New York, and telephone conferences approximately every six weeks. Mandate-holders were consulted by e-mail, telephone and other means on various occasions, with a view to facilitating cooperation and a common response to issues that arose during the year.

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<sup>2</sup> The events included discussions on human rights impact of corporate activity; the Convention on the Rights of Persons with Disabilities and its Optional Protocol; possibilities of cooperation between special procedure mandate-holders and national human rights institutions; security and travel procedures; and the RWI/UNU book project on special procedures.

16. The third thread of activities referred to interaction with civil society. Throughout the year, the Committee received comments and inputs and engaged in fruitful discussions with several non-governmental organizations on issues of common interest, including the institution-building process.

17. The outgoing Chairperson outlined a number of challenges which the participants in the annual meeting and the new Committee would have to address, such as issues arising from the institution-building process, including implementation of the Code of Conduct; the revision and finalization of the special procedures manual; the facilitation of an increasing number of joint activities; the analysis of protection gaps; and the definition of the role and functions of the Coordination Committee in the new framework.

#### **IV. INSTITUTION-BUILDING PROCESS**

18. Participants had an opportunity to meet with the High Commissioner, the Deputy High Commissioner, the former President of the Human Rights Council and the former facilitator of the Working Group of the Council on UPR to discuss issues arising from the institution-building process.

##### **A. Exchange with the Deputy High Commissioner**

19. The Deputy High Commissioner conveyed her appreciation to all participants for their work and stated that the interactive dialogues that she had attended at the fourth and fifth sessions of the Council demonstrated the deep commitment of mandate-holders to the protection and promotion of human rights.

20. The Deputy High Commissioner welcomed the increasing cooperation among mandate-holders and referred to some of the joint activities by special procedures in the past year, including the work of the expert group on Darfur, mandated by the Council. She also stated that she had followed with great interest the participation of mandate-holders, including through the Coordination Committee, in the institution-building process, and had appreciated their important contribution to discussions. She encouraged participants to focus their discussions on the way forward and on how to continue to strengthen and improve the special procedures system for more effective protection of human rights. She stressed that the Code of Conduct could be a tool to build greater trust with stakeholders and strengthen the system.

21. The Deputy High Commissioner reiterated that she intended to maintain a constant dialogue with special procedures.

22. The desirability of foreseeing an in-depth discussion on how special procedures might need to adjust their methods of work as the Council evolved was raised.

23. The Deputy High Commissioner noted the appreciation expressed for the work of OHCHR and reassured mandate-holders that OHCHR would do its best to efficiently respond to remaining administrative challenges.

24. Participants discussed the agreement on institution-building reached by the Council, including the Code of Conduct for special procedures.

25. Participants welcomed the improvements to the human rights system which were brought about by the institution-building process, in particular the UPR mechanism. Concerning UPR, the importance of the participation of civil society and human rights mechanisms in the process was indicated as crucial for its effectiveness.

26. The desirability of engaging actively in the implementation of the Code of Conduct adopted by the Council in its resolution 5/2 was highlighted by many. Participants in the annual meeting decided to request the Coordination Committee to draft and present at its fifteenth meeting an appropriate procedure by which the Code of Conduct and other relevant documents, including the Manual, could be best implemented. Participants also decided that, in the meantime, the Coordination Committee should give appropriate consideration to any matter concerning the working methods of mandate-holders that may be brought to its attention (see annex II).

27. Questions were raised about the possible implications of the new selection procedure. The need to clarify the issue of the conflict of interest which would make candidates ineligible was mentioned. The fact that the consultative group should take into account the views of current and outgoing mandate-holders was indicated as offering an important entry point. In this connection, a call was made to mandate-holders to proactively engage in this area.

#### **B. Exchange with the former President of the Human Rights Council**

28. The former President of the Human Rights Council, Ambassador Luis Alfonso de Alba, briefed participants on the main aspects of the institution-building process. He recalled how difficult the consensus-building effort had been and expressed satisfaction at the final outcome of the exercise. He stressed that new selection procedures foreseeing the endorsement by the Council would add legitimacy and credibility to the work of the procedures. The former President further indicated that information from special procedures would constitute an important background for UPR.

29. The former President highlighted how the process of formulation of the Code of Conduct had been different from the negotiations on the President's text adopted in resolution 5/1. Referring to discussions that had been held in the context of negotiations of the Code of Conduct, he advised the special procedures to play an active role in ensuring appropriate implementation.

30. The former President warmly thanked mandate-holders for their input to the institution-building process, which had been extremely valuable. Many mandate-holders welcomed the role played by the former President in helping the Council shape the institution-building process in a way that resulted in a strengthened system of protection and promotion of human rights.

31. Questions were raised about how to ensure a meaningful Council debate on UPR. The former President underlined that the composition of the delegation participating in the Working Group on the UPR mechanism would be important in that respect, and that ideally this should ensure human rights expertise.



32. Questions were also raised concerning the procedure of selection of mandate-holders and the interpretation of the issue of the conflict of interest as criteria for ineligibility. Many participants echoed the need for mandate-holders themselves to establish a mechanism that would look into issues of accountability. The view was expressed that the ongoing review of mandates should use as a basis the framework of the mandates as they have evolved over the years in the Commission on Human Rights.

33. It was noted that country mandates had been maintained. Consensus showed that unilateral naming and shaming was not productive. At the same time, the door was left open for constructive discussions on country issues.

34. The former President indicated that contribution to UPR, the involvement of special procedures in the implementation of the Code of Conduct, and the need to build on synergies and avoid duplication were priority areas on which mandate-holders could focus their attention.

### **C. Exchange with the United Nations High Commissioner for Human Rights**

35. The High Commissioner expressed satisfaction at the final result of the institution-building process. UPR was a landmark achievement that would allow the Council to move towards the implementation phase. The High Commissioner stressed the important role that special procedures had played in the institution-building process and encouraged them to remain engaged in future related discussions. The High Commissioner also invited mandate-holders to reflect on future interactions with the new Advisory Committee. The High Commissioner furthermore welcomed the fact that the meeting was looking into the need to increase cooperation with United Nations country teams. Finally, the High Commissioner reiterated the great value that she attached to the work of special procedures and to their cooperation, which facilitated her work.

36. Participants thanked the High Commissioner for the central role she played in the institution-building process. Participants agreed that the challenge ahead was to be creative in envisaging how the special procedures system would evolve in the new framework and in relation to UPR.

37. The role of special procedures in the selection process as set out in Council resolution 5/1 on institution-building was welcomed. Mechanisms to ensure consultations in this regard were encouraged.

38. There was agreement that joint activities mandated by the Council as a follow-up to resolutions allowed for closer integration of special procedures into the broader work of the Council. The importance of an inclusive approach or methodology in shaping the tasks assigned to special procedures was highlighted.

39. Participants asked OHCHR to provide for institutional cooperation with regional human rights mechanisms. Participants also discussed the support received by OHCHR field presences during country visits. Reflection on the role of special procedures in the broader context of the United Nations system for enhanced implementation of human rights was desirable. With regard to country strategies, it was highlighted that it was important to maintain the independence of each component of the system while ensuring complementarity.

## V. WORKING METHODS

### A. Draft revised Manual of Special Procedures Mandate-Holders

40. The need to look into the relationship between the Code of Conduct and the Manual of Special Procedures was mentioned by a number of participants. Article 2 (b) of the Code of Conduct stated that the provisions of the Manual of the United Nations Human Rights Special Procedures should be in consonance with those in the Code. The Secretariat informed participants that several contributions had been received by stakeholders before the deadline for comments set by the Coordination Committee.

41. Participants decided to ask a number of mandate-holders, through the Coordination Committee, to look into the comments and the implications of the Code of Conduct, and to revise the Manual accordingly. The following mandate-holders would be involved in the exercise: Ghanim Alnajjar, Philip Alston, Vitit Muntarbhorn, Manfred Nowak and Leila Zerrougui.

42. It was agreed that the Manual would reflect some of the issues discussed during the meeting, including issues related to the cooperation of special procedures with regional human rights mechanisms, non-governmental organizations and national human rights institutions.

### B. Consultancy study on enlarging the network of civil society actors working with special procedures and strengthening collaboration among mandate-holders, the Special Procedures Branch and civil society

43. The main conclusions of a consultancy study on enlarging the network of civil society actors working with special procedures and strengthening collaboration among special procedures mandate-holders, OHCHR and civil society actors were presented to participants. The study was prepared using information contained in OHCHR databases and through informal consultations with civil society actors and OHCHR staff members, recording good practices of cooperation to be replicated.

44. The study showed that 90 per cent of mandates had some form of interaction or relationship with national civil society actors. Almost 70 per cent of special procedures interacted with victims, 70 per cent with academics, 65 per cent with professional associations, 60 per cent with human rights defenders and 45 per cent with representatives of religious groups. The study also provided data on the geographic distribution of civil society contacts. The different types of interaction held by mandate-holders with civil society actors were also addressed in the report.

45. The recommendations of the study also addressed interaction with civil society as a source of information. There was a need to ensure enhanced information of sources on communication procedures, as well as involvement in follow-up strategies. Recommendations also dealt with ways and means to increase awareness about special procedures among civil society actors; enlarge the network of civil society contacts, in particular in the African and Arab regions; facilitate access to special procedures; and ensure institutional memory.

46. Several mandate-holders highlighted the crucial role that civil society actors play in the effective functioning of the special procedures system. The need to ensure that special procedures have a broad network of partners, including United Nations country teams and OHCHR country and regional presences, was highlighted.
47. An important aspect of the work of civil society was its support in disseminating the work of special procedures, including through translation of their reports in local languages to facilitate follow-up to recommendations.
48. There was a need to include grass-roots national non-governmental organizations in the consultations carried out by mandate-holders with civil society actors. The need to make the website more accessible through translation into other official languages than English was highlighted.
49. It was pointed out that it would be of assistance if reports could be disseminated to relevant national civil society actors after country visits. Country visits by special procedures represented an opportunity to create platforms for dialogue between civil society actors and the Governments concerned and also an opportunity for the United Nations system on the ground to familiarize national actors with the special procedures system. Contacts and exchanges of information between non-governmental organizations working on similar issues in different countries and regions should also be further facilitated.
50. The education and awareness-raising role that special procedures play vis-à-vis civil society was mentioned. It was stressed that not only country visit reports but also relevant thematic reports should be disseminated at the country level. The need to ensure a broad interpretation of the definition of civil society actors to include groups such as the press and sports associations was also indicated.
51. Questions were raised on existing avenues for non-governmental organizations to receive funding from OHCHR. The secretariat informed participants on the Acting Community Together project. To a varying extent, the Voluntary Fund for Victims of Torture, the Voluntary Fund for Indigenous Populations and the Voluntary Trust Fund on Contemporary Forms of Slavery all provided grants to allow civil society actors to participate in relevant thematic sessions and events.

## VI. PROTECTION GAPS AND OVERLAPS

52. Philip Alston and Manfred Nowak presented a preliminary non-paper on behalf of the Coordination Committee, drafted after consultations with all mandate-holders. The non-paper was prepared in the light of the institution-building process and the review of mandates exercise and was not aimed at setting out a new comprehensive architecture of mandates but rather analysing the existing system.
53. In the draft non-paper, the authors examined whether there were any issues that reflected significant violations of human rights and were not already either the subject of a particular thematic or sectoral mandate, or effectively covered in practice by one of those mandates. The authors stressed that concerns about overlap or duplication of issues among different mandates were overstated. There was inevitably an adjustment mechanism which helped to ensure that the

same issues were rarely, if ever, approached from the same perspective by two different mandates. In addition, there was considerable complementarity and reinforcement when it proved possible for two mandates to address issues related to one another. In conclusion, the authors suggested that it would be productive to focus on the procedure to be adopted in future in responding to specific suggestions about protection gaps.

54. Participants stressed that Council resolution 5/1 contained an indication of criteria which would guide any future review.<sup>3</sup> In view of that fact, several participants expressed the opinion that the paper should represent the basis for an in-depth discussion and wide consultations and be revised, taking into account the suggestions made by several mandate-holders in their reports, issues raised during the discussions, comments received by other stakeholders, and existing practices whereby several mandates already covered, to a varying extent, issues identified as gaps or emerging issues. A common position on the future process of the review of mandates was also needed. This should include a discussion on how to address egregious violations of human rights in a specific country. A reflection on whether to favour a holistic approach when addressing related issues was considered desirable. The Coordination Committee would take the process forward and revise the paper.

## **VII. EXCHANGE OF EXPERIENCE**

### **A. Country and thematic approaches**

55. Several issues concerning country and thematic approaches were mentioned by participants as deserving particular attention and reflection. There was a need to strengthen coordination between geographic and thematic mandates. In particular, the role of thematic mandate-holders was of crucial importance in cases where the specific country mandate was not allowed to visit the country for an extended period of time or where a country mandate had been discontinued. It was reiterated that no initiatives by thematic mandate-holders in a country covered by a country mandate-holder should be undertaken without consultation with the latter, in accordance with existing practice.

56. When devising strategies to address the human rights situation in countries that did not cooperate with special procedures, the need to look at complementarities with the entire system, including treaty bodies and United Nations country presences, as well as OHCHR country engagement strategies, was mentioned.

57. The need for thematic mandate-holders and geographic mandate-holders to mutually consult so as to ensure consistency in strategies and approaches was emphasized. In general, some participants called for a mechanism or practice to ensure that outgoing mandate-holders would have an opportunity to brief incoming ones on their country and thematic approaches.

58. The need to think as a group about how best to address country situations in which there were gross and systematic violations of human rights was indicated. One participant referred to

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<sup>3</sup> Report to the General Assembly on the fifth session of the Human Rights Council (A/HRC/5/21), para. 58.

the experience of the expert group on Darfur and noted that, in the future, mandate-holders might be increasingly assigned the task of looking into specific situations. A common reflection on this issue was desirable.

59. Participants noted the adoption by the General Assembly on 13 December 2006 of the Convention on the Rights of Persons with Disabilities<sup>4</sup> and encouraged all special procedures to give appropriate attention within their mandates to the special challenges persons with disabilities face in the enjoyment of their human rights.

### **B. Cooperation with regional mechanisms**

60. The Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Rodolfo Stavenhagen, introduced a paper on cooperation with regional human rights mechanisms. Regional human rights mechanisms relevant to the work of special procedures included the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights, affiliated with the Organization of American States and which include several thematic rapporteurs; the African Commission on Human and Peoples' Rights of the African Union and its system of thematic special mechanisms; the Council of Europe treaty bodies, including the European Court of Human Rights and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the European Committee of Social Rights and the Advisory Committee of the Framework Convention on the Protection of National Minorities, and other specialized mechanisms, particularly the Human Rights Commissioner of the Council of Europe; the High Commissioner on National Minorities, the Representative on Freedom of the Media, and the Special Representative and Coordinator for Combating Trafficking in Human Beings of the Organization for Security and Cooperation in Europe (OSCE); and the Working Party on Human Rights and other European Union expert bodies.

61. Many of the above-mentioned mechanisms covered areas that were similar or closely related to special procedures mandates, in a context of limited resources and human rights abuses that demanded common efforts.

62. In recent years, special procedures had increased their cooperation with different regional human rights mechanisms in their respective areas of expertise, with very encouraging results. Participation in expert workshops and exchange of information on relevant activities, exchange of views on substantive issues and working methods, and collaborative action in relation to specific situations were some of the ways in which cooperation with regional mechanisms had taken place, and they had become routine activities for many mandate-holders. Some recent examples were mentioned.<sup>5</sup>

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<sup>4</sup> General Assembly resolution 61/106.

<sup>5</sup> Recent experiences in this regard included the activities of the independent expert on minority issues in cooperation with the Inter-American Commission's special rapporteur on persons of African descent and against racial discrimination, and the interaction between the Representative of the Secretary-General on internally displaced persons and his counterpart at the African

63. By their very nature, regional organizations had direct contact with regional and country realities and trends, and provided different conceptual approaches to the protection of human rights. The authoritative information they produced was hence extremely useful for special procedures reporting activities, and also for the development of strategies and areas deserving priority attention.

64. Mandate-holders had also strengthened cooperation with regional human rights bodies in relation to country visits. Country and thematic reports elaborated by these bodies, as well as their recommendations concerning specific countries or cases, were routinely used in the preparation of missions by mandate-holders.

65. A more direct form of cooperation had been seen in the assistance in the preparation and conduct of special procedures visits by regional bodies with a presence in the field. More recently, there had been attempts to strengthen cooperation with regional bodies through the joint missions with similar procedures of regional bodies.

66. While the special procedures communications procedure was unique in its flexibility and universality, regional human rights systems included a number of similar procedures. There had been limited capacity to cooperate with regional human rights mechanisms regarding specific instances of human rights violations. Limited resources available for the special procedures work and their sizeable workload, linked to the established effectiveness of many of these regional mechanisms, justified a reflection in order to better select grounds for intervention and prevent potential overlaps. One way to advance in that direction would be the development of closer working relations between OHCHR and the secretariats of those regional mechanisms. There was also a need to look into strengthening cooperation with regional treaty bodies.

67. Several proposals were made by participants to increase and strengthen cooperation with regional bodies. It was decided that some of their suggestions should be included in the relevant part of the Manual.

68. It was suggested that representatives of key regional mechanisms should be invited to participate in future annual meetings. Similarly, ways to ensure more regular participation of mandate-holders in meetings of regional organizations should be explored. OHCHR was requested to systematically analyse reports and other information emanating from regional

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Commission on Human and Peoples' Rights. Similarly, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment had an established record of cooperation with relevant bodies and secretariats at the European level, including the OSCE Office for Democratic Institutions and Human Rights and the Council of Europe Committee on Legal Affairs and Human Rights, the Commissioner for Human Rights, and, as a matter of course, the Committee for the Prevention of Torture. He has also participated in several meetings of the African Commission on Human and Peoples' Rights in relation to issues related to his mandate. In 2005, the Special Rapporteur on the human rights and fundamental freedoms of indigenous people participated in a plenary session of the African Commission in Banjul, where he had the opportunity to liaise with the Commission's working group on indigenous populations/communities.

organizations and to include relevant issues in the country assessments prepared prior to missions. Mandate-holders were called on to visit regional organizations and encourage them to integrate special procedures findings in their programming. Enhanced institutional arrangements for the exchange of information between regional organizations and OHCHR were considered necessary. It was stressed that referring to the information and jurisprudence of regional organizations in special procedures reports made them more solid. It was also desirable to involve regional organizations in efforts to gather material and information for the preparation of thematic reports.

### **C. System-wide coherence and engagement with United Nations country teams**

69. OHCHR presented a paper on engagement with United Nations country teams. Reference was made to a statement of common understanding on a human rights-based approach to development programming as a tool to provide guidance on how to operationalize the human rights-based approach in the context of United Nations common programming processes at the country or regional levels, including the common country assessment and United Nations Development Assistance Framework (UNDAF).

70. The statement could be summarized in three reference points: all programmes of development cooperation, policies and technical assistance should further the realization of human rights as stipulated in the Universal Declaration of Human Rights and other international human rights instruments; human rights standards and principles guided all development cooperation and programming in all sectors and phases of the programming process; and development cooperation contributed to the development of the capacities of duty-bearers to meet their obligations and/or of rights-holders to claim their rights.

71. OHCHR recalled that the former Secretary-General had commissioned a high-level panel to formulate recommendations on United Nations system-wide coherence. The panel made recommendations that were to be discussed by the General Assembly, recommending increased coherence at the country level and strengthened links between normative and operational work. The United Nations was now working on the concept of one United Nations system at the country level. This implied strengthened responsibility of the Resident Coordinator and the existence of a single United Nations programme with a coherent funding structure. It would also imply common United Nations premises in the field. United Nations country teams in Albania, Cape Verde, Mozambique, Pakistan, Rwanda, the United Republic of Tanzania, Uruguay and Viet Nam were piloting that concept.

72. It was essential to reflect on the linkages between the work of country teams and the work of human rights mechanisms, including special procedures. OHCHR had been supporting that process by assisting in the development of a common language and in strengthening capacities.

73. The discussion revolved around how the United Nations country teams could capitalize on the work of special procedures, particularly their country missions, and how special procedures could influence the programming process and the national development process. It was stressed that UPR implied a new collective responsibility for the United Nations system in the field of human rights.

74. OHCHR reported on the work under way to build capacities to ensure that, in accordance with existing mandatory guidelines, human rights was an integral part of the analysis of country situations. This included training on human rights-based analysis in the context of the common country assessment and UNDAF processes and the launching of country web pages to better promote the use of recommendations by special procedures in these processes.

75. OHCHR had organized meetings with Resident Coordinators to discuss the advantages of a human rights-based approach. The Office was also increasingly involved in the selection of Resident Coordinators.

76. OHCHR furthermore informed participants that, for five weeks, there had been an electronic discussion on the electronic knowledge network HuRiTALK, and several recommendations had been made by United Nations colleagues working on development issues concerning cooperation with special procedures. One general recommendation was that the work of special procedures should pay more attention to the conceptual framework, which was the basis of the human rights-based approach. To strengthen dialogue between special procedures and United Nations country teams, there were suggestions that special procedures should, on an informal ad hoc basis, support specific country processes, in particular in the formulation of the common country assessment, UNDAF and poverty reduction strategies. A number of good practices had been identified.

77. Participants welcomed efforts by OHCHR to ensure enhanced integration of their work into country analysis and programming. Participants reported on very good experiences of cooperation with and support from some United Nations country teams. However, the situation varied in different countries, and in some cases there was a poor understanding of the role of special procedures and/or a lack of willingness to engage with them. It was stressed that training and awareness-raising of country teams were essential in order to achieve enhanced synergies.

78. It was essential to think of ways to strengthen follow-up by United Nations country teams to special procedures recommendations. Positive examples were mentioned of visits of special procedure mandate-holders, which had facilitated synergies between different actors and promoted the creation of platforms to follow up on their recommendations. In some cases, mandate-holders were specifically called upon to comment on projects and other documents produced by country teams. The desirability of improved feedback from country teams on follow-up was underlined. In order to ensure that the momentum generated by a country visit would not be lost, the importance of country visit reports being issued on time was stressed.

79. Participants recommended that the possibility of inviting United Nations agencies and programmes and Bretton Woods institutions to participate in future annual meetings be explored. It was also decided that the background papers prepared for the meeting would be updated and good practices collected.

## VIII. COOPERATION WITH TREATY BODIES

80. Participants had an opportunity to meet with the chairpersons of treaty bodies. The exchange of views focused on UPR.



81. Ambassador Mohammed Loulichki, facilitator of the Working Group of the Council on the universal periodic review addressed the meeting. He recalled the historical background and rationale behind the genesis of UPR, stressing the need to avoid selectivity and treat all countries on the same footing. He stressed that UPR would not replace but complement the work of treaty bodies and special procedures. The major issues discussed in the process of negotiations were related to the meeting. The facilitators reported on the phases of the review and the sources of information that would be used.

82. Participants stressed that UPR would offer a political forum to follow up their work. The challenge was to see to what extent special procedures and treaty bodies should tailor their activities so that they had an impact on the UPR process.

83. One participant stressed how press reports on the institution-building process had been negligible and how UPR would be enhanced if the media took more notice of it. Non-governmental organizations had an important role to play in that regard.

84. The inclusion of the reference to gender perspectives in Council resolution 5/1 on institution-building among the principles to guide the work of the Council and to inform UPR was welcomed by participants. The need for better integration of gender perspectives into the work of all special procedures and treaty bodies was indicated.

85. The meeting also addressed the issue of non-cooperation with the UPR system. Ways and means through which this could be addressed were mentioned, including resolutions and special sessions.

#### **IX. CONSULTATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS AND NATIONAL HUMAN RIGHTS INSTITUTIONS**

86. Participants had an open discussion with representatives of non-governmental organizations and national human rights institutions, and stressed how much they valued interaction with those bodies.

87. Appreciation was expressed by civil society organizations for the professionalism and effectiveness with which the Coordination Committee and other mandate-holders had participated in the institution-building process. Reference was made to the global petition organized by 17 regional and international non-governmental organizations, which had attracted more than 14,000 signatures.

88. Several civil society representatives welcomed the consideration given by the meeting to the establishment of an appropriate procedure by which the Code of Conduct and other relevant documents, including the Manual of the United Nations Human Rights Special Procedures could be best implemented.

89. The need for the Coordination Committee to take a greater role in coordination of country visits and joint statements was indicated. The desirability for the Coordination Committee to conduct an annual dialogue with the Council was also highlighted.

90. Other issues raised included the need to increase the focus on follow-up, including the need for non-governmental organizations to provide feedback on communications; more regular

representation of mandate-holders in meetings of regional organizations; joint missions; closer attention to discrimination and violence on the grounds of gender identity; the situation of people living in extreme poverty; the importance of ensuring translation of reports into local languages; and enhancing the website.

91. National human rights institutions expressed their satisfaction at the fact that, for the first time, they had been invited to participate in an exchange with the special procedures together with non-governmental organizations. They referred to a background paper that had been prepared for the meeting detailing areas for cooperation between special procedures and national human rights institutions and requested that it be endorsed.

**ANNEXES**

**Annex I**

**LIST OF SPECIAL PROCEDURES OF THE HUMAN RIGHTS COUNCIL  
AND OTHER MANDATE-HOLDERS INVITED TO ATTEND THE  
FOURTEENTH MEETING**

**I. Thematic mandates**

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|-----|---|---|
| 1.  | Working Group on Enforced or Involuntary Disappearances   | Chairperson-Rapporteur<br>Mr. S. Corcuera*        |
| 2.  | Working Group on Arbitrary Detention  | Chairperson-Rapporteur<br>Ms. L. Zerrougui*       |
| 3.  | Working Group on Mercenaries  | Chairperson-Rapporteur<br>Mr. J. Gomez del Prado* |
| 4.  | Special Rapporteur on extrajudicial, summary or arbitrary executions  | Mr. P. Alston*                                    |
| 5.  | Special Rapporteur on the independence of judges and lawyers  | Mr. L. Despouy*                                   |
| 6.  | Special Rapporteur on the question of torture   | Mr. M. Nowak*                                     |
| 7.  | Representative of the Secretary-General on the human rights of internally displaced persons                   | Mr. W. Kälin*                                     |
| 8.  | Special Rapporteur on freedom of religion or belief   | Ms. A. Jahangir*                                  |
| 9.  | Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression          | Mr. A. Ligabo*                                    |
| 10. | Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance | Mr. D. Diène*                                     |
| 11. | Special Rapporteur on the sale of children, child prostitution and child pornography                          | Mr. J.M. Petit                                    |
| 12. | Special Rapporteur on violence against women, its causes and consequences                                     | Ms. Y. Ertürk*                                    |
| 13. | Special Representative of the Secretary-General on Children and Armed Conflict                                | Ms. R. Coomaraswamy                               |
| 14. | Special Representative of the Secretary-General on the situation of human rights defenders                    | Ms. H. Jilani*                                    |

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\* Attended the meeting.

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| 15. Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes                   | Mr. O. Ibeanu*                            |
| 16. Special Rapporteur on the human rights of migrants   | Mr. J. Bustamante*                        |
| 17. Independent expert on the effects of economic reform policies and foreign debt   | Mr. B.A. Nyamwaya Mudho*                  |
| 18. Special Rapporteur on the right to education   | Mr. V. Muñoz Villalobos*                  |
| 19. Special Rapporteur on adequate housing as a component of the right to an adequate standard of living                                       | Mr. M. Kothari*                           |
| 20. Special Rapporteur on the right to food  | Mr. J. Ziegler*                           |
| 21. Independent expert on minority issues  | Ms. G. McDougall*                         |
| 22. Special Adviser of the Secretary-General on the Prevention of Genocide   | Mr. J. Méndez                             |
| 23. Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people  | Mr. R. Stavenhagen*                       |
| 24. Independent expert on the question of human rights and extreme poverty   | Mr. A. Sengupta                           |
| 25. Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health              | Mr. P. Hunt*                              |
| 26. Working Group of Experts on People of African Descent  | Chairperson-Rapporteur<br>Mr. P. Kasanda* |
| 27. Special Rapporteur on trafficking in persons, especially women and children  | Ms. S. Huda                               |
| 28. Special Rapporteur on terrorism and human rights   | Mr. M. Scheinin*                          |
| 29. Independent expert on human rights and international solidarity  | Mr. R. Rizki                              |
| 30. Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises | Mr. J. Ruggie*                            |
| 31. Member of the second Coordination Committee (2006-2007)  | Ms. A. Benavides de Pérez*                |

## II. Country mandates

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|-----|--|---------------------|
| 1.  | Personal Representative of the High Commissioner for Human Rights on the situation on human rights in Cuba | Ms. C. Chanet       |
| 2.  | Special Rapporteur on the situation of human rights in Myanmar   | Mr. P.S. Pinheiro*  |
| 3.  | Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967     | Mr. J. Dugard       |
| 4.  | Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo                | Mr. T.F. Pacéré     |
| 5.  | Independent expert on the situation of human rights in Burundi   | Mr. A. Okola*       |
| 6.  | Special Representative of the Secretary-General for human rights in Cambodia                               | Mr. Y. Ghai         |
| 7.  | Independent expert on the situation of human rights in Somalia   | Mr. G. Alnajjar*    |
| 8.  | Independent expert on the situation of human rights in Haiti   | Mr. L. Joinet*      |
| 9.  | Independent expert on technical cooperation and advisory services in Liberia                               | Ms. C. Abaka*       |
| 10. | Independent expert on the situation of human rights in the Sudan   | Ms. S. Samar        |
| 11. | Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea           | Mr. V. Muntarbhorn* |
| 12. | Special Rapporteur on the situation of human rights in Belarus   | Mr. A. Severin      |

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\* Attended the meeting.

**Annex II**

**DECISION OF THE FOURTEENTH ANNUAL MEETING  
OF SPECIAL PROCEDURES**

The annual meeting of mandate-holders authorizes the Coordination Committee to draft and present at its fifteenth meeting an appropriate procedure by which the Code of Conduct and other relevant documents, including the Manual of the United Nations Human Rights Special Procedures, may best be implemented to enhance the effectiveness and independence both of the special procedures system as a whole and also of individual mandate-holders.

In the meantime, the Coordination Committee is authorized to give appropriate consideration to any matter concerning the working methods of mandate-holders which may be brought to its attention.

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