

**Statement by Nigeria n behalf of the African Group under Agenda
item 4.2: Discussion on Special Procedures including the
presentation on concrete proposals**

Geneva, 26 October 2010

Mr. President

I have the honour to make this statement on behalf of the African Group.

The African Group fully acknowledges the significance of the special procedures and the efforts of the various mandate holders towards the promotion and protection of human rights within the framework of the Human Rights Council.

We see the necessity for special procedures mandate holders to continue to examine, monitor, advise and publicly report on human rights themes and situations on major phenomena of human rights violations worldwide or in specific countries or territories as mandated by the Human Rights Council. It was in recognition of the immense contribution of this mechanism that the Council inherited virtually all the existing mandates from the former Commission on Human Rights.

However, over the years some of these mandates have proven to be unhelpful. We also note regrettably that some mandate holders have gone beyond the remits of their mandates and this has given cause for concern. While we support the continuous existence of the special procedures mechanism, the African Group sees the need for mandate holders to operate within the mandates and terms as defined by the Council resolutions establishing them. The African Group believes in the independence, impartiality, integrity and objectivity of the special procedures mechanism. That explains why the Group proposed the elaboration of the Code of Conduct for Special Procedures mandate holders.

Having said that Mr. President, the African Group would like to propose that:

- i. The principle of equitable geographical representation should be respected in the appointment of mandate holders,

- ii. The Council should periodically embark on the process of Review, Rationalization and Improvement of mandates to avoid unnecessary duplication, and to give full implementation of Para 58 D of IBP,
- iii. Some mandates should be converted to Working Groups in view of their sensitive nature to ensure a representative opinion on sensitive issues,
- iv. Mandate-holders must execute their duties with strict adherence to the principles of objectivity, independence, non-selectivity, impartiality and non-politicization,
- v. Mandated studies/reports presented to the Council must always take precedence over un-mandated ones,
- vi. Allocation of funds for special procedures mandates should be done in a transparent and even manner, irrespective of whether they are in the sphere of Civil and Political rights or Economic, Social and Cultural rights,
- vii. Establishment of country specific mandates should only be done with the cooperation of the country concerned,
- viii. The President of the Council should follow the order of priority as suggested by the Consultative Group and embark on consultations with regional groups to determine the level of acceptability of selected candidates towards achieving consensus,
- ix. The Human Rights Council should establish a "Legal Committee on compliance with the Code of Conduct" on the basis of equitable geographical distribution.

I thank you.