



**General Assembly**

Distr.  
GENERAL

A/HRC/12/47  
22 July 2009

Original: ENGLISH

---

HUMAN RIGHTS COUNCIL  
Twelfth session  
Agenda item 5

**HUMAN RIGHTS BODIES AND MECHANISMS**

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

The High Commissioner for Human Rights has the honour to transmit to the members of the Human Rights Council the report of the sixteenth meeting of special rapporteurs/representatives, independent experts and chairpersons of working groups of the special procedures of the Human Rights Council, which took place in Geneva from 29 June to 3 July 2009.

---

\* Late submission.

**REPORT OF THE SIXTEENTH MEETING OF SPECIAL RAPORTEURS/  
REPRESENTATIVES, INDEPENDENT EXPERTS AND CHAIRPERSONS  
OF WORKING GROUPS OF THE SPECIAL PROCEDURES OF THE  
HUMAN RIGHTS COUNCIL**

**(Geneva, 29 June-3 July 2009)**

**Rapporteur: Najat M'jid Maalla**

**Summary**

The sixteenth annual meeting of special procedures was held in Geneva from 29 June to 3 July 2009. A list of the special procedures of the Human Rights Council and mandate holders attending the sixteenth annual meeting appears in the annex.

Participants elected Santiago Corcuera Chairperson of the sixteenth annual meeting and of the Coordination Committee. Najat M'jid Maalla was elected Rapporteur of the meeting and a member of the Committee. Joy Ngozi Ezeilo, Frank William La Rue Lewy and Manfred Nowak were also elected members of the Committee and it was decided that the former Chair, Asma Jahangir, would be an ex officio member during the next year.

Mandate holders held exchanges of views with the High Commissioner, the President of the Council and members of the Bureau, and with the former Council President. Participants held a joint meeting with participants attending the twenty-first meeting of persons chairing the human rights treaty bodies, and had exchanges of views with the Chair of the Committee on the Rights of Persons with Disabilities, the Special Representative of the Secretary-General on violence against children and the Special Adviser to the Secretary-General on the Prevention of Genocide. They met with representatives of non-governmental organizations and national human rights institutions.

Participants focused their discussions on the independence and effectiveness of the special procedures and on harmonization of the working methods of mandate holders. They also discussed their linkages with the universal periodic review mechanism and thematic issues including protection of victims and witnesses, and climate change. They welcomed the appointment of six new mandate holders and paid tribute to outgoing mandate holders.

## CONTENTS

	<i>Paragraphs</i>	<i>Page</i>
I. INTRODUCTION .....	1 - 3	4
II. ORGANIZATION OF WORK .....	4 - 7	4
III. ACTIVITIES OF THE COORDINATION COMMITTEE .....	8 - 12	5
IV. EXCHANGE OF VIEWS WITH THE HIGH COMMISSIONER .....	13 - 16	5
V. THE HUMAN RIGHTS COUNCIL AND THE SPECIAL PROCEDURES SYSTEM .....	17 - 23	6
VI. WORKING METHODS .....	24 - 37	8
VII. INTEGRATING HUMAN RIGHTS APPROACHES AND MECHANISMS INTO THE WORK OF THE SPECIAL PROCEDURES .....	38 - 43	10
VIII. COOPERATION WITH HUMAN RIGHTS TREATY BODIES .....	44 - 47	11
IX. CONSULTATIONS WITH STAKEHOLDERS .....	48 - 56	12
Annex - List of special procedures of the Human Rights Council and other mandate holders invited to attend the sixteenth meeting .....		14

## 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 held 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 (A/CONF.157/24 (part II), para. 95).
2. The sixteenth annual meeting of special procedures was convened in Geneva from 29 June to 3 July 2009. It had before it a provisional annotated agenda and documents prepared by mandate holders, the Secretariat and other sources.
3. During the meeting, the mandate holders held exchanges of views with the United Nations High Commissioner for Human Rights, the President of the Human Rights Council and members of the Bureau, and the former President of the Council. Participants held a joint meeting with participants attending the twenty-first meeting of persons chairing the human rights treaty bodies, and had exchanges of views with the Chair of the Committee on the Rights of Persons with Disabilities, the Special Representative of the Secretary-General on violence against children and the Special Adviser to the Secretary-General on the Prevention of Genocide. They met with representatives of non-governmental organizations (NGOs) and national human rights institutions (NHRIs).

## II. ORGANIZATION OF WORK

4. The meeting was opened by Asma Jahangir, Chairperson of the fifteenth annual meeting and Chair of the Coordination Committee (hereafter “the Committee”) of special procedures.
5. Santiago Corcuera was elected Chair of the sixteenth annual meeting and of the Committee and Najat M’jid Maalla as Rapporteur of the meeting and a member of the Committee. The three remaining members elected by consensus to the Committee on 1 July were Joy Ngozi Ezeilo, Frank William La Rue Lewy and Manfred Nowak. Ms. Jahangir would continue as an ex officio member of the Committee during the next year.
6. Participants expressed deep appreciation for the work carried out throughout the year by the outgoing Chairperson and the other members of the Committee, in particular in connection with the process of the review of mandates conducted by the Council, the selection of new mandate holders and the coordinated approach to human rights situations of concern. The outgoing Chair also thanked the Special Procedures Division of the Office of the High Commissioner for Human Rights (OHCHR) for its support to the Committee and for keeping mandate holders informed about Council developments throughout the year. Mandate holders approved the agenda.
7. Outside the formal agenda of the meeting, a briefing for mandate holders was organized by the research director of a project on the impact of United Nations human rights mechanisms on

the Brookings Institution. Mandate holders held individual meetings with the Chief of the Travel Unit of OHCHR, and there was an opportunity to meet with staff of the OHCHR Documents Processing Unit.

### **III. ACTIVITIES OF THE COORDINATION COMMITTEE**

8. The outgoing Chair briefed participants on the activities of the Committee under her chairpersonship and suggested further discussion on how best to guarantee the independence of mandate holders. She thanked all mandate holders for their valuable contributions to its work, as well as for the encouragement and confidence expressed over the past year. The Committee also gratefully acknowledged the professional and efficient support provided by OHCHR.

9. The main activities of the Committee in 2008/09 related to interaction with the Council and other stakeholders with regard to special procedures' involvement in the work of the Council, including its special sessions; the safeguarding of the independence of special procedures; the review of special procedures mandates; and the selection and appointment of mandate holders. The Chair of the Committee and members had engaged in dialogue with the Council and other stakeholders. The Chair, inter alia, held meetings with the High Commissioner, the Deputy High Commissioner, the President of the Council, members of the Consultative Group and coordinators of the Council's regional and other groups during the tenth session of the Council and on other occasions. During those meetings, the Chair had stressed the importance of the effectiveness and the independence of the special procedures system and the need for greater support by States for the work of the special procedures.

10. Regarding working methods, the former Chair noted that the final version of the Manual of Operations of the Special Procedures of the Human Rights Council was made public in September 2009. No objections had been raised formally through the Internal Advisory Procedure since the adoption of the Manual at the fifteenth meeting in June 2008. The Chair had engaged in discussions with the President of the Council regarding concerns about the apparent lack of commitment by some States to cooperate, with improper language used by those States in their interaction with special procedures mandate holders.

11. Participants asserted that the Committee should have an even more strategic and active role in promoting the effectiveness and independence of the system and ensuring constructive dialogue with the Human Rights Council, notably in relation to the implementation and interpretation of the Code of Conduct.

12. The Committee held a meeting in Geneva and telephone conferences about every two months. Mandate holders had been consulted by email, telephone and other means on various occasions, with a view to facilitating cooperation and responses to issues that had arisen during the year.

### **IV. EXCHANGE OF VIEWS WITH THE HIGH COMMISSIONER**

13. Participants had an exchange of views with the High Commissioner for Human Rights, Navanethem Pillay. The High Commissioner, inter alia, informed participants about the current strategic planning process and future priorities of her Office.

14. The High Commissioner noted that special procedures constituted the Human Rights Council's most active and unique fact-finding, monitoring and advocacy mechanisms. She acknowledged the challenges special procedures were facing, but noted that their involvement in assessing and proposing solutions to crisis situations had enhanced their visibility. She welcomed the appointment of new mandate holders under the new selection procedure and thanked the Committee, as well as OHCHR staff members supporting it, for their support for the independence of the special procedures.

15. The High Commissioner asked the mandate holders to use the Outcome Document of the Durban Review Conference in their work. She also welcomed the synergies developed between the universal periodic review (UPR) and the independent expertise of special procedures, whose mandates covered the human rights themes identified as the thematic priorities of the Office in the framework of the planning process for 2010-2011. She assured the mandate holders of her commitment and her Office's support for their work.

16. Mandate holders raised a number of issues, including strengthening the independence and effectiveness of the special procedures and the integration of the work of special procedures in the priority areas of work of the Office, such as the human rights-based approach to development. Participants were concerned about the lack of attention given by the Human Rights Council to country mandates, and discussed the need to address urgent human rights situations in an expeditious manner with States.

## **V. THE HUMAN RIGHTS COUNCIL AND THE SPECIAL PROCEDURES SYSTEM**

### **A. Update on recent developments**

17. The Director of the Special Procedures Division of OHCHR briefed the participants on developments at the Council. She noted that the review of mandates had been completed in September 2008 and resulted in the extension of all thematic mandates. New mandates had also been created. While four country mandates had been discontinued in the last two years, country situations continued to be addressed under UPR, at special sessions and increasingly through the activities of thematic mandate holders. The Director referred to important contributions made by special procedures in relation to a number of United Nations human rights mechanisms and activities, inter alia four special sessions of the Council held between June 2008 and April 2009, substantive thematic panels at Council sessions, the Durban Review Conference in April 2009, the inaugural Forum on Minority Issues in December 2008, the first session of the Expert Mechanism on the Rights of Indigenous Peoples in October 2008, and the Social Forum in September 2008.

18. Participants discussed the increase in the scope of activities and responsibilities mandated by the Council to special procedures and the need for commitment to implement and follow through special procedures' recommendations. Participants also discussed perceived attempts to curtail the independence and effectiveness of the special procedures, in particular in the context of the implementation of the Code of Conduct.

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

19. H.E. Ambassador Martin Ihoeghian Uhomobhi, Permanent Representative of Nigeria to the United Nations Office at Geneva and former President of the Human Rights Council, stressed that victims of human rights violations should remain the ultimate concern of the Council and its mechanisms. He highlighted the crucial role of special procedures, in particular for the Council, and gave assurances that he would make use of good offices to mediate for the mechanisms. He noted that resolution 11/11 adopted by the Council at its eleventh session had strengthened and acknowledged the role of special procedures.

20. Ambassador Uhomobhi suggested that the Committee should engage more visibly with all stakeholders. Mandate holders acknowledged his spirit of cooperation and noted efforts to harmonize working methods through their Manual; they raised issues of concern with regard to the interpretation of the Code of Conduct over the past year, which they had attempted to prevent and address through the creation of an Internal Advisory Procedure to review practices and working methods that was open to relevant stakeholders. Participants also raised issues regarding the importance of follow-up to the special procedures' recommendations. Ms. Jahangir thanked the Ambassador for his cooperation and support for further strengthening of the work of mandate holders.

## **C. Exchange of views with the President of the Human Rights Council and members of the Bureau**

21. Participants had an exchange with the President of the Human Rights Council, H.E. Ambassador Alex Van Meeuwen (Belgium), and with members of the Bureau, H.E. Ambassador Carlos Portales (Chile), H.E. Ambassador Hisham Badr (Egypt), H.E. Ambassador Dyan T. Djani (Indonesia) and H.E. Ambassador Andrej Logar (Slovenia).

22. The President noted the importance of strengthening the special procedures system by assessing the impact of mandate holders' reports and building confidence in the system as a whole. Furthermore, he underlined the importance of the independence and autonomy of mandate holders in the fulfilment of their mandates as well as the need for full cooperation from States in order to ensure the effectiveness of the special procedures. The President reiterated his willingness to cooperate and work closely with all of the Council's mechanisms in order to make the work of the Council more beneficial and efficient in the promotion and protection of human rights around the world. Bureau members referred to the adoption of resolution 11/11, called the Code of Conduct to be respected, and recalled the need for full cooperation by States with the special procedures. Constructive dialogue, cooperation and the independence of mandate holders were of the utmost importance.

23. Participants raised issues such as active involvement in the work of the Council, cooperation with special procedures by States, compliance with the Code of Conduct, and the perceived selective approach of some Council members regarding special procedures. Participants noted with appreciation the President's and the Bureau's intention to maintain an open door policy with respect to special procedures. The President assured mandate holders that he would continue the practice of the previous President of inviting them to all special sessions, through the Coordination Committee.

## **VI. WORKING METHODS**

### **A. Strengthening the effectiveness of the special procedures: a joint report on communications**

24. Participants were briefed by the Secretariat on the steps taken so far to produce a joint report on communications. Following the discussion on a common report at the fifteenth annual meeting collated on a country-by-country basis, the Secretariat had examined the technical and substantive issues that such a report would entail. Provided the upgrading of the thematic database was completed by September 2009, the first joint communications report could be submitted in September 2010.

25. It was agreed that such a report would harmonize the working methods of mandate holders reporting on the same communications to the Human Rights Council; avoid unnecessary duplication of work; reduce some mandate holders' and staff workload or free up time for work on other substantive issues; streamline documents; permit the examination and an assessment of cross-cutting human rights issues; and ensure that the content of communications and any follow-up given to them would feed into the UPR process more effectively.

26. Mandate holders decided to produce a joint communications report, under the guidelines suggested by the Secretariat.

### **B. The universal periodic review mechanism and the special procedures**

27. The Secretariat briefed participants on UPR and its relevance to the special procedures. The third, fourth and fifth sessions of the Working Group on the Universal Periodic Review had been held over the last year with 16 countries reviewed at each session. Special procedures' recommendations and other information had been included in the compilation reports prepared by OHCHR. Several were referred to by States during the interactive dialogue with the States under review. A number of recommendations were included in the reports of the sessions and expressly accepted by the States under review.

28. It was noted that UPR had given more visibility to special procedures and provided an additional channel for a number of special procedures' recommendations to be raised in the Council. The interactive dialogue and recommendations made by States might, inter alia, rely on issues raised by special procedures.

29. An added value of the UPR sessions for special procedures was the commitment of States to increased cooperation with special procedures, inter alia the extending of country visit invitations, standing invitations to special procedures mandate holders and the implementation of specific recommendations. Such commitment had been observed to varying degrees. In addition, the wealth of information contained in the country-related UPR documents prepared prior to the sessions could also be used by special procedures to inform themselves about the findings of other United Nations human rights mechanisms as well as NGOs and United Nations organizations. It was suggested that those documents could guide special procedures when engaging with countries, and that UPR final reports could serve as a tool for mandate holders to reinforce specific recommendations. Mandate holders were encouraged to consider the UPR calendar in scheduling visits to countries, consult UPR documents prior to their missions and use



recommendations contained in the UPR reports in future communications. It was noted that the UPR process would be subject to review in the context of the review of the Human Rights Council by the General Assembly.

30. Participants also discussed challenges, noting that UPR was complementary to and not a substitute for existing mechanisms. Its outcomes should not supplant those recommendations of specific mandate holders which were either not included in recommendations accepted by the State, or not considered by the Working Group or the plenary. It was stressed that UPR follow-up by mandate holders should not infringe upon their independence.

**C. Lessons learned and recent developments in relation to common approaches to human rights situations: follow-up to the fifteenth annual meeting and developments in 2008/09**

31. Mandate holders had a discussion of their working methods, in particular common approaches to human rights situations, following up on a discussion started at the fifteenth annual meeting.

32. Participants noted the responsibility of all special procedures, as mandated by the Council, to take effective measures to enhance the promotion and protection of human rights, and discussed providing guidance to the Coordination Committee in developing a more systematic approach to situations where collective responses by special procedures could be justified and desirable while not pre-empting ongoing joint action by some mandate holders. The Committee was requested to keep in mind that such situations should be particularly serious ones involving gross and systematic violations of human rights, including war crimes, crimes against humanity, genocide, or the risk of those violations; or situations in which other serious violations of human rights were being committed or threatened and which cut across a wide range of rights as provided in the Universal Declaration of Human Rights; or in cases where the ability of mandate holders to pursue their work was being obstructed, or their independence jeopardized.

**D. Planning and resources**

33. Participants were briefed on interpretation by officials from the Interpretation Service of the Conference Services Division of the United Nations Office at Geneva. It was noted that while the workload had been steadily growing and country missions represented a challenge, considerable progress had been achieved. Close and constructive cooperation with the Secretariat was welcomed. The use of the Guidelines Regarding Interpretation Services during Missions with Human Rights Mechanisms was encouraged. For cooperation to be successful, attention must be paid to the mission's preparatory stage and to time management. Overly long working hours could compromise the quality of the interpretation, in particular in politically and security-sensitive missions.

34. Mandate holders commended the quality and professional services provided by the interpreters, noting their crucial support. Participants also noted that different missions had different requirements and arrangements should therefore be flexible. Good practices were shared during the dialogue, such as the use of portable equipment.

35. Representatives of the OHCHR Communications Section briefed the participants on the importance of public-friendly news releases and their strategy to improve the media profile of special procedures. During the exchange of views, participants discussed issues relating to the timing and outreach of news releases and their effects on and consequences for country missions. Suggestions for the effective use of other communications tools were also discussed.

36. Participants were briefed on financial resources and related country-visit planning by the OHCHR Chief of the Programme Support and Management Services and the Chief of the Finance and Budget Section, and discussed a number of specific issues relating to administrative support to mandate holders in the area of travel and medical insurance. It was highlighted that activities and responsibilities given to special procedures by the Human Rights Council had increased and had mostly had to be absorbed within existing resources.

37. Mandate holders discussed logistical issues in relation to the exercise of their mandates, as well as queries regarding visa and identification documents. The Secretariat gave an update on the progress and negotiations with partners towards improvement of travel-related and financial matters.

## **VII. INTEGRATING HUMAN RIGHTS APPROACHES AND MECHANISMS INTO THE WORK OF THE SPECIAL PROCEDURES**

### **A. Protection of victims and witnesses**

38. Participants discussed the protection of victims and witnesses as well as human rights defenders who cooperated with the special procedures. They noted that this issue touched upon the core of the work of special procedures and underlined the importance of ensuring that persons who assisted in fact-finding and in submitting reports about human rights violations were not subjected to reprisals. Whereas all mandate holders had the responsibility not to do any harm, as set out in a number of guiding documents, it was noted that the main responsibility for protection lay with States.

39. Participants shared experiences and good practices in that regard, including obtaining the consent of victims and witnesses to the extent possible, and the mechanism of letters as a means of prompt intervention. Participants highlighted the principle of informing the source of the different options available for the use of the information they provided, one being anonymity. They noted the dichotomy between the expectations of people willing to cooperate with them and their lack of means to provide security to witnesses and victims of reprisals. The attention of the Secretary-General had been drawn to this issue. Participants also noted the importance of raising awareness among United Nations field staff and non-State actors during country visits. The need for guidelines, inter alia for mandate holders, was discussed, including on the question of child victims of reprisals.

### **B. Human rights and climate change**

40. Participants heard a briefing by a representative of the Center for International Environment Law on a human rights approach to addressing climate change. He noted the challenge of the need to both address climate change and ensure the realization and protection of human rights, which required mechanisms and processes for mainstreaming

based on the understanding of human rights adding value and contributing to efforts on climate change. He invited the special procedures to take a more proactive role with regard to this issue. Mandate holders also had a private discussion on human rights and climate change.

41. Participants expressed their grave concern about the impact of climate changes as a threat cutting across many of the human rights addressed by their mandates. While several mandates were taking up the issue of climate change, participants noted a lack of a common strategy and resources in addressing the issue in an effective and systematic manner. They also underlined the importance of taking a more human rights-based approach to the issue by giving priority to the rights of the most vulnerable and, inter alia, encouraging technology transfer in order to combat climate change.

### **C. Human rights and disabilities**

42. Participants had an exchange of views with the Chair of the Committee on the Rights of Persons with Disabilities, Mohammed Al-Tarawneh, who said that the adoption of the Convention marked a new era in which persons with disabilities would no longer have to suffer from an unequal application of human rights, but positive measures were essential to enable persons with disabilities to enjoy their human rights on equal terms with the other members of society. He welcomed the fact that the special procedures had included disability issues in their agenda and noted that his Committee was considering including a specific reference to cooperation with the special procedures in its working methods.

43. Participants welcomed the adoption of the Convention and the creation of the Committee on the Rights of Persons with Disabilities. They noted the need to include attention to the rights of persons with disabilities in their mandates and to create enhanced avenues for cooperation. Mandate holders raised issues regarding the vulnerability of impaired children; victims of terrorism facing disabilities; the possibility of persons with disabilities to exercise their legal capacity; persons with disabilities in conflict or post-conflict situations suffering traumatic stress or who had become physically disabled as result of a conflict. Participants also expressed their readiness to cooperate with the Committee.

## **VIII. COOPERATION WITH HUMAN RIGHTS TREATY BODIES**

44. Participants held their annual exchange of views with the chairpersons of treaty bodies on questions relating to the coordinated follow-up to special procedures' and treaty bodies' recommendations, including in the context of UPR. The meeting was co-chaired by the Chair of the Committee on the Elimination of Discrimination against Women, Naéla Gabr.

45. The need for and importance of mutual cooperation was highlighted. The mandates of the special procedures and the treaty bodies included cross-cutting issues and they should mutually support each others' roles, joining in initiatives in order to enhance the indivisibility of human rights. Treaty body chairs suggested that special procedures mandate holders during their country visits should support the signature and ratification of the conventions and their optional protocols, and remind States of their reporting obligations. The need to institutionalize and mainstream the follow-up of recommendations of special procedures and treaty bodies, as well as those made in the framework of UPR, was discussed. Treaty body chairs also noted that

reports of special procedures, in particular country mandates, were sources of valuable information for the examination of State party reports and called for a more active and continuous dialogue in that regard.

46. Participants highlighted the importance of the committees' general comments in their work. New dimensions or focus areas should be included in the work of special procedures, for example, migration, in particular by the mandate holders on housing and trafficking; children living in prisons with parents; considering people in conflict and post-conflict situations as victims of discrimination; torture and inadequate housing; and the situation of people with disabilities.

47. Mandate holders suggested to the treaty bodies the progressive development of human rights law and concepts, including through the consideration of human rights and climate change, the food crisis, biofuels, the financial crisis and other matters. The treaty bodies intended to continue to invite mandate holders to participate in regular sessions of the committees and to include them in the committees' activities and thematic debates.

## **IX. CONSULTATIONS WITH STAKEHOLDERS**

### **A. Consultations with non-governmental organizations and national human rights institutions**

48. Participants held a discussion with representatives of civil society and national human rights institutions who had been invited to discuss increased interaction to strengthen follow-up to the work of the special procedures, including communications, country visits and thematic studies. Both mandate holders and civil society representatives highlighted the importance of a joint effort to better assess human rights situations and the implementation of recommendations made by special procedures, treaty bodies and other human rights mechanisms.

49. All the representatives of civil society and national human rights institutions expressed their strong support for the special procedures system. Among the various issues raised were the relationship between special procedures mandate holders and the Human Rights Council; transparency and objectivity in the proceedings of the consultative group for the selection of mandate holders; the need for a follow-up mechanism for recommendations; reprisals against individuals cooperating with United Nations mechanisms; the need to consult local NGOs and NHRIs concerning country visits; the commitment of States to implement recommendations; the mainstreaming of thematic mandates; and the impact of climate change on the enjoyment of human rights.

50. A representative of the International Coordinating Committee of National Human Rights Institutions and the Head of the National Institutions Unit of OHCHR emphasized the fundamental role of NHRIs in promoting the effective implementation of recommendations resulting from international mechanisms in a coordinated manner. The need to further develop the involvement of mandate holders in all the phases of the partnership between NHRIs and special procedures, including the preparation and conduct of country visits, the presentation of reports by special procedures at the Human Rights Council and in the context of UPR, was raised.

51. Mandate holders emphasized the crucial role of civil society and NHRIs in the work of the special procedures, in particular during country visits. National institutions and civil society in the field were in a good position to support follow-up and implementation of the recommendations. Mandate holders discussed the suggestion that civil society and special procedures should interact more with the UPR process. On the relationship of special procedures with the Council, mandate holders highlighted the need to strengthen support for the independence and effectiveness of the Council; they noted positive experiences and added that the President of the Council had welcomed their involvement in special sessions. Participants also encouraged NHRIs and NGOs to broaden their scope of support to the mechanisms.

### **B. United Nations bodies and regional organizations**

52. Marta Santos Pais, the newly appointed Special Representative of the Secretary-General on violence against children, presented her priorities in an exchange of views with mandate holders, highlighting the framework provided by the recommendations of the United Nations Study on Violence against Children and emphasizing the importance of mainstreaming the agenda at the national level, achieving change in legislation to ban all forms of violence against children, and promoting data collection and analysis in every country. She stressed the need for close collaboration with stakeholders, consolidating partnerships with United Nations organizations and with human rights bodies and mechanisms. She emphasized in particular collaboration with special procedures, anticipating the promotion of synergies across mandates, the sharing of information, the identification of good practices, and the cross-fertilization of experiences to prevent and combat all forms of violence against children.

53. Participants expressed their intention to work in close collaboration with her office and noted that as a cross-cutting issue, violence against children would be addressed by various mandates, requiring close cooperation.

54. The Special Adviser to the Secretary-General on the Prevention of Genocide, Francis Deng, briefed participants on the inclusive and comprehensive approach of his mandate. He noted that sovereignty and the responsibility to protect were responsibilities primarily of States; in case of failure of the State to protect, intervention might be required from the international community. The mandate also constituted an early warning mechanism as the Special Adviser made recommendations to the Secretary-General and, through him, to the Security Council. Denial by perpetrators and those who had the responsibility to protect was one of the main challenges.

55. The Special Adviser was developing a framework for analysis as a basis for gathering information while giving Governments an opportunity for self-examination. That framework would help identify best practices. Mr. Deng expressed his desire to work closely with special procedures and to invite them to participate in consultations and training organized by his office. He noted that there was a need for more sustainable and systematic cooperation, synergizing with special procedures.

56. Mandate holders expressed their readiness to cooperate with the Special Adviser. Participants were interested in indicators that would determine the need for a measure beyond monitoring. They also discussed the role of the State as a determining factor in the propagation of violence which affected the most vulnerable, and noted that a common phenomenon of genocides was the absence of the rule of law resulting in the aggravation of disparities.

**Annex**

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

**Thematic mandates**

Special Rapporteur on adequate housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context

Rachel Rolnik (Brazil)\*

Chairperson-Rapporteur of the Working Group on People of African Descent

Joe Frans (Sweden)

Chairperson-Rapporteur of the Working Group on Arbitrary Detention

Manuela Carmena Castrillo (Spain) - represented by Mr. Malick El Hadji Sow, Vice-Chair (Senegal)\*

Special Rapporteur on the sale of children, child prostitution and child pornography

Najat M'jid Maalla (Morocco)\*

Special Rapporteur on the right to education

Vernor Muñoz Villalobos (Costa Rica)\*

Chairperson-Rapporteur of the Working Group on Enforced or Involuntary Disappearances

Santiago Corcuera (Mexico)\*

Independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights

Cephas Lumina (Zambia)\*

Special Rapporteur on extrajudicial, summary or arbitrary executions

Philip Alston (Australia)

Independent expert on the question of human rights and extreme poverty

María Magdalena Sepúlveda (Chile)\*

Special Rapporteur on the right to food

Olivier De Schutter (Belgium)\*

---

\* Attended the meeting.

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Frank William La Rue Lewy (Guatemala)\*

Special Rapporteur on freedom of religion or belief

Asma Jahangir (Pakistan)\*

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

Anand Grover (India)\*

Special Rapporteur on the situation of human rights defenders

Margaret Sekaggya (Uganda)\*

Special Rapporteur on the independence of judges and lawyers

Leandro Despouy (Argentina)\*

Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people

James Anaya (United States of America)

Representative of the Secretary-General on the human rights of internally displaced persons

Walter Kälin (Switzerland)

Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

Shaista Shameem (Fiji) - represented by Najat Al-Hajjaji, member (Libyan Arab Jamahiriya)

Special Rapporteur on the human rights of migrants

Jorge Bustamante (Mexico)\*

Independent expert on minority issues

Gay McDougall (United States of America)\*

Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

Githu Muigai (Kenya)\*

Independent expert on human rights and international solidarity

Rudi Rizki (Indonesia)\*

Special Rapporteur on contemporary forms of slavery, including its causes and consequences

Gulnara Shahinian (Armenia)\*

Special Rapporteur on the protection and promotion of human rights and fundamental freedoms while countering terrorism

Martin Scheinin (Finland)\*

Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Manfred Nowak (Austria)\*

Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights

Okechukwu Ibeanu (Nigeria)\*

Special Rapporteur on trafficking in persons, especially in women and children

Joy Ngozi Ezeilo (Nigeria)\*

Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises

John Ruggie (United States of America)

Special Rapporteur on violence against women, its causes and consequences

Yakin Ertürk (Turkey)\*

Independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation

Catarina de Albuquerque (Portugal)\*

### **Country mandates**

Independent expert on the situation of human rights in Burundi

Akich Okola (Kenya)\*

Special Representative of the Secretary-General for human rights in Cambodia

Surya Prasad Subedi (Nepal)\*

Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea

Vitit Muntarbhorn (Thailand)\*

Independent expert on the situation of human rights in Haiti

Michel Forst (France)\*

Special Rapporteur on the situation of human rights in Myanmar

Tomás Ojea Quintana (Argentina)\*

Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967

Richard Falk (United States of America)\*



Independent expert on the situation of human rights in Somalia  
Shamsul Bari (Bangladesh)\*

Special Rapporteur on the situation of human rights in the Sudan  
Sima Samar (Afghanistan)

**Other**

Special Adviser to the Secretary-General on the Prevention of Genocide  
Francis Deng\*

Special Representative of the Secretary-General on violence against children  
Marta Santos Pais\*

Special Representative of the Secretary-General on Children and Armed Conflict  
Radhika Coomaraswamy

-----