



**Economic and Social  
Council**

Distr.  
GENERAL

E/CN.4/2003/6  
22 August 2002

Original: ENGLISH

---

COMMISSION ON HUMAN RIGHTS  
Fifty-ninth session  
Items 4 and 18 of the provisional agenda

**REPORT OF THE UNITED NATIONS HIGH COMMISSIONER  
FOR HUMAN RIGHTS AND FOLLOW-UP TO THE WORLD  
CONFERENCE ON HUMAN RIGHTS**

**EFFECTIVE FUNCTIONING OF HUMAN RIGHTS  
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 Commission on Human Rights the report on the ninth meeting of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory services programme, which took place in Geneva from 24 to 28 June 2002.

**Annex**

**REPORT ON THE NINTH MEETING OF SPECIAL RAPPORTEURS/  
REPRESENTATIVES, EXPERTS AND CHAIRPERSONS OF  
WORKING GROUPS OF THE SPECIAL PROCEDURES OF THE  
COMMISSION ON HUMAN RIGHTS AND OF THE ADVISORY  
SERVICES PROGRAMME**

**Geneva, 24-28 June 2002**

**Rapporteur: Ms. Marie-Thérèse Kéïta-Bocoum**

**CONTENTS**

	<u>Paragraphs</u>	<u>Page</u>
Summary .....		4
Introduction .....	1 - 4	5
I. ORGANIZATION OF WORK .....	5 - 13	5
A. Opening statement by the High Commissioner for Human Rights .....	5 - 9	5
B. Opening of the meeting and address by the Chairperson of the eighth meeting .....	10 - 11	6
C. Election of officers for the ninth meeting .....	12	6
D. Adoption of the agenda .....	13	6
II. EXCHANGE OF EXPERIENCES AND INFORMATION AMONG SPECIAL PROCEDURES MANDATE-HOLDERS.....	14 - 16	7
III. ENHANCING THE EFFECTIVENESS OF THE SPECIAL PROCEDURES SYSTEM .....	17	8
IV. SUPPORT SERVICES .....	22 - 32	10
A. Documentation .....	22 - 25	10
B. Security .....	26 - 28	11
C. Administrative issues .....	29 - 32	11

CONTENTS (continued)

	<u>Paragraphs</u>	<u>Page</u>
V. EXCHANGE WITH THE HIGH COMMISSIONER FOR HUMAN RIGHTS AND THE DEPUTY HIGH COMMISSIONER FOR HUMAN RIGHTS .....	33 - 36	12
VI. COOPERATION WITH HUMAN RIGHTS TREATY BODIES .....	37 - 47	14
A. Status of implementation of recommendations by special procedures mandate-holders and chairpersons of treaty bodies .....	39 - 44	14
B. Follow-up to the Durban Declaration and Programme of Action .....	45 - 47	15
VII. THEMATIC DISCUSSION .....	48 - 58	15
A. Participation of special procedures mandate-holders in the work of other United Nations organs, including the Security Council; cooperation with United Nations human rights field presences and other United Nations agencies .....	48 - 51	15
B. Cooperation of mandate-holders with regional organizations .....	52 - 55	16
C. Human rights and corporate responsibility .....	56 - 58	17
VIII. CONSULTATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS .....	59 - 63	18
IX. CONSULTATIONS WITH THE BUREAU OF THE COMMISSION ON HUMAN RIGHTS .....	64 - 68	19
X. MEETING WITH UNESCO REPRESENTATIVES .....	69	20
XI. ADOPTION OF THE CONCLUSIONS AND RECOMMENDATIONS OF THE NINTH ANNUAL MEETING .....	70	20
<u>Annex</u> : List of special procedures of the Commission on Human Rights and the mandate-holders participating in the meeting .....		25

## Summary

The ninth meeting of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory services programme was held in Geneva from 24 to 28 June 2002.

Twenty-nine mandate-holders participated. The participants had discussions among themselves, with the High Commissioner for Human Rights and the Deputy High Commissioner, with the Chairperson and the Expanded Bureau of the fifty-seventh session of the Commission, and with interested non-governmental organizations.

The participants exchanged experiences and information of common concern, in particular with regard to the situation of human rights in the aftermath of the 11 September attacks and the consequent fight against terrorism. Concerns were expressed about the repressive actions taken by several countries and the repercussions of these actions on vulnerable groups, including indigenous peoples and migrants.

Discussions begun at earlier meetings concerning the status of mandate-holders within the United Nations system were pursued. Other topics discussed were improving the support of mandates; responding to emergencies; establishment of a Quick Response Desk/Team; development of a thematic database and improved follow-up to recommendations.

Difficulties encountered with regard to documents were addressed. The mandate-holders were made party to the new restrictions on the length and dates of submission of documents, which were to be strictly enforced by the secretariat. Participants expressed serious concern with regard to the limited time they had been allocated to present their reports to the Commission.

A joint meeting was again held with chairpersons of the human rights treaty bodies, which discussed the status of implementation of recommendations by special procedures, and the follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and implementation of the Durban Declaration and Programme of Action.

The thematic discussion focused on cooperation with other United Nations organs, in particular the Security Council, and bodies, particularly in the field, and cooperation with regional organizations. The issue of human rights and corporate responsibility received special attention.

An exchange was held with a high-level official of the United Nations Educational, Scientific and Cultural Organization.

The meeting adopted conclusions and recommendations.

## **Introduction**

1. Since 1994, annual meetings of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures and the advisory services programme of the Commission on Human Rights have been organized as a follow-up to the World Conference on Human Rights. The Vienna Declaration and Programme of Action 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 (Part II, para. 95).
2. The ninth meeting of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures and the advisory services programme of the Commission on Human Rights was held in Geneva, from 24 to 28 June 2002. It had before it a provisional agenda with annotations and a series of documents prepared by the secretariat.
3. A list of the special procedures of the Commission on Human Rights is provided in appendix I and the list of participants at the ninth annual meeting in appendix II.
4. Following past practice, representatives of the Bureau of the fifty-eighth session of the Commission on Human Rights were invited to participate in the deliberations on agenda items. Pursuant to a recommendation made at the seventh annual meeting, participants also held a joint meeting with participants of the fourteenth meeting of chairpersons of the treaty bodies.

## **I. ORGANIZATION OF WORK**

### **A. Opening statement by the High Commissioner for Human Rights**

5. In her opening statement, the High Commissioner paid tribute to the outgoing Chairperson, Maurice Glèlè-Ahanhanzo, and to Abid Hussain, whose tenures would soon end.
6. The High Commissioner noted the challenges of the last year after the terrorist attacks of 11 September and the urgent need to continue to reinforce all efforts to strengthen the international human rights protection system. She referred to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban last year in which a number of mandate-holders had been actively involved. She urged all mandate-holders to reflect on how they could be part of the follow-up process to Durban so that the results achieved during the conference could become part of a global campaign leading to changes in people's lives.
7. The High Commissioner also referred to the challenges of the fifty-eighth session of the Commission on Human Rights, both at the substantive and organizational level, and to the different approaches adopted by mandate-holders to deal with the restrictions imposed. She encouraged mandate-holders to strengthen their efforts to ensure that the Commission continued to play an essential role as a forum to protect human beings against gross human rights violations. Positive results of the session included a resolution establishing the mandate of a special rapporteur on the right to health; the decision to create an open-ended working group to reflect on the development of an optional protocol to the International Covenant on Economic,

Social and Cultural Rights; the adoption of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment; and the call for an open-ended working group to prepare a new instrument on enforced or involuntary disappearances.

8. The High Commissioner drew the attention of mandate-holders to an internal document, adopted by the Management Board of her Office with a view to clarifying, for the benefit of all, the respective responsibilities of the special procedures mandate-holders and OHCHR.

9. Lastly, the High Commissioner stressed the important role of the special procedures mechanisms and the increasing awareness about their work within civil society, the United Nations system, as well as regional organizations. The High Commissioner concluded by expressing her gratitude to participants for their support to her during her tenure and thanked them for their commitment to the promotion and protection of human rights.

#### **B. Opening of the meeting and address by the Chairperson of the eighth meeting**

10. The meeting was opened by Maurice Glèlè-Ahanhanzo, the Chairperson of the eighth meeting. In his introductory statement, Mr. Glèlè-Ahanhanzo highlighted the main activities of common interest to all rapporteurs held during the past year. He noted in particular the Durban World Conference and stressed the role that mandate-holders could play with regard to the implementation of the Durban Declaration and Programme of Action.

11. Mr. Glèlè-Ahanhanzo also made reference to the tragic events of 11 September and the challenges of the war against terrorism. He recalled the important initiative of a joint press release issued by 17 special rapporteurs on 10 December 2001, in which States were reminded of their obligation to uphold fundamental freedoms. He also made reference to the International Consultative Conference on School Education in Relation with Freedom of Religion and Belief, Tolerance and Non-Discrimination (Madrid, 23-25 November 2001) initiated by Abdelfattah Amor, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the informal meeting of the Commission on Human Rights held in September 2001 and the positive and negative aspects of the fifty-eighth session of the Commission.

#### **C. Election of officers for the ninth meeting**

12. Enrique Bernales Ballesteros was elected Chairperson and Marie Thérèse Kéïta-Bocoum was elected Rapporteur of the ninth meeting.

#### **D. Adoption of the agenda**

13. The meeting adopted the following agenda:

1. Organization of work:

(a) Introductory statement by the Chairperson of the eighth annual meeting;

- (b) Election of officers;
  - (c) Adoption of the agenda.
2. Exchange of experiences and information among special procedures mandate-holders.
  3. Enhancing the effectiveness of the special procedures system.
  4. Support services.
  5. Discussion and exchange with the High Commissioner for Human Rights and the Deputy High Commissioner for Human Rights.
  6. Cooperation with human rights treaty bodies.
  7. Thematic discussion:
    - (a) Participation of special rapporteurs in the work of the United Nations organs;
    - (b) Cooperation by mandate-holders with regional organizations;
    - (c) Human rights and corporate responsibility.
  8. Consultations with NGO representatives.
  9. Consultations with the Bureau of the Commission on Human Rights.
  10. Meeting with UNESCO representatives.
  11. Preparation, discussion and adoption of the report on the ninth annual meeting.

## **II. EXCHANGE OF EXPERIENCES AND INFORMATION AMONG SPECIAL PROCEDURES MANDATE-HOLDERS**

14. Under this agenda item, participants were encouraged to share information on practices they believed could be of interest to others in the discharge of their mandates. Participants had an exchange with regard to the perceived decreased interest by the Commission on Human Rights in the work of the special procedures mechanisms, an issue of concern to all mandate-holders who noted that the dialogue with members of the Commission was at times limited. They noted in particular that the time allowed them for the presentation of their reports was severely cut and questioned how they could engage in a constructive and serious dialogue with the Commission under such circumstances. Sometimes their reports were not even published before the relevant agenda item was discussed. More joint actions to better involve Governments in their areas of work and more opportunities for interaction with delegations were

necessary. The need to take a collective stand on specific human rights issues was also stressed by some mandate-holders. Participants agreed that they should find creative ways to increase the interest of Governments in their work and to strengthen their cooperation with international and national NGOs and the media.

15. The collateral damage of the events of 11 September was discussed. It was essential to fight terrorism, but how those events had affected respect for international law and human rights should be analysed. Concerns about very repressive actions in a number of countries were raised and the vulnerability of indigenous peoples, migrants and other groups was highlighted. Mandate-holders expressed great interest in strengthening their cooperation in this regard, signing joint letters of appeal and/or undertaking joint actions.

16. Examples of interaction between thematic and country special procedures mechanisms were shared and the importance of sharing information on specific-country situations was also noted. In order to facilitate the work of new mandate-holders, it was suggested that they be given the opportunity to be briefed by outgoing mandate-holders, as well as by relevant staff of the secretariat.

### **III. ENHANCING THE EFFECTIVENESS OF THE SPECIAL PROCEDURES SYSTEM**

17. As requested by participants at the seventh and eighth annual meetings, the draft guiding principles for special rapporteurs (prepared by L. Joinet, P. Kumaraswamy and A. Dieng) had been reviewed and included in the Manual for Special Rapporteurs, the new text of which was made available in English, French and Spanish.

18. The OHCHR Legal Adviser briefed participants about the latest developments with regard to the Proposed regulations governing the status, basic rights and duties of officials other than Secretariat officials and experts on missions. A note detailing those developments was circulated. Comments made by mandate-holders at the eighth meeting had been brought to the attention of the Under-Secretary-General for Legal Affairs. Revised proposed regulations were considered by the Fifth Committee of the General Assembly at its fifty-sixth session. Following informal meetings of the Fifth Committee, during which several issues raised by Committee members were clarified (in particular on the need to explicitly reflect the independence of the mandate-holders), the General Assembly adopted the proposed regulations by its resolution 56/280 of 27 March 2002.

19. Participants had before them a note by the secretariat on the status of implementation of the recommendations contained in the study prepared by Mona Rishmawi and Thomas Hammarberg, which provided updated information on the following five main recommendations made in the study:

(a) Improving the support of mandates - strengthening the Office: participants noted the continuing efforts, in particular by the High Commissioner, to enhance the support to the mandate-holders for the implementation of their mandates. On the other hand, concern was also expressed that the scarcity of resources had a direct impact on the assistance that could be expected;



(b) Responding to emergencies: participants noted the recent establishment of an in-house Permanent Task Force on Emergencies (PTFE) to advise the High Commissioner on a broad range of policy issues, as well as on how to respond to emerging situations. The initiative was welcomed as a useful means for the High Commissioner to define her policy on specific issues;

(c) Establishment of a Quick Response Desk/Team (QRD/T): participants were informed about the activities of the QRD/T and efforts to coordinate actions among mandate-holders. Some mandate-holders expressed an interest in developing better links between economic, social and cultural rights mandate-holders and the QRD/T. Participants were informed that the QRD/T consisted of one officer and one data entry operator within the Thematic Mandates Team of the OHCHR Activities and Programmes Branch;

(d) Development of a thematic database: the need for OHCHR to develop a conceptual framework for urgent appeals to address human rights violations, as specified in the relevant resolutions of the Commission on Human Rights, was also highlighted. The question of the criteria used to decide what was an urgent appeal was also raised. The value and importance of joint actions by two or more mandate-holders was acknowledged by participants, in particular in situations in which the impact of separate actions would be limited. It was explained that the database was a prototype that needed to be further developed and was used mainly to generate urgent appeals for country and thematic mandate-holders who had developed their own conceptual framework for urgent interventions, and that was available to others who were in the process of developing their working methods in that regard. It was agreed by participants that the secretariat should continue to develop the database to include mandates that related to economic, social and cultural rights;

(e) Improved follow-up to recommendations by special procedures: concern was raised about the lack of coordination among mandate-holders. The example was given of a serious situation of human rights violations in a particular country concerning which a special rapporteur had tried to coordinate a joint action, but with only limited results. It was suggested that mandate-holders should consider bringing specific situations to the attention of the Commission each year. The need for guidelines for follow-up actions was raised. Several mandate-holders shared their experiences with regard to the follow-up of recommendations, describing the role that the United Nations agencies and OHCHR field presences could play at the local level and the role of NGOs and the media. Participants agreed that it was important to participate in as many public forums as possible and urged the secretariat to facilitate such participation.

20. The Guidelines regarding the working relations between the special procedures mandate-holders and OHCHR staff were introduced by the Chief of the Activities and Programmes Branch, who explained that the main purpose of this internal document was to clarify the responsibilities of the mandate-holders and those of OHCHR staff. Particular reference was made to the clarification of practical issues on reporting, preparation of missions, official communications, etc. Issues raised during the ensuing debate included a possible misinterpretation of the principle of independence of mandate-holders in paragraph 9 (b) (ii) of the text; the deadline for the submission of reports to the Commission on Human Rights and/or the General Assembly; the drafting of official correspondence directly by the special rapporteurs

and their relations with the media; as well as the issue of fund-raising. Mandate-holders questioned the overall nature of the document and suggested that the title be changed to "Guiding Principles". After clarifications by the secretariat mainly relating to the purpose of the document and assurances that their independence was not being questioned, it was agreed that mandate-holders would provide their views on the document in writing as soon as possible to the secretariat, and that a revised version would be circulated at the tenth meeting.

21. A representative of the Policy Planning and Methodology Unit briefed participants about the Office's interest in developing its policy and methodology for the protection of witnesses and other persons cooperating with the United Nations human rights investigative mechanisms. The initiatives under the "Witness protection project" were explained and mandate-holders were invited to comment within two months on the draft text of the "Guidelines for the Protection of Witnesses".

#### **IV. SUPPORT SERVICES**

##### **A. Documentation**

22. The Chief of the Central Planning and Coordination Service and the Chief of the Documents Management Section of the United Nations Office at Geneva briefed participants about United Nations rules and regulations regarding the processing of documentation. An overview was given by the Chief of the OHCHR Support Services Branch about steps being taken jointly by UNOG and OHCHR to address the many difficulties confronted in the processing of reports, in the light of the budgetary and financial constraints faced by the Organization. Particular emphasis was given to three principles applied to the handling of reports of mandate-holders which they were invited to take into consideration:

(a) Length of documents: reports emanating from the secretariat must be no longer than 16 standard pages, and other documents (including those of the special procedures mandate-holders) should not exceed 20 pages;

(b) Date of submission: reports should in principle be submitted not later than 10 weeks prior to the meeting of the intergovernmental body concerned to ensure that they would be available at least 2 weeks prior to the meeting;

(c) "First in first out, last in last out": to ensure that all documents submitted on time are issued on time.

23. Mandate-holders were encouraged to submit their reports in electronic format. A background note on the handling of documentation was circulated by the secretariat.

24. While participants appreciated the efforts being undertaken by OHCHR and the Secretariat, they expressed serious concern about the documents processing service and the way in which the rules were applied. For example, because of the deadlines imposed, when reports were issued the information was completely outdated. Strong appeals for the rules to be applied

on an equal basis were made by various mandate-holders. In a number of cases, mandate-holders who had submitted their reports on time and had also respected the length restrictions had not had their reports published in time for the session of the Commission. There was also a problem with the translation of reports into all official languages in a timely manner, even where mandate-holders had made every effort to respect the rules.

25. The Chief of the Support Services Branch reaffirmed the serious commitment of OHCHR to find practical solutions to the problems raised by the mandate-holders in this regard. She informed mandate-holders about the recent creation of the Documents Processing Unit and a Documents Board to ensure the implementation of the rules and to take policy decisions on practical issues that might come up. Concrete proposals for the improvement of the processing, as well as the distribution and dissemination, of the reports were also made. It was suggested that the possibility of distributing reports by e-mail should be studied. The posting of reports on the OHCHR web site was seen as a positive initiative.

### **B. Security**

26. The Chief of the OHCHR Security Unit gave an overview of the United Nations Security Management System. The main task of the Security Unit was to facilitate the work of all staff (including experts on missions) and ensure that it was done in conditions of safety. The responsibility of the host Governments for the security of staff was emphasized. Participants were briefed about the procedures and regulations applicable to them when undertaking missions.

27. Other important issues raised in this regard included the need for staff to be aware of the security situation in particular countries and the role of the United Nations security officers in the field. An electronic training package on security matters would be available towards the end of 2002. The problems of kidnapping and hostage-taking were also mentioned.

28. Concerns regarding the use of government transportation, the conduct of visits to places declared to be in security phases 3 to 5, the frequent, unexpected changes in the visit programmes and the insurance coverage in such situations were also raised. Previous to undertaking any mission, the mandate-holders should inform the Security Unit of their travel plans and movements within the country. A briefing note describing the security system and copies of a handbook on the security of staff were made available in English, French and Spanish.

### **C. Administrative issues**

29. The Head of the OHCHR Fundraising Unit gave a general overview of funding initiatives. Particular reference was made to the annual appeal process and the allocation of funds. A distinction was made between the regular budget and extrabudgetary funding. Mandate-holders were also informed about the total amount of funds allocated to the Office under the regular budget this year and the additional funds required by the Office.

30. The complexity of the funding requirements and the resources available to the special procedures mandates was explained, emphasizing the importance of unearmarked contributions to OHCHR. Given the gaps between funding requirements and resources, mandate-holders were encouraged actively to promote their work when meeting with representatives of donor countries; however, concrete negotiations for the funding of their activities was to be left to OHCHR.

31. Concerns raised by mandate-holders with regard to the limited funds made available to them for carrying out missions, as well as the unequal distribution of resources to different mandates, were addressed by the Chief of the OHCHR Administration Section. Various rapporteurs noted discrepancies in the number of missions they could undertake and cited difficulties encountered in planning missions without knowing what financial resources would be available. Mandate-holders were invited to establish a workplan, including missions, together with OHCHR staff within the substantive Branch servicing their mandate. Mandate-holders were informed about the number of missions normally included in the annual budget for mandates, and they took note of a document on travel of special rapporteurs and independent experts presented by the OHCHR Administration Section.

32. In terms of the creation of new or the extension of existing mandates and their financial implications, the Chief of the Administration Section explained that the Office ensured that the budgetary implications of the draft resolutions were made known to all concerned before the resolutions were adopted. However, owing to various circumstances, the financial implications were either not considered or the funds were not allocated to the Office for the mandate concerned. Participants were also informed that with the most recent cuts in the current biennium's regular budget, allocations, for example for the travel of mandate-holders, had been significantly reduced. In terms of the flexibility that could be applied to the rules, mandate-holders were informed that as a department of the United Nations Secretariat, OHCHR was obliged to observe the United Nations financial rules and regulations.

## **V. EXCHANGE WITH THE HIGH COMMISSIONER FOR HUMAN RIGHTS AND THE DEPUTY HIGH COMMISSIONER FOR HUMAN RIGHTS**

33. Participants had the opportunity to have an open exchange with the High Commissioner and the Deputy High Commissioner on several important issues, in particular, the last session of the Commission on Human Rights and the human rights challenges in the years to come and the role that special procedures mandate-holders could play in that regard. Progress at the international level on human rights issues was highlighted. One mandate-holder recalled that throughout history great changes had occurred as a consequence of great tragedies; the current situation should be seen as a challenge to create an environment in which human rights were fully respected. In response to the request by the Secretary-General to share her views about what the priorities of the United Nations in the area of human rights for the next five years should be, the High Commissioner stressed the importance of contributing to the Millennium Goals from a human rights perspective. She also referred to the tenth anniversary of the Vienna Declaration and Programme of Action in 2003 and to the potential of the Internet for the promotion of human rights. The human rights agenda put forward by her Office, and that of special procedures mandate-holders should reinforce the Commission as the leading body for the protection of human rights. She referred to the New Partnership for Africa's Development

(NEPAD) and to the situation of countries which had progressed in the recognition of human rights but faced practical difficulties such as HIV/AIDS, poverty, unemployment, lack of food, natural disasters, etc. The High Commissioner called on everyone to reflect on how to strengthen national capacities for the promotion and protection of human rights. She urged the special procedures mandate-holders to be critical and outspoken in order to strengthen and reinforce the integrity of the human rights system.

34. The response from the human rights community after the tragic events of 11 September was also raised. It was noted that interventions had largely focused on the impact on civil and political rights and that economic and social issues had not been sufficiently addressed. The vulnerability of some groups of people, such as indigenous peoples, migrants, refugees and others, in this regard was also highlighted. Collective actions to address this situation were discussed as was the possibility that a coordinated strategy was needed to continue monitoring the post-11 September trends at the national, regional and international levels. The definition of terrorism was also discussed. It was recalled that an expert of the Sub-Commission was preparing a study to which the mandate-holders could contribute. The High Commissioner noted the importance of preventing further acts of terrorism and violence, and of ensuring that the perpetrators were brought to justice. It was necessary to be more active in calling to the attention of States their obligations under international law. It was important not only to condemn terrorism, but also to denounce steps being taken by some States that were not in conformity with their international obligations. The importance of addressing the causes of terrorism was also discussed. It was suggested that OHCHR could play a role in publicizing positive human rights issues and achievements.

35. The role of the High Commissioner and the Secretary-General in raising human rights on the agenda of the United Nations was highlighted and appreciated by the mandate-holders. Experiences with United Nations Country Teams in various countries and their perception about their engagement on human rights issues at the national level were shared. While some progress had been achieved in that regard there were still large gaps between the expectations and the reality of the United Nations on the ground. The link between humanitarian and development assistance and protection issues was raised, highlighting the responsibility of States to protect their own people. The High Commissioner noted that some progress had also been made by development agencies as well as in the discussion of human rights issues in the globalization process. The importance of developing national capacities for the promotion and protection of human rights was recognized; a resolution on a specific country adopted by the Security Council was mentioned as a good example in that regard.

36. The High Commissioner expressed her strong belief that mandate-holders could facilitate and encourage support for the cause of human rights. In response to specific concerns regarding the internal document on the Office's role in servicing the special procedures mandates, the High Commissioner explained that the document had been drafted in a positive spirit with a view to improving the quality of the support to the special procedures mandate-holders. She expressed her hope that mandate-holders and OHCHR would effectively work as a team.

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

37. The joint meeting with chairpersons of the human rights treaty bodies was co-chaired by Mr. Bernales and Ms. C. Abaka, Chairperson of the Committee on the Elimination of Discrimination against Women.

38. In her remarks the High Commissioner noted that the joint meeting was taking place on the International Day in Support of Victims of Torture (26 June) and referred to the recent approval by the Commission on Human Rights of the draft Optional Protocol to the Convention against Torture. As a sign of support for victims of torture the High Commissioner invited the joint meeting to observe a minute of silence.

### **A. Status of implementation of recommendations by special procedures mandate-holders and chairpersons of treaty bodies**

39. The chairpersons outlined the various ways in which each of their Committees cooperated with the special procedures, principally through the sharing of reports and other information, the participation of mandate-holders in committee meetings, and participation in days of general discussion. A number of chairpersons expressed satisfaction at the highly productive cooperation with a number of special procedures. While it was probably not feasible for the treaty bodies to interact fully with all special procedures, chairpersons expressed the wish that all mandate-holders should consider the relevance of their mandate to the work of the treaty bodies, particularly the treaty bodies with very broad mandates. In that regard, the meeting noted the practice of some treaty bodies of appointing members as focal points to follow the activities of a number of relevant special procedures mandates. Geographic mandate-holders could consider providing information to the various committees in preparation for the consideration of States parties' reports. Mechanisms promoting further cooperation between special procedures and the committees should, as far as possible, be systematic.

40. The issue of availability of resources for increased cooperation was raised. Some participants felt that as there would never be sufficient resources to allow a wholly satisfactory level of interaction between the committees and special procedures, the joint meeting should explore innovative ways to cooperate, such as electronic sharing of information. Others felt that it was important to advocate for increased resources from the existing budgets, noting that face-to-face exchanges of views were generally more effective than the sharing of information and views by e-mail or other correspondence. It was also suggested that special efforts should be made to raise funds for such activities in the OHCHR Annual Appeal. One opportunity for such exchange of information and views would be the participation of relevant special procedures mandate-holders in treaty bodies' days of general discussion.

41. In the meantime, a first step would be to ask OHCHR to send reports issued by the committees and special procedures, including special rapporteurs' mission reports, to other relevant mandates.

42. Both the chairpersons and the mandate-holders considered that it would be useful to share information on scheduled visits to Geneva and New York with a view to facilitating mandate-holders' participation in treaty body meetings.

43. Some mandate-holders expressed disappointment that their attempts to cooperate with treaty bodies had yielded few benefits. The chairpersons reiterated their readiness to cooperate with special procedures and to incorporate special procedure mandates into their work as appropriate.

44. A number of mandate-holders felt that their work would be facilitated were treaty bodies to ask specific questions of States parties relevant to their mandates. They also felt that a common approach to statements on specific issues addressed, for example, to world conferences, would add to the voice of special procedures on the same issue.

### **B. Follow-up to the Durban Declaration and Programme of Action**

45. A member of the OHCHR Anti-Discrimination Unit gave a presentation, the functions and activities of the new Unit, as well as a brief overview of follow-up to the World Conference at the Commission on Human Rights.

46. The chairpersons outlined measures adopted by their respective committee in that regard. A number of chairpersons noted that discrimination was already an issue of relevance to all committees, and the outcome of the World Conference was but a further specific initiative to which they had to pay attention. It was suggested that creative approaches to deal with this question should be identified, such as the drafting by the special procedures of a document outlining their follow-up activities or one by OHCHR which would provide guidance to special procedures on reporting to treaty bodies on follow-up to the World Conference, so as to avoid duplication.

47. The participants underlined the usefulness of the joint meetings and a number requested that the facilities for one full meeting be provided for future joint meetings. It was decided that the sole topic for discussion at the fifth joint meeting would be the phenomenon of globalization as it impacted upon the various mandates of the special procedures and treaty bodies.

## **VII. THEMATIC DISCUSSION**

### **A. Participation of special procedures mandate-holders in the work of other United Nations organs, including the Security Council; cooperation with United Nations human rights field presences and other United Nations agencies**

48. The Rapporteur reported on her experience of briefing the Security Council, under the Arias formula, in her capacity as Special Rapporteur on the situation of human rights in Burundi. The briefing had been organized at the invitation of the Ambassador of Bangladesh to the United Nations. She highlighted the usefulness of the meeting, which stressed the link between peace and security and human rights, as well as the fruitful cooperation established between different mechanisms of the United Nations system, which had led in turn to a stronger involvement of the international community in that specific country situation. She also stressed the importance of the exercise for thematic rapporteurs.

49. The experience of the thematic Special Rapporteur on violence against women was also mentioned. The role of the OHCHR Office in New York in contributing to the dissemination of reports, particularly at the Security Council, was explained in a briefing note presented by the Director of the OHCHR New York Office. A participant noted the ad hoc nature of invitations from Security Council members for briefings under the Arias formula. Special procedures mandate-holders could also speak under the rules of procedure, if invited. It was felt that widespread contacts with the United Nations system and NGOs contributed to making the work of the special procedures mechanisms known. For that reason, it was important to establish contacts during the presentation of the reports to the Commission on Human Rights and the General Assembly. A participant noted that the list of priorities of the Security Council would determine the need for a briefing by the relevant special rapporteur.

50. A paper prepared by the secretariat on the role of United Nations human rights field presences and other United Nations agencies in the follow-up to and implementation of recommendations by special procedures mandate-holders was presented by the Coordinator of the OHCHR Africa Team, Activities and Programmes Branch. The paper was focused on ways to enhance cooperation between special procedures and field presences, including OHCHR offices in the field and regional representatives, United Nations Country Teams (UNCT) and human rights components of United Nations peace missions. As a result of increased cooperation between OHCHR and the field, special procedures mandate-holders now had a variety of first-hand information sources as well as entry points for channelling their recommendations and having them followed up at the country level. Mandate-holders were therefore encouraged to make full use of these sources, including by (a) informing the resident coordinator, the UNCT and any OHCHR field presence well in advance of any trip; (b) meeting with them during the visit; (c) sharing the findings, preliminary conclusions and recommendations with them prior to their finalization, with a view to their incorporation in the advocacy work of the UNCT.

51. An independent expert stressed the importance of field presences, particularly in difficult contexts. He noted that some United Nations agencies were reluctant to be involved in human rights work. A country rapporteur described the good cooperation that he had established with the relevant OHCHR field office, which had become a point of reference for human rights work in the country. While welcoming the large United Nations presence in the country, he stressed the importance of it speaking with one voice.

### **B. Cooperation of mandate-holders with regional organizations**

52. Under this sub-item, the Special Representative of the Secretary-General on human rights defenders, Ms. Hina Jilani, briefed participants on her experience on cooperation with regional mechanisms, including the Inter-American Commission on Human Rights and the African Commission for Human and Peoples' Rights. She referred to her methodology of work, based on a regional perspective, and the importance of coordinating efforts with a view to improving the effectiveness of the special procedures. She reported on successful consultations with the Organization of American States and the OHCHR Regional Representatives within the framework of her mandate aiming at identifying common concerns and defining specific



measures of protection of human rights defenders. She also reported on preliminary consultations with the African Commission aiming at establishing a specific focal point on human rights defenders and possibilities for an early-warning system in other regions, in coordination with bodies such as the Organization for Security and Cooperation in Europe.

53. Mandate-holders agreed on the usefulness of cooperating with regional organizations and several others reported on their own experience with the Inter-American system. The importance of creating specific focal points to address human rights-related issues, strengthening the United Nations system as a whole and enhancing coordination with civil society and NGO networks was highlighted. An OHCHR staff member representing the Latin America and Caribbean Team briefed participants on the latest OHCHR initiatives in the region and referred to a forthcoming meeting with the OAS aimed at improving relations with a view to joint missions with special rapporteurs of the Inter-American Commission and strengthening coordination on technical cooperation, documentation, etc. In this connection, he also referred to a memorandum of intent between OHCHR and the Inter-American Institute of Human Rights.

54. The importance of strengthening protection of local NGOs, which are a key element in the work of special procedures mandate-holders and are often exposed to reprisals, was stressed. It was emphasized that the best protection for human rights defenders is their own network, which should be supported in order to prevent it being isolated.

55. An informal exchange with the Executive Director of the Inter-American Commission on Human Rights, Mr. Santiago Cantón, was held separately by mandate-holders with a view to identifying ways to establish closer cooperation between the regional and international systems. Mr. Cantón gave a general introduction of the inter-American human rights system. Mandate-holders expressed their appreciation to the International Service for Human Rights for its support for the meeting.

### **C. Human rights and corporate responsibility**

56. Under this sub-item, the Adviser to the High Commissioner on corporate responsibility briefed participants on the latest developments within the United Nations system relevant to the issue. A note on these developments was circulated. He referred to a number of initiatives, including: (a) draft articles on the responsibility of States for internationally wrongful acts developed by the International Law Commission, annexed to General Assembly resolution 56/83, providing a legal framework focusing on non-State actors' responsibility and States' responsibility, including by omission; (b) the Doha Declaration adopted at the World Trade Organization (WTO) Ministerial Meeting; (c) the work of the Sub-Commission's working group on transnational corporations, and particularly the set of draft principles of responsibilities which, if adopted, could become a very important framework for special procedures rapporteurs; (d) the development of the Secretary-General's Global Compact initiative. He also referred to the duty of companies to respect human rights and not in any way to be complicit in their violation. He differentiated between different kinds of complicity: direct, tacit, and what has been described as beneficial complicity, where a company may benefit from human rights violations committed by State or non-State actors. The relevance of the topic to the mandate on the situation of human rights and fundamental freedoms of indigenous people was noted and an additional category of structural complicity was proposed.

57. In connection with private security enterprises, it was noted that these were frequently backed by the State and too often appeared not to be liable. In the case of detention facilities run by private companies, it was stressed that both the company and the State should be liable. The concept of beneficial complicity, although controversial, was agreed to be of utmost importance.

58. The blurred dividing line between State and non-State actors and the role of multinational corporations and their different degrees of complicity were mentioned. It was also noted that the framework of complicity appeared to be directed mainly at national-level activities.

### **VIII. CONSULTATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS**

59. Participants met on two occasions with representatives of several non-governmental and related organizations to exchange views, in particular on the interaction between the special procedures mandate-holders and the Commission on Human Rights.

60. NGOs expressed concern at some recent developments in the process leading to the appointment of special procedures mandate-holders. The need for objective criteria to be defined for the appointments was noted.

61. NGOs stressed the importance of follow-up to special rapporteurs' recommendations. The compilation of recommendations made by the Inter-American Commission on Human Rights identifying which of its recommendations had been fully, partially or not implemented, was proposed as a model. The financial implications of such an exercise were raised. It was suggested that Governments be requested to provide information on follow-up action taken, which could then be reflected in the special rapporteurs' reports. The whole United Nations system should be involved in the follow-up to the recommendations. Appreciation was expressed for the role that NGOs played in that regard, and NGOs were encouraged to provide information on follow-up to OHCHR and mandate-holders.

62. Concerning post-11 September, participants agreed that collateral damage had been tremendous and that the situation should be monitored for a more thorough assessment. Attention should be devoted to the definition of terrorism and its impact on economic, social and cultural rights. The observer for the International Committee of the Red Cross warned against devoting time to defining terrorism, which would only detract attention from a more substantive analysis of its impact.

63. Recommendations made by NGOs at the fifty-eighth session of the Commission were referred to, including (a) the need for the dialogue to focus not only on the special rapporteurs' recommendations, but on the whole report; (b) that the secretariat should draw up a list of non-cooperative States as well as a list of recommendations/observations by country, or possibly by theme; (c) that cooperation should be enhanced with a view to disseminating recommendations more widely; (d) that reports should be made available in due time and in all official languages; (e) that some criteria should be set for membership in the Commission on Human Rights (including ratification of all Conventions or full cooperation with human rights mechanisms).

## **IX. CONSULTATIONS WITH THE BUREAU OF THE COMMISSION ON HUMAN RIGHTS**

64. Participants met with the Expanded Bureau of the Commission on Human Rights. H.E. Mr. Krzysztof Jakubowski, Chairperson of the fifty-eighth session of the Commission, addressing the meeting on behalf of the Bureau, welcomed the opportunity once again to exchange views with special procedures mandate-holders. Mr. Jakubowski focused his intervention on the major difficulties with which the Bureau of the fifty-eighth session of the Commission had been faced owing primarily to budgetary cuts and subsequent loss of valuable meeting time and to the fact that the session had devoted an important part of its work to escalating violence in the Occupied Palestinian Territories and the impact of the events of 11 September on the human rights debate. It was emphasized that the procedural measures to cope with the difficult situation, including cuts in the speaking time of special procedures, had been taken on the understanding that those measures were of an exceptional nature, would not constitute a precedent, and would not affect in a discriminatory manner any participant at the session. He also emphasized that intense work was being done by the Bureau to contribute to the review of the working methods of the Commission and in doing so, the importance and particular relationship between the Commission and the special procedures was given a high profile.

65. Participants were particularly asked to reflect on a number of innovative steps that had been suggested to strengthen and enhance the mechanisms, i.e. a special interactive dialogue with mandate-holders during the Commission and the setting up of a tripartite cooperation between special procedures, treaty bodies and the Commission to provide different insights on the state of the protection and promotion of human rights. On behalf of the mandate-holders, the Special Rapporteur on extrajudicial, summary or arbitrary executions recognized the difficult and exceptional circumstances prevailing during the fifty-eighth session. Concern was expressed that the exceptional measures were part of a continuing trend which, if not adequately addressed, would lead to the marginalization of special procedures. A number of mandate-holders expressed particular concern about the limited time given to them to present their findings to the Commission and the very short notice of the changes in time allocation. That fact, it was felt, had contributed to the sidelining of important human rights issues to the benefit of political considerations and priorities.

66. Several mandate-holders emphasized that special procedures emanated from the Commission itself and should as such have a central role in the human rights debate. It was also underlined that at a time when human rights were under strain, the independence of special procedures gave them even greater importance. In that context, it was also urged that the Commission be consistent and vigilant in appointing rapporteurs and experts. Several rapporteurs reiterated their concern about the consequences for the efficiency of the special mechanisms of an increase in the number of mandates without an increase in the resources made available, particularly given the limited resources already available. It was also suggested that the Bureau should play a role in the budgetary process to ensure that adequate resources were given to human rights mechanisms.

67. Some of the participants expressed their support for the suggestions outlined by the Chairperson of the Commission with regard to a special interactive dialogue with mandate-holders during the Commission's session and the setting up of tripartite informal cooperation between special procedures, treaty bodies and the Commission, on the understanding that such a structure would be given adequate support and a clear framework for action. However, most participants objected to any further reduction in the length of their reports and to the suggestion that it might not be realistic or appropriate at this point to require some of the experts to report both to the Commission and the General Assembly.

68. In his closing remarks, Mr. Jakubowski further elaborated on difficulties encountered by the Bureau and invited the participants to work closely with it in order to develop ideas and proposals which would avoid the repetition of the circumstances of the fifty-eighth session of the Commission.

## **X. MEETING WITH UNESCO REPRESENTATIVES**

69. The meeting had an exchange with the UNESCO Assistant Director-General for Social and Human Science, Mr. Pierre Sane, and other UNESCO staff. They briefed participants about the UNESCO comprehensive human rights strategy and activities, planned in cooperation with OHCHR aimed at improving coordination with the treaty bodies and special procedures mechanisms. Particular reference was made to the organization of regional and subregional consultations, human rights education, and training programmes on human rights and democracy (including humanitarian law, electoral assistance, and exchange of information on human rights procedures).

## **XI. ADOPTION OF THE CONCLUSIONS AND RECOMMENDATIONS OF THE NINTH ANNUAL MEETING**

70. The participants welcomed the efforts of the Office to start implementing the recommendations formulated at the eighth meeting. On the basis of its discussions, the meeting formulated the following conclusions and recommendations:

### **Organization of work**

(a) It was agreed that the next meeting should be held, at the latest, during the last half of June of 2003;

(b) It was agreed that the agenda of the tenth meeting should be prepared by the secretariat in close consultation with the Chairperson and the Rapporteur. It was agreed that more time should be devoted to the exchange of experiences among mandate-holders. It was also suggested that time be allocated for separate consultations linked to their respective mandates;

### **Exchange of experiences among special procedures mandate-holders**

(c) It was important to take a collective stand on specific human rights issues. The meeting agreed to strengthen their joint initiatives further, including by continuing to send joint urgent appeals and communications with other thematic and/or country mandate-holders and requested the secretariat to assist them in that regard;

(d) The meeting agreed on the value and importance for new mandate-holders to be briefed by outgoing mandate-holders, as well as by relevant staff members of the secretariat. The meeting recommended that the secretariat facilitate these processes by organizing briefing sessions;

(e) In order to enhance the discussion of issues of common interest, the participants requested that sufficient time be allocated at the next meeting to a thorough exchange between mandate-holders on their methods of work, experiences, or any other matters they might wish to discuss;

### **Enhancing the effectiveness of the special procedures system**

(f) The meeting took note of developments in the implementation of the recommendations contained in the study on the strengthening of the special procedures system of the United Nations human rights programme. The secretariat was requested to report on further steps being taken by OHCHR, taking into consideration the discussion held during the ninth meeting;

(g) The meeting took note of the positive spirit in which the internal OHCHR document "Guiding principles regarding the working relations between special procedures mandate-holders and OHCHR staff" had been prepared, as emphasized by the High Commissioner herself. The meeting agreed that comments made thereon by participants, as well as additional views on the document transmitted in writing by mandate-holders, if so desired, would be considered by the secretariat. It was also agreed that a revised version of the Guidelines would be circulated among mandate-holders for information at the next meeting;

(h) Mandate-holders took note with interest of the "Witness protection project" under implementation by the OHCHR Policy Planning and Methodology Unit and the invitation to mandate-holders extended by the secretariat to provide comments to the draft guidelines for the protection of witnesses, preferably within the next two months;

### **Support services**

(i) Participants agreed that current practices regarding official documentation were not adequate. Mandate-holders stressed the need to ensure that reports that have respected the requirements of length and date of submission were made available, in all official languages, before the meeting of the relevant intergovernmental body. Mandate-holders urged the secretariat to continue to seek viable solutions to the obstacles confronted by mandate-holders with regard to their reporting obligations to the Commission and the General Assembly, in particular with regard to the established deadlines for the submission of reports. It was

recognized that the submission of reports in electronic format would facilitate their handling and processing. It was also recommended that the possibility of distributing the reports by e-mail be studied. Mandate-holders recommended that the practice of posting the reports on the OHCHR web site, including in an advanced, edited version, be continued;

(j) The meeting welcomed and expressed great appreciation for the briefing on the United Nations Security Management System in place for all United Nations staff, which also included experts on mission who fell into the category of staff. The meeting agreed that given the nature of their mandates, it was important that they be effectively assisted in a timely manner on security-related matters as needed, in particular during their missions to the field. Mandate-holders requested OHCHR to ensure that funding to support those activities was secured and made available, as needed. Mandate-holders requested OHCHR to ensure that staff assisting them directly, as well as they themselves, be provided the relevant training on security issues and, once available, that they all be provided with a copy of the security self-training package on CD ROM;

(k) Mandate-holders took note of the critical financial limitations faced by OHCHR, as well as the lack of funding available to them to perform their mandated activities. Given the gaps in the funding requirements for field missions, the meeting agreed to request the High Commissioner to give priority to the allocation of extrabudgetary resources to the special procedures mechanisms. Precise information on the budget allocated to each mandate should be available. Participants also requested the High Commissioner to ensure that the necessary funds were made available to match the work plans to be prepared by mandate-holders; in particular, participants requested that provision be made to allow at least two fact-finding missions per year for each mandate-holder;

#### **Exchange with the High Commissioner and Deputy High Commissioner**

(l) Participants expressed great appreciation for the exchange with the High Commissioner and the Deputy High Commissioner. In view of the end of the term of the High Commissioner, mandate-holders wished to put on record their deep appreciation for her efforts to strengthen the special procedures mechanisms, her support for their mandates and to them, and significant contribution to the cause of human rights;

(m) Mandate-holders expressed deep concern about the aftermath of 11 September in many countries and the urgent need to monitor developments. The meeting agreed that it was important that special procedures mandate-holders join international efforts aimed at reinforcing the international human rights protection system, as well as to ensure that universally recognized human rights prevailed in a challenging context. Mandate-holders encouraged the High Commissioner in her active efforts to remind States of their obligations under international human rights law and agreed, within their own mandates, to undertake actions in that regard;

#### **Cooperation with human rights treaty bodies**

(n) Participants at the fourth joint meeting made useful suggestions regarding the need to systematize efforts with a view to ensuring collaboration and the exchange of

information, and requested OHCHR to make every effort to ensure their implementation through systematic institutionalized mechanisms. In particular, the joint meeting made the following recommendations:

- (i) Future joint meetings between the chairpersons of treaty bodies and special procedures mandate-holders should focus more on thematic exchanges and discussions between treaty bodies and special procedures;
- (ii) OHCHR should continue the periodic distribution, through the “list server”, to all members of treaty bodies and special procedures mandate-holders of a list of planned country visits of special procedures mandate-holders, the schedule of the consideration of reports of States parties to the major human rights treaties, other relevant information emanating from the treaty bodies and special procedures, as well as all other information of interest to treaty bodies and special procedures experts;
- (iii) The “list server” could be used as a network enabling direct communication and exchange of information between special procedures and treaty bodies experts;

(o) The participants at the fourth joint meeting agreed that the fifth meeting, in June 2003, should be devoted to a joint discussion on globalization and its impacts on the various mandates of the special procedures and treaty bodies;

### **Thematic discussion**

(p) The meeting expressed appreciation for the practices for briefing the Security Council, on specific human rights issues, which had led to a stronger involvement by the international community on particular country situations. The meeting also took note of the possibilities for informal contacts with the Security Council. Mandate-holders agreed on the positive impact that such dialogue with the Security Council could have and encouraged OHCHR, through its New York Office, to pursue efforts to make the work of the geographic, as well as the thematic special procedures mechanisms better known;

(q) The meeting took note of the important role that United Nations human rights field presences and other United Nations agencies could play in the implementation of and follow-up to recommendations of special procedures mandate-holders. Participants recommended that OHCHR be actively involved in the promotion of the work of the special procedures mechanisms in the field, through human rights field presences and through contacts with other United Nations agencies in the field, including through its various cooperative agreements with United Nations humanitarian and development agencies, as well as with peacekeeping operations;

(r) Cooperation between special procedures mandate-holders and regional organizations was recognized to be important in order to improve the effectiveness of the special

procedures mechanisms. Mandate-holders agreed on the usefulness of further cooperation with regional organizations. Mandate-holders requested the High Commissioner to identify ways and means of facilitating such cooperation;

### **Consultations with non-governmental organizations**

(s) Participants expressed appreciation for the opportunities provided to them for consultations with representatives of non-governmental organizations. They noted with interest the recommendations made by NGOs on the relationship between the special procedures mandate-holders and the Commission on Human Rights. Mandate-holders agreed on the value and importance of their exchange with NGOs and recommended that this practice be continued;

(t) Participants recognized that input from and cooperation with NGOs was extremely useful and encouraged NGOs to continue to cooperate closely with them, in particular concerning follow-up to mandate-holders' recommendations;

### **Consultations with the Bureau of the Commission on human rights**

(u) Participants expressed their support for a special interactive dialogue with the special procedures mandate-holders during the Commission's session. They also welcomed the suggestion to set up tripartite cooperation between special procedures, treaty bodies and the Commission. Mandate-holders agreed to recommend that such a structure be given adequate support and a clear framework;

(v) The meeting expressed its concern about the situation faced by most special procedures mandate-holders during the fifty-eighth session of the Commission and hoped that the exceptional circumstances encountered during the last session would not set a precedent. In that respect, they were pleased with the Bureau's assurances of the growing importance of special procedures in the proceedings of the Commission;

(w) Support was also expressed by all participants for the search for creative and innovative solutions for the issuing and dissemination of reports to the Commission;

### **Consultations with UNESCO**

(x) Participants were pleased with the opportunity to exchange views with a high-level delegation from UNESCO and were encouraged by the organization's plan to strengthen its activities in the field of human rights. They looked forward to cooperating with UNESCO in relation to their respective mandates;

(y) Participants also encouraged the launch of an interactive dialogue and cooperation with other United Nations departments, organizations and agencies.



**Annex**

**LIST OF SPECIAL PROCEDURES OF THE COMMISSION ON HUMAN RIGHTS  
AND THE MANDATE-HOLDERS ATTENDING THE MEETING**

**I. THEMATIC MANDATES**

- |   |  |
|---|--|
| 1. Working Group on Enforced or Involuntary Disappearances  | Chairperson-Rapporteur:<br>Mr. D. García-Sayan, represented by<br>Mr. I. Tosevski* |
| 2. Working Group on Arbitrary Detention   | Chairperson-Rapporteur:<br>Mr. L. Joinet*  |
| 3. Special Rapporteur on extrajudicial, summary or arbitrary executions   | Ms. A. Jahangir*   |
| 4. Special Rapporteur on the independence of judges and lawyers   | Mr. P. Kumaraswamy*  |
| 5. Special Rapporteur on the question of torture  | Mr. T. van Boven   |
| 6. Representative of the Secretary-General on internally displaced persons  | Mr. F. Deng*   |
| 7. Special Rapporteur on religious intolerance  | Mr. A. Amor*   |
| 8. Special Rapporteur on the question of the use of mercenaries   | Mr. E. Bernales-Ballesteros*   |
| 9. Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression           | Mr. A. Hussain*<br>(until end July 2002)   |
| 10. Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance | Mr. M. Glèlè-Ahanhanzo*<br>(until end July 2002)                                   |
| 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. R. Coomaraswamy  |

\* Attended the meeting.

- |     |  |                           |
|-----|--|---------------------------|
| 13. | Special Representative of the Secretary-General on Children and Armed Conflict   | Mr. O. Otunnu             |
| 14. | Special Representative of the Secretary-General on the situation of human rights defenders   | Ms. H. Jilani*            |
| 15. | Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes                                   | Ms. F.Z. Ouhachi-Vesely*  |
| 16. | Special Rapporteur on the human rights of migrants   | Ms. G. Rodríguez Pizarro* |
| 17. | Independent expert on structural adjustment and foreign debt   | Mr. B.A. Nyamwaya Mudho*  |
| 18. | Special Rapporteur on the right to education   | Ms. K. Tomasevski*        |
| 19. | Special Rapporteur on the right to 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. | Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people  | Mr. R. Stavenhagen*       |
| 22. | Independent expert on the question of human rights and extreme poverty   | Ms. A.-M. Lizin*          |
| 23. | Independent expert on the right to development   | Mr. A. Sengupta*          |
| 24. | Independent expert to examine the question of a draft optional protocol to the International Covenant on Economic, Social and Cultural Rights              | Mr. H. Kotrane*           |
| 25. | Independent expert to examine the existing international criminal and human rights framework for the protection from enforced or involuntary disappearance | Mr. M. Nowak              |
| 26. | Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health                              | New mandate               |
| 27. | Working Group on Afro-descendants  | New mandate               |

## II. COUNTRY MANDATES

- |     |  |                         |
|-----|--|-------------------------|
| 1.  | Special Rapporteur on the situation of human rights in Afghanistan   | Mr. K. Hossain*         |
| 2.  | Special Rapporteur on the situation of human rights in Iraq  | Mr. A. Mavrommatis*     |
| 3.  | Special Rapporteur on the situation of human rights in Myanmar   | Mr. P.S. Pinheiro*      |
| 4.  | Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967         | Mr. J. Dugard           |
| 5.  | Special Representative on the situation of human rights in Bosnia and Herzegovina and the Federal Republic of Yugoslavia | Mr. J. Cutileiro*       |
| 6.  | Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo                              | Ms. A.I. Motoc*         |
| 7.  | Special Rapporteur on the situation of human rights in the Sudan   | Mr. G. Baum*            |
| 8.  | Special Rapporteur on the situation of human rights in Burundi   | Ms. M.-T. Kéïta-Bocoum* |
| 9.  | Special Representative of the Secretary-General for human rights in Cambodia   | Mr. P. Leuprecht*       |
| 10. | Independent expert on the situation of human rights in Somalia   | Mr. G. Alnajjar*        |
| 11. | Independent expert on the situation of human rights in Haiti   | Mr. L. Joinet           |

-----