

STATEMENT
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Chairperson of the Coordination Committee
on behalf of the Special procedures' mandate holders
Human Rights Council
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We, the mandate-holders of the Special Procedures, welcome the establishment of the Human Rights Council. We see the establishment of this new institution as a window of opportunity to reinvigorate efforts to promote and protect the global human rights system. We look forward to contributing actively to this collective effort.

As the Secretary-General recalled in his statement on the first session of the Human Rights Council “[t]hese mechanisms -- most of which take the form of individual people, chosen for their expertise and serving without pay -- constitute the frontline troops to whom we look to protect human rights, and to give us early warning of violations. By raising the alarm and then investigating, they keep the spotlight of world attention focused on many of our most pressing human rights dilemmas”. Special Procedures “give a voice to the voiceless victims of abuses, and their reports provide a starting point for discussion on the concrete measures that governments need to take to put a stop to violations, and to ensure that human rights are protected in future”.

Over the years, that voice has brought credibility and integrity to the human rights machinery providing daily protection to victims of human rights violations in all parts of the world and working with Member States to make human rights protection more effective.

The mechanism of Special Procedures – that encompasses “Special Rapporteurs”; “Special Representatives of the Secretary-General”; “Representatives of the Secretary-General”; “Representatives of the Commission on Human Rights”; “Independent Experts”; and Working Groups - was created by the United Nations human rights system to bring objectivity, expertise and credibility to the process of monitoring human rights protection.

Their independence from external political or other influence is the crucial element which enables them to fulfil their functions with true impartiality. To retain this unique quality, it is important that potential mandate-holders are in no way perceived to be partisan. Therefore it is required that independent human rights experts appointed as these Special Procedures are not in decision-making positions within the executive or legislative branches of their Governments. Special Procedures include thematic mandates which investigate the situation of human rights in all parts of the world. Other mandates deal with the overall human rights situations in a specific country. This requires them to take the measures necessary to monitor and respond quickly to allegations of human rights violations against individuals or groups, either globally or in a specific country or territory, and to report on their activities to the United Nations.

We note that cooperation with Special Procedures was a factor taken into account in the elections of the present Members of the Human Rights Council. We encourage the Council to further strengthen this approach by calling on its current and future members to extend full cooperation to Special Procedures, including by extending standing invitations to visit the country. We welcome the ongoing collaboration and constructive dialogue between Special Procedures and current members of the Council - 17 of which have extended standing invitations to all Special Procedures. We hope that the remaining Member States of the Council will consider doing so. We strongly urge that all those countries that have failed altogether to respond to requests for visits, including those which have extended standing invitations, should do so as a matter of priority.

We urge that political commitment is now transformed into substantive action. On our part, we have collectively and individually resolved to take up the challenge of ensuring that the work of the Special Procedures is even more effective and that values of human rights reach every corner of the world. In this setting, we strongly urge the Council to play its lead role and provide the maximum space for all human rights mechanisms to flourish in an enabling system that may be visualised for the future.

We welcome the General Assembly Resolution 60/251 on the Human Rights Council that has called for the maintenance of a system of Special Procedures and we wish to be actively involved with the process of review, called for by the Resolution, that will take place this year. This should lead, among others, to the strengthening of the Special Procedures system and to a greater synergy between the latter and the rest of the United Nations system for the protection of human rights.

Any review should start with a full conceptualization of which role the Special Procedures should play as independent experts advising and supporting the new Human Rights Council, above all in the Universal Periodic Review, to “address situations of violations of human rights, including gross and systematic violations, and make recommendations thereon” and to “respond promptly to human rights emergencies” (General Assembly Resolution 60/251, Op. 3 and 5 f). Only then should a review of the present mandates be undertaken which could cover some of the following issues: selection process designed to ensure independence of action, complementarity and gaps, capacity to fulfil the mandate and related resources, enhancement of follow-up mechanisms, emerging new issues in human rights, etc.

Through consultations over the past year both at our annual meeting and during the informal consultations held in Geneva in October 2005 we have committed ourselves to enhance and strengthen our methods of work in order to carry out our mandates in the most effective way.

We are committed to continue enhancing our working methods in an open and transparent manner. We have two concrete examples illustrating this commitment: 1) we established a Coordination Committee of Special Procedures last year at our annual meeting and 2) we updated the manual on our working methods. We will post the current draft on the internet and invite comments from all our partners before its finalisation and adoption. Both these initiatives can facilitate the involvement and active participation of Special Procedures in defining the designs for reinforcement of

Special Procedures and in the process of review of mandates that follows, as well as in the Universal Periodic Review to be undertaken by the Council.

At this moment of change, challenges and hope within the international human rights community, we call upon the Council to recognize the essential role of the Special Procedures in strengthening human rights protection by taking the following steps:

1) Recognize the Special Procedures system as an indispensable mechanism for the promotion and protection of human rights

2) Provide an opportunity to Special Procedures to directly and effectively interact with the Council by

a) Expeditiously acknowledging and responding to the mission reports submitted by mandate-holders;

b) Responding swiftly to early warnings of impending egregious violations and systematically involving Special Procedures mandates holders in the Council's early warning initiatives as well as in thematic debates and emergency sessions;

c) Providing, during its plenary sessions, for at least one-hour interactive dialogues with each mandate-holder;

d) Encouraging its members to respond to each specific recommendations made by Special Procedures mandates holders in their reports.

3) Make the work of the Special Procedures central to the system of Universal Periodic Review, which will be undertaken by the Human Rights Council by

a) Focusing the Universal Periodic Review on assessing States' effective implementation of the findings and recommendations of independent expert bodies, rather than duplicating their efforts;

b) Making the findings and recommendations of the Special Procedures and Treaty bodies (monitoring committees established by human rights treaties) an essential element of the Universal Periodic Review;

c) Ensuring that the measure of cooperation given to Special Procedures is a central criterion used to assess States in the spirit of cooperation and constructive dialogue called for in General Assembly Resolution 60/251 on the Human Rights Council;

d) Involving effectively Special Procedures mandates holders in the process of Universal Periodic Review.

4) Encourage States to strengthen cooperation with Special Procedures by calling on States to extend invitations to Special Procedures; to promptly provide

substantive replies to their communications; to promptly respond to requests for country visits, facilitating access to victims, rights-holders and non-governmental organizations; and to implement the recommendations submitted after the visit.

5) Become an active participant in urging States' implementation of recommendations emerging from mandate-holders mission reports and communications, including enhancement of follow-up mechanisms.

6) Ensure the active participation of Special Procedures in the review of mechanisms through the participation of the Coordination Committee which serves as the contact group with the mandate-holders on issues of collective nature and should be associated *ab initio* and with a consultative status to all reforms undertaken.

7) Request the Secretary General in cooperation with the High Commissioner for Human Rights to provide Special Procedures with human, material and financial resources that will enable them to respond actively to the challenges and expectations that arise in the context of the reform process.

8) Recognize the fundamental role of NGOs, regional and national human rights institutions as key partners of the Council and Special Procedures. We urge that civil society access and participation is maintained and enhanced as an indispensable element of the Council's effectiveness.

We believe that all of these elements are essential for States to fulfil the great expectations they have raised by creating this new body. They are now expected to take advantage of the pool of experience and knowledge that existed in the former Commission on Human Rights and at the same time of shedding the approach which often undermined the Commission's work. Special Procedures stand ready to take up the challenge to respond to these increased expectations for the benefit of all, in particular the victims of human rights violations, in all parts of the world who continue to look upon them for effective protection of their rights.
