

Human Rights Council and Special Procedures Division

Background

The Human Rights Council (HRC) is an intergovernmental body comprised of 47 Member States that are responsible for strengthening the promotion and protection of human rights around the globe. It was established by and is a subsidiary body of the General Assembly. The Council meets in Geneva for three regular sessions per year and holds special sessions as needed to address specific human rights issues or situations of concern. It takes action on human rights situations, develops international standards and discusses emerging trends.

Council members are elected by the General Assembly for a three-year period, for a maximum of two consecutive terms. Membership is based on equitable geographical distribution with seats distributed among the regional groups as follows: Group of African States, 13; Group of Asian States, 13; Group of Eastern European States, six; Group of Latin American and Caribbean States, eight; and Group of Western European and other States, seven.

The Universal Periodic Review (UPR) is a process within the Council which involves a review of the human rights records of all 193 UN Member States

once every four years. The UPR is a State-driven process that provides the opportunity for each State to develop a national system of consultations and dialogue with civil society and present the actions they have taken to improve the human rights situations in their countries and fulfill their human rights obligations. It is designed to ensure equal treatment for every country undergoing an assessment of their human rights situations and is based on an interactive dialogue in the Council with the State under review. The ultimate aim of the mechanism is to improve the human rights situation in all countries and address human rights violations wherever they occur in cooperation with national actors and with the support of the international community.

Special procedures are mechanisms established by the HRC to address thematic human rights issues and the human rights situations in specific countries. The thematic mandates address concerns in a universal manner and constitute the most flexible and accessible human rights mechanisms of the UN system. Mandate-holders examine, advise and publicly report on human rights situations in specific countries or territories (country mandates) or major human rights issues (thematic mandates) through



The Human Rights Council at its special session on Syria, December 2011.

active engagement with States, individuals and civil society organizations (CSOs). Special procedures conduct country visits, send communications to States about human rights issues and individual cases, undertake awareness-raising activities, contribute to the development of human rights standards, undertake thematic studies and provide advisory services and outreach to civil society. All special procedures mandate-holders report to the HRC on their findings and recommendations and, when mandated, to the General Assembly.

As established by HRC resolution 5/1, mandate-holders act in their personal capacity and are appointed according to the criteria of expertise, independence, objectivity and impartiality. Individuals are excluded if they hold decision-making positions in Government or any other organization or entity which may give rise to a conflict of interest with the responsibilities inherent in the mandate. As of the end of 2011, there were a total of 45 special procedures mandates (35 thematic mandates and 10 mandates relating to countries and territories).

OHCHR support

The Human Rights Council and Special Procedures Division (HRCSPD), as well as other parts of OHCHR, support the Council. The High Commissioner is mandated by the General Assembly to provide substantive support to the principal Charter-based organs in the field of human rights, namely the HRC and its special procedures and other subsidiary mechanisms; its expert advice body, the Advisory Committee; the UPR; and the two working groups established under the Council's Complaint Procedure (on Communications and Situations). The HRCSPD is composed of an Office of the Director, the Human Rights Council Branch (HRCB) and the Special Procedures Branch (SPB).

The Human Rights Council Branch provides substantive support and advice to the HRC and its subsidiary mechanisms. The Special Procedures Branch and the Research and Right to Development Branch (RRDB) support the other subsidiary mechanisms of the Council, such as the Expert Mechanism on the Rights of Indigenous Peoples, the Forum on Minority Issues and the Social Forum. The Human Rights Council Branch works in close coordination with the Civil Society Section.

The Special Procedures Branch provides dedicated substantive and logistical support to the activities of 31 thematic mandates and the Forum on Minority Issues. The Branch also provides overall support to the system of special procedures, including the



Laura Dupuy Lasserre, President of the Human Rights Council, opens a meeting on the Universal Periodic Review.

Coordination Committee of Special Procedures. The SPB works closely with other parts of OHCHR, in particular the Field Operations and Technical Cooperation Division (FOTCD), which supports country mandates, and the Research and Right to Development Division (RRDD), which supports four thematic mandates.

Human Rights Council Branch

During 2011, the Human Rights Council Branch provided substantive support to the Human Rights Council, the Advisory Committee and other subsidiary mechanisms, including the UPR. In addition to the three regular sessions of the Council, the Branch provided substantive support to four special sessions of the Council (two more than in 2010), three pertaining to the situation of human rights in Syria and one on the human rights situation in Libya. It also supported the commissions of inquiry and fact-finding missions established by the Council to ascertain facts and make recommendations in the face of serious human rights violations.

The Branch continued to support a diversity of formats and modalities for the debates in the Council and 2011 saw an increase in the popularity of panel discussions as a format for addressing specific and emerging human rights issues. The number of panel discussions increased from four at its 16th session in February/March 2011 to six at its 18th session in September 2011. Topics for the panels ranged from integrating the human rights of women throughout the United Nations system, human rights and indigenous peoples, the promotion and protection of human rights in peaceful demonstrations, human rights victims of terrorism, human rights and women, best practices against racism and the promotion of a culture of tolerance. At its 19th session in March



The Regional Seminar on the Universal Periodic Review organized by OHCHR in Rwanda, November 2011.

2012, the Council will hold a record number of 10 panels and thematic discussions on a variety of issues, including: the protection of freedom of expression on the internet; promotion of the Universal Declaration of Human Rights through sports and the Olympic Ideal; discriminatory laws and practices; and acts of violence against individuals based on their sexual orientation and gender identity.

The year 2011 saw the conclusion of the review of the work and functioning of the Council. The HRCSPD participated in and contributed to a number of informal initiatives convened by the Council President, Member States and observers. This work resulted in the adoption in late February, by the Open-ended Intergovernmental Working Group on the Review of the Work and Functioning of the HRC, of an outcome document which was endorsed by the HRC in March 2011. The Division participated in the informal consultations held by the General Assembly as it conducted its own review on the status of the Council, resulting in the adoption of a resolution on 17 June 2011 that endorsed the Council's outcome document.

The review process was a valuable opportunity to assess the effectiveness of the Council and its working methods. A Task Force mandated by the review outcome was established to consider improving secretariat services, accessibility for persons with disabilities to the work of the Council and the use of information technology, as well as the participation of HRCB in discussions of the Task Force. An annual high-level panel was established on mainstreaming human rights within the UN system. Greater opportunities for the participation of national human rights institutions (NHRIs) in compliance with the Paris Principles also resulted

from the review. The challenge facing the Council in the coming biennium will be its capacity to deal with an increasing workload at each session within its mandated 10 weeks of meeting time per year and undertaking all its activities without a corresponding increase in resources.

On 17 October 2011, the Working Group on the UPR concluded the final session of the first cycle. Although the initial UPR cycle will formally close with the adoption of the outcome documents of the remaining 17 States during the Council's March 2012 session, it is important to highlight that all 193 Member States have been considered by the Working Group. As a result of this work, for the first time in the UN's history, the human rights situation has been appraised in every corner of the world. The UPR process has seen 100 per cent participation by States being reviewed, with nearly 80 per cent represented at the ministerial level, revealing the level of importance States have attached to the UPR process. This full participation was the result of the political commitments undertaken by States, as well as substantive support provided by OHCHR.

The second cycle of the UPR, beginning in 2012, will give States and stakeholders an opportunity to take stock of the developments that have taken place since the previous review and examine the progress achieved in the implementation of recommendations.

Special Procedures Branch

During 2011, an unprecedented number of new special procedures mandates were created. By the end of the year, there were a total of 45 mandates. The new thematic mandate-holders that will be appointed in 2012 will explore the promotion of truth, justice, reparations, guarantees of non-recurrence and the promotion of a democratic and equitable international order. A working group on human rights and transnational corporations and other business enterprises was created to replace the Special Representative of the Secretary-General on that issue. The mandate of the Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights was extended to cover the implications for human rights of environmentally sound management and disposal of hazardous substances and wastes. New country mandates created during the past year are mandated to address the situations in Côte d'Ivoire, the Islamic Republic of Iran and Syria.

In 2011, special procedures mandate-holders carried out 82 country visits. The number of States which

have issued a standing invitation for visits increased to a total of 90. Special procedures sent 604 communications to States during 2011 regarding concerns related to specific individuals and situations, 75 per cent of which were jointly issued by several mandate-holders. The response rate by States, however, remains low at 35 per cent. Pursuant to the decision of the Coordination Committee of Special Procedures, and in order to improve coherence and follow-up and to streamline documentation and related costs, communications have been consolidated into one report since the HRC's 18th session. The early warning function of special procedures was demonstrated by their active participation, through their Coordination Committee, in the special sessions of the HRC during 2011.

With the support of SPB, the Coordination Committee acted on behalf of all mandate-holders to participate in the review of the Human Rights Council, encourage the harmonization of working methods of mandate-holders and enhance follow-up to their conclusions and recommendations. The outcome of the review of the HRC, adopted by the General Assembly in its resolution 65/281, urged States to cooperate with and assist special procedures mandate-holders and strongly rejected reprisals against those who cooperate with the United Nations and its representatives in the field of human rights. It further strengthened and enhanced transparency in the selection and appointment of mandate-holders by: providing that national human rights institutions in compliance with the Paris Principles may nominate candidates; requiring all candidates to submit an application for each specific mandate, including a short motivation letter; and requiring the Consultative Group to interview shortlisted candidates.

Results

The following results were achieved following key interventions by the HRC and its mechanisms, with the support of OHCHR.

National laws, policies and institutions (EA 1)

- ▶ In June 2010, the Special Rapporteur on the rights of indigenous peoples issued a public statement outlining principles relating to the duty of States to consult with indigenous peoples. The statement was issued in light of observations of Peru's Executive Branch on a consultation law that had been recently adopted by the Peruvian Congress and made clear the Executive's decision not to enact the Law but to instead return it to the Congress for debate. In his statement, the Special Rapporteur highlighted relevant international standards regarding the right of indigenous peoples to consultation, in response to references made in the President's letter to a previous report of the Special Rapporteur on that subject. After more than a year of stalled negotiations, Peru passed the consultation law on 23 August 2011 in its original draft, without the suggested reforms of the President. This is one of the first laws enshrining this right in the Americas.
- ▶ In April 2011, the UK Parliament decided to make permanent the Debt Relief (Developing Countries) Act, which was originally adopted in April 2010 to temporarily restrict the actions of "vulture funds" in the country, thus allowing developing countries enjoying debt relief to devote more resources to the realization of economic, social and cultural rights. The report of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights (A/HRC/14/21) was frequently cited in discussions leading to the adoption of this Act.
- ▶ In October 2011, the reform of articles 4 and 27 of the Constitution of Mexico to recognize the right to food entered into force. In the context of a country visit in June, the Special Rapporteur on the right to food encouraged the majority of the 31 states of the Mexican Federation to ratify the decision that would guarantee the right to food in the Constitution.
- ▶ A few days after the conclusion of the visit of the Special Rapporteur on trafficking to Thailand, the Ministry of Labour and the Ministry of Social Development and Human Security announced that seven Fishery Labour Coordinating Centres would be established. Under this system, the National Fisheries Association would be responsible for assessing demands for labour in the fishing sector and liaise with the Ministry of Labour which would formally recruit workers from neighbouring countries.
- ▶ The Special Rapporteur on the human rights of internally displaced persons (IDPs) has actively supported governmental efforts to develop domestic frameworks on internal displacement. In Kenya, for example, the mandate contributed to the development of a draft national IDP policy in 2010 and continued to be actively engaged in 2011, including by participating in national capacity-building fora, and through support for the development of a draft bill on IDPs.
- ▶ Following a recommendation of the Special Rapporteur on trafficking in persons at the end of her December 2011 visit to Australia, the Australian Labour Party announced at their 2011 National Conference that it would support the

appointment of an Australian Ambassador for Human Trafficking.

Ratification (EA 2)

- ▶ During the visit of the Special Rapporteur on the sale of children, child prostitution and child pornography, and due to her encouragement in this regard, Mauritius ratified the Optional Protocol on the sale of children, child prostitution and child pornography on 6 May 2011. The ratification was deposited with the Secretary-General on 14 June 2011.
- ▶ On 4 August 2011, the Working Group on discrimination against women in law and in practice sent a letter to the Tunisian Interim Government soliciting information on, inter alia, the intention of the Interim Government to remove the general declaration and reservations to the Convention on the Elimination of Discrimination against Women (CEDAW). In its reply dated 11 September 2011, the Interim Government of Tunisia informed the Working Group about the adoption by the Council of Ministers of draft legislation aimed at the withdrawal of reservations to CEDAW.
- ▶ In order to abolish the practice of secret detention and strengthen independent domestic and international monitoring mechanisms in relation to domestic detention facilities in Tunisia, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism recommended during his follow-up visit to Tunisia in May 2011 that the Government ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT). On 29 June 2011, Tunisia acceded to the OP-CAT. In the same month, Tunisia acceded to the First Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) and the Rome Statute of the International Criminal Court and ratified the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).
- ▶ Over the course of 2011, the Special Rapporteur on the human rights of IDPs engaged closely with regional organizations in Africa for the promotion, ratification and implementation at the national level of the 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons (Kampala Convention) – the first legally binding regional instrument specifically focused on the protection and assistance to IDPs. In this context, he participated in numerous regional consultative

meetings, workshops and high-level meetings such as the first Economic Community of West African States (ECOWAS) Ministerial Conference on Humanitarian Assistance and Internal Displacement in West Africa from 6-7 July 2011 in Abuja, Nigeria and the Summit of Heads of States of the International Conference for the Great Lakes (14-16 December 2011) in Kampala, Uganda. As of October 2011, the Convention had received 33 signatures and 13 out of the 15 ratifications necessary to bring it into force.

Justice and accountability mechanisms (EA 3)

- ▶ The Government of Sri Lanka established a Commission of Inquiry on Lessons Learnt and Reconciliation. During 2011, the Special Rapporteur on extrajudicial, summary or arbitrary executions carried out a technical assessment of video footage depicting extrajudicial executions during the 2009 civil war in Sri Lanka. He reached the conclusion that the video was authentic. The conclusions of the Special Rapporteur are reflected in the report of the Commission of Inquiry, which was publicly released in December 2011.

Access to justice and basic services (EA 4)

- ▶ In the context of the proposed 2012 State budget, the national parliament of Timor-Leste debated the preliminary recommendations of the Special Rapporteur on extreme poverty and human rights at the conclusion of her visit in November and called for increased public expenditure on social services in light of the steady decrease in the percentage of public expenditures in this area, as well as in agriculture. At the time of the visit, the projected 2012 budget had allocated 6.3 per cent to education, less than 3 per cent to health and approximately 1 per cent to agriculture (compared to nearly 50 per cent allocated to infrastructure). The final 2012 budget, as adopted by the Parliament, allocated a nearly 47 per cent increase to health and 35 per cent increase to education.
- ▶ Following the visit by the Special Rapporteur on the human right to safe drinking water and sanitation to the United States of America, the community of Seville received notice that it was eligible for two types of grants from the State of California. It had previously been informed that it was ineligible. The grants enable the communities to receive funds through the local Government to improve the quality of water. The community is currently using these funds to implement different solutions to improve its water quality. The Special Rapporteur convened a public hearing with local communities (where minorities comprise the majority) that had

expressed concerns regarding the safety of the drinking water, particularly regarding nitrate contamination.

Participation (EA 5)

- ▶ During the visit of the Special Rapporteur on the rights of indigenous peoples in April 2011, the Government of Costa Rica announced plans to suspend exploratory work to prepare for the dam construction of the Diquís hydroelectric project affecting indigenous peoples, in particular the Térraba people, and remove project equipment and personnel from the area. This was an important step that had been requested by affected indigenous peoples. During his visit, the Special Rapporteur met with several Government representatives in San Jose, including from the agency responsible for the Diquís hydroelectric project, as well as with representatives of indigenous peoples, the United Nations Country Team (UNCT) and members of the international community. The Special Rapporteur has worked on this case in close coordination with the OHCHR Regional Office for Central America and the UNCT in Costa Rica.

State engagement with human rights mechanisms (EA 6)

- ▶ In the United States of America, the Yocha Dehe and Cortina tribes negotiated a cultural easement and settlement agreement with the City of Vallejo and the Greater Vallejo Recreation District, California. The cultural easement guarantees that the Yocha Dehe and Cortina tribes will have legal oversight in respect of all activities taking place on the sacred burial grounds of Sogorea Te/Glen Cove. On 10 May 2011, the Special Rapporteur on the rights of indigenous peoples, together with the Special Rapporteur on freedom of religion or belief and the Independent Expert on cultural rights, sent an urgent appeal to the Government of the United States of America regarding the alleged imminent destruction of an indigenous ceremonial and burial site Sogorea Te, located in Glen Cove, in the City of Vallejo, California.
- ▶ In September 2011, the Government of the Republic of Slovenia agreed to establish a new water connection to Dobruška vas (Škocjan municipality) allowing a number of Roma families to gain direct access to safe drinking water. The Special Rapporteur on the human right to safe drinking water and sanitation had made specific recommendations to this effect at the conclusion of her visit to Slovenia in May 2010.
- ▶ Following dialogue held with indigenous representatives, the Government of Bolivia announced its plan to revise project plans for the construction of a highway through the Isiboro Secure Indigenous Territory and National Park (TIPNIS) so that the highway would not pass through the TIPNIS reserve. On 27 September 2011, the Special Rapporteur on the rights of indigenous peoples issued an urgent warning about the situation of growing social tensions in Bolivia generated by the march of approximately 1,500 indigenous peoples against the construction. The Special Rapporteur called for the initiation of a process of good faith consultation with the indigenous peoples affected in order to find a peaceful solution to this situation and address the underlying problems related to the construction of the road through the TIPNIS reserve.
- ▶ There have been various developments in Mexico along the lines of the recommendations put forward by the Special Rapporteur on the independence of judges and lawyers after her visit to the country in October 2010. One specific recommendation was reform of the military justice according to international standards. In this context, the Supreme Court determined that military justice should not be applied to human rights violations. In practice, the military justice has relinquished jurisdiction over some cases relating to human rights.
- ▶ In February 2011, the National Parliament of Timor-Leste voted to postpone discussion of the two draft laws on reparations and a follow-up institution (the “Institute of Memory”) to the Commission for Reception, Truth and Reconciliation (CAVR) and the Commission of Truth and Friendship (CTF). The Working Group on Enforced or Involuntary Disappearances, during its mission to the country in February 2011, referred to these draft laws as “important steps in the implementation of the CAVR/CTF recommendations.” It also considered the



The Chairperson of the Working Group on the use of mercenaries at a press briefing in New York.

proposed establishment of the Institute of Memory as “a major step forward in truth recovery.”

- ▶ The Government of Finland announced that it had agreed to an interim measure to suspend the slaughter of reindeer while a case on this issue was being considered by the Human Rights Committee. In an urgent appeal of 28 September 2011, the Special Rapporteur on the rights of indigenous peoples expressed concern about the alleged imminent slaughter of reindeer in the Nellim Area of Finland. Land for grazing in Finland is limited and the State regulates the number of reindeer that can graze in a certain area. The Ivalo cooperative in Nellim district, made up of both Sami and non-Sami reindeer herders, planned to force four Sami herders to conduct a slaughter of their reindeer in late September 2011. Over the years, Sami herders had slaughtered fewer reindeer than other herders. The decision of the Ivalo cooperative did not, however, take into account that Sami must maintain larger herds because of their traditional nomadic herding practices. The Human Rights Committee also contacted the Government of Finland regarding this case.
- ▶ Following visits by the Independent Expert on minority issues in 2010 to Colombia and Viet Nam, these Governments took the opportunity to update the Independent Expert and the Human Rights Council in March 2011 on their activities to promote and protect the rights of minorities. The Government of Colombia highlighted the adoption of legal mechanisms and policy measures since the Independent Expert’s visit to foster dialogue and consultations with Afro-Colombian and other disadvantaged communities as well as new policies for social and economic inclusion, access to land, justice and compensation for victims of violence. The Government of Viet Nam acknowledged the challenges facing minorities and committed to continue working with the Independent Expert in relation to areas such as development, education and health.
- ▶ Following its country visit to the United States of America in 2009, the Working Group on the use of mercenaries recommended, inter alia, that the Government “carry out prompt and effective investigation of human rights violations committed by private military and security companies and prosecute alleged perpetrators” and “ensure that the United States criminal jurisdiction applies to private military and security companies contracted by the Government to carry out activities abroad.” In 2011, the United States Government reinstated the case against former employees of the private military and security company, Blackwater, who were charged



The Independent Expert on the situation of human rights in Côte d'Ivoire during a visit to the country, November 2011.

with the killing of civilians in Baghdad in 2007. Draft legislation has been introduced in the United States Congress (the Civilian Extraterritorial Jurisdiction Act (CEJA)), to extend United States criminal jurisdiction to non-Department of Defence contractors working abroad for the United States. If adopted, CEJA will be a positive step toward implementing the recommendations of the Working Group on the use of mercenaries.

- ▶ During his follow-up visit to Tunisia, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism observed that the interim Government had implemented or was in the process of implementing some of his recommendations, including to: end the practice of secret detention; open prisons and other facilities for the scrutiny of international, regional and non-governmental organizations (NGOs); and dissolve the Directorate for State Security, an entity previously responsible for activities of torture and arbitrary and secret detention.
- ▶ In a joint urgent appeal sent to the Government of Afghanistan on 14 January 2011, the Chair-Rapporteur of the Working Group on arbitrary detention, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Independent Expert on minority issues, the Special Rapporteur on freedom of religion or belief and the Special Rapporteur on torture expressed concern about the detention of two Christian converts. In the first case, it was feared that the suspected person would face the death penalty on charges of apostasy. Although the second case was dismissed, the individual remained in detention. No official response to the communication was received but information received indicates that the two individuals have been released.

- ▶ In light of concerns expressed by indigenous peoples, the Government of Panama decided not to move forward with proposed amendments to the Law on Mineral Resources. On 15 February 2011, the Special Rapporteur on the rights of indigenous peoples issued an urgent appeal and press release expressing concern about the growing tensions during protests by indigenous peoples in Panama. The protests related to discussions surrounding and approval by the Panamanian National Assembly of Bill No. 277 to amend the Law on Mineral Resources. The demonstrations resulted in clashes with security forces in which several people were injured and arrested. In light of this situation, the Special Rapporteur stressed the importance of initiating, without delay, a good faith dialogue with indigenous peoples in order to find a peaceful solution to this tense situation and address the underlying problems related to the proposed amendments to the Law on Mineral Resources.
- ▶ During its 20th Anniversary Commemorative Event in Paris on 14 November 2011, the United Nations Working Group on arbitrary detention launched a database aimed at eradicating practices of arbitrary deprivation of liberty. The database is freely and publicly available in English, French and Spanish at www.unwgadatabase.com and contains over 600 opinions adopted since the 1991 establishment of the Working Group. Users are able to search the Working Group's materials by theme, legal provisions, States, date of adoption of opinions, etc. The database provides a practical tool for victims, lawyers, and academics in preparing and submitting cases of alleged arbitrary deprivation of liberty to the Working Group.
- ▶ The number of States which have issued a standing invitation to special procedures steadily increased during 2011 from 78 to a total of 90 States. This indicates the increasing interest of States to engage with special procedures. The number of visits to States increased to 82 in 2011, compared to 67 visits in 2010. Each visit results in a comprehensive set of recommendations for the State to follow up on and allows the State to demonstrate its commitment to international human rights undertakings and improve its overall protection of rights-holders.
- ▶ In 2011, six States extended standing invitations as a direct result of their review during the first cycle of the UPR (Algeria, India, Japan, Madagascar, Panama and Rwanda). Five country visits were undertaken by the special procedures thematic mandate-holders in 2011 in connection with the UPR. These visits contributed to more effective follow-up to the recommendations of

special procedures and the UPR and also led to thematic reports that will be relevant to the UPR second cycle.

- ▶ In 2011, OHCHR organized four pre-session briefings on the UPR in Djibouti, Spain, Thailand and Tunisia in order to assist countries to prepare for the second cycle review in the Working Group and the plenary of the Human Rights Council. These briefings focused in particular on the modalities for the second cycle of the UPR review while allowing States to discuss the preparation of national reports and the follow-up to UPR recommendations. The briefings were attended by representatives of Governments, NHRIs, UN agencies and other stakeholders. A total of 201 persons, including 89 females, benefited from the briefings.
- ▶ All 193 Member States have now been considered under the UPR process, which has seen 100 per cent participation by States being reviewed, with nearly 80 per cent represented at the ministerial level, revealing the level of importance States have attached to the process. This full participation was the result of the political commitments undertaken by States, as well as substantive support provided by OHCHR.

Civil society engagement with human rights mechanisms (EA 7)

- ▶ The visit of the Special Rapporteur on violence against women to the United States of America (24 January - 7 February 2011) generated high levels of cooperation between the mandate-holder and civil society actors. Prior to the visit, a nationwide working group of NGOs and academics was set up to identify and discuss the most relevant issues with regard to violence against women in the country and provide relevant input for the Special Rapporteur's visit. Specialized thematic briefing papers were produced and presented to the Special Rapporteur and contacts were made with national stakeholders. The partnership created by these civil society actors continued after the Special Rapporteur's visit and culminated in a working group of NGOs and academics that has continued to coordinate to push for legislative and policy change in the country. A publication compiling the thematic briefing papers prepared for the Special Rapporteur has now been issued to help raise awareness and better address the phenomenon of violence against women in the country.
- ▶ On 21 October 2011, the Special Procedures Branch organized a high-level panel discussion entitled "Stopping reprisals for cooperating with the UN in the field of human rights – a priority for all" during the General Assembly in New

York. Among the participants were the Secretary-General, the High Commissioner for Human Rights, the Minister for Foreign Affairs of Hungary, the Chair of the Board of the International Service for Human Rights, the Special Rapporteur on human rights defenders and the former Special Rapporteur on extrajudicial, summary or arbitrary executions. As a result of this panel, New York-based stakeholders participating in the General Assembly were sensitized about the issue of alleged reprisals and intimidation against persons who seek to cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights. This included highlighting the serious consequences of reprisals on the willingness and ability of people to cooperate with the United Nations and the need for the United Nations to report on and appropriately react to threats against human rights defenders. The event increased awareness about this serious concern and the high-level participation confirmed the importance attached to the issue, in particular by the Secretary-General.

- ▶ Civil society participation in the Human Rights Council was very strong in 2011. Up to 200 NGOs attended the main session of the Council. In close coordination with OHCHR's Civil Society Unit, the Human Rights Council Branch also facilitated the organization by stakeholders of side events and other meetings for the 2011 sessions of the Council. Furthermore, in order to echo the willingness of the Human Rights Council to give more visibility to and ensure the enhanced participation of stakeholders in the UPR process, the Office more closely involved national human rights institutions and representatives of civil society in the briefings organized in the context of the preparation for the UPR process.

International and regional laws and institutions (EA 8)

- ▶ The members of the Working Group on the use of mercenaries participated as resource persons in the Open-ended Intergovernmental Working Group (IGWG) held from 23 to 27 May 2011 to consider the possibility of elaborating an international regulatory framework, including, inter alia, the possibility of elaborating a legally binding instrument on the regulation, monitoring and oversight of the activities of private military and security companies, taking into consideration the principles, main elements and draft text as proposed by the Working Group on the use of mercenaries. The Working Group proposed a list of elements that could be included in a convention on private military and security

companies and developed a draft text. The first session of the IGWG was attended by representatives from 70 Member States, the African Union, the European Union and various NGOs. The majority of stakeholders agreed on the need for regulation of private military and security companies. Discussions will continue during the second session of the IGWG in 2012.

- ▶ In 2011, OHCHR organized a series of expert workshops on the prohibition of incitement to national, racial or religious hatred. The Special Rapporteurs on freedom of religion or belief; on the promotion and protection of the right to freedom of opinion and expression; and on contemporary forms of racism, racial discrimination, xenophobia and related intolerance participated and presented four joint submissions. The expert workshops analysed the legislative patterns, judicial practices and national policies on incitement to hatred in Africa, the Americas, Asia-Pacific and Europe. Participants studied ways in which the international prohibition of incitement to hatred has been implemented at the national and regional levels and how this accords with international human rights law. The engagement and participation of the three special rapporteurs contributed to the interpretation of international human rights law and the consolidation of existing international human rights standards relating to the prohibition of incitement to national, racial or religious hatred.
- ▶ The 2011 report to the General Assembly on solitary confinement of the Special Rapporteur on torture contributes to the discussion of the definition of solitary confinement and prolonged solitary confinement and concludes that depending on the specific reason for its application, conditions, length, effects and other circumstances, solitary confinement can amount to torture or cruel, inhuman or degrading treatment or punishment. The report also highlights a number of general principles and internal and external safeguards to help to guide States to re-evaluate and minimize the use of solitary confinement and, in certain cases, abolish its use.
- ▶ After an extensive consultation process with multiple stakeholders (including other human rights mechanisms), the Special Rapporteur on the right to food finalized his Guiding Principles on human rights impact assessments of trade and investment agreements and submitted his report to the Human Rights Council for examination in March 2012. UN human rights staff working in the field, including in the OHCHR Regional Office for Asia-Pacific, have begun using the Guiding Principles in their work to advise Governments

engaging in negotiations of bilateral trade agreements.

Coherence among human rights mechanisms (EA 9)

- ▶ In order to encourage enhanced coherence and consistency of the special procedures, OHCHR has supported the implementation of the decision of the Coordination Committee of the special procedures to issue a single communications report, the first of which was submitted to the 18th session of the HRC in September 2011. The report will be submitted to each session of the HRC and will help streamline documentation, avoid duplication and allow for strengthened and more targeted follow-up.
- ▶ Of the 604 communications submitted in 2011, 452 were joint communications from two or more mandate-holders. The percentage of joint communications has increased from 60 – 66 per cent in recent years to 75 per cent in 2011.
- ▶ A compilation of best practices of cooperation between special procedures and treaty bodies was prepared by OHCHR for the annual special procedures meeting and the meeting of treaty body chairpersons. The document will be revised and made public in 2012.

Responsiveness of the international community (EA 10)

- ▶ The Special Rapporteur on racism contributed to awareness-raising and highlighted the challenges faced by victims of racism, racial discrimination, xenophobia and related intolerance, inter alia, through the submission of proactive thematic reports during 2011, including a thematic report to the HRC emphasizing the need for a victim-oriented approach to ensure that actions undertaken respond to the concrete needs of those experiencing racism and racial discrimination. The report was focused on discrimination based on work and descent, including discrimination based on caste and analogous systems of inherited status and racial discrimination against Roma.
- ▶ The mandate of the Independent Expert on minority issues helped to expand the understanding of global minority rights issues, notably in the context of the annual Forum on Minority Issues which the mandate is responsible for preparing and guiding. In March 2011, the Independent Expert presented the recommendations of the third annual session of the Forum (December 2010) on the issue of minorities and effective participation in economic life to the Human Rights Council. Several States and other actors described these as valuable resources to help ensure the



The Special Rapporteur on freedom of religion or belief visits a Lutheran community in the Transnistrian region of the Republic of Moldova.

inclusion and participation of minorities in all areas of economic life. In November 2011, the fourth session of the Forum focused on guaranteeing the rights of minority women and girls and provided a vital opportunity to consider the unique circumstances and challenges facing disadvantaged minority women and girls in every region. Over 400 participants, including more than 70 States from every region and many minority representatives, participated in this dynamic meeting and shared experiences, challenges and good practices.

- ▶ In response to the post-election violence and instability of October/November 2010 in Côte d'Ivoire which led to allegations of human rights violations committed by Liberian mercenaries, the Working Group on the use of mercenaries sent allegation letters to Côte d'Ivoire and Liberia to request further information on mercenary activities in Côte d'Ivoire, measures taken to prevent such activities and hold accountable those mercenaries involved in human rights violations. The Working Group noted that there was an increasing concern regarding mercenary activities in West Africa and a growing need to develop a regional approach to this problem. In May 2011, the President of Côte d'Ivoire called for a regional approach, noting that many Liberian mercenaries who were active in Côte d'Ivoire had returned to Liberia before moving on to Sierra Leone and then Guinea. In June 2011, the Secretary-General indicated that he favoured the development of a subregional strategy for addressing the mercenary problem (S/2011/387) and in the same month, ECOWAS called upon its Member States to monitor movements across their borders with a view to arresting perpetrators of crime and preventing mercenary activities (ECOWAS press release No: 104/2011).

- ▶ The conclusions and recommendations by the Special Rapporteur on the right to health submitted to the General Assembly on the criminalization of sexual and reproductive health (A/66/254) strengthened internal and external advocacy within the UN system and among CSOs. For example, WHO plans to draw from the report in drafting its forthcoming safe abortion guidance. The report contributed to global efforts to improve sexual reproductive health by increasing the integration of human rights standards and principles into legislation, policies and programmes. During the preparation of the report, the Special Rapporteur benefited from the technical expertise of UN entities (WHO, UNFPA and UNAIDS), which resulted in an informal inter-agency consultation on this important and sensitive cross-cutting theme. The final report provides a useful platform for UN entities and CSOs to increase awareness of violations related to the criminalization of sexual and reproductive health and capitalize on the opportunity to advocate for the decriminalization of sexual and reproductive health on the basis of human rights standards and principles.
- ▶ The 2010 establishment of a new special procedures thematic mandate on the rights to freedom of peaceful assembly and of association and the subsequent appointment in 2011 of the Special Rapporteur was welcomed by States, civil society and academia. Since taking up his functions on 1 May 2011, the Special Rapporteur participated in various conferences and consultations, sent 89 communications to Member States and issued press releases on events in, inter alia, Belarus, China, Egypt, Malaysia and Syria.
- ▶ The 2011 establishment of the new special procedures thematic mandate on the Promotion of Truth, Justice, Reparation and Guarantees of non-recurrence builds on the UN Basic Principles and Guidelines on the right to a remedy and reparation for victims of gross violations of international human rights law and serious violations of international humanitarian law (2005) and increased awareness about the right to reparation resulting from the recent efforts of other special procedures, including the Special Rapporteurs on violence against women, on torture, on trafficking and on counter-terrorism.
- ▶ The Commentary to the Declaration on Human Rights Defenders which aims to “enhance States’ understanding of the responsibilities contained in the Declaration and to increase awareness among relevant non-State actors that can contribute to the development of a conducive environment for the work of defenders” was released in July 2011. The Commentary consolidates positions taken by the current and previous mandate-holders in their respective reports. The Commentary is being used by NGOs and human rights defenders and the Euro-Mediterranean Human Rights Network has translated it into Arabic and circulated it among its partner organizations. The OHCHR Office in Guatemala will translate the Commentary into Spanish during the first half of 2012.
- ▶ The report on the mission of the Special Rapporteur on torture to Jordan was quoted by the European Court of Human Rights in its judgment *Othman v. the United Kingdom* (17 January 2012) in support of evidence concerning detention conditions and the administration of justice in Jordan. The judgment concluded that the applicant’s deportation would be in violation of article 6 of the European Convention on Human Rights as there was a risk that information obtained by torture of third persons would be admitted into evidence at the applicant’s retrial.
- ▶ In 2011, the HRC increased its responsiveness with regard to critical human rights situations. It held four special sessions in relation to the situations in Libya and Syria. The HRC established three commissions of inquiry to investigate serious violations of human rights and humanitarian law in the following countries: Côte d’Ivoire, Libya and Syria. The Council also established an OHCHR mission to Syria following the 16th special session on the country on 29 April 2011. A mission from OHCHR to Yemen took place from 28 June - 6 July 2011. At its 18th session in September, the HRC held an interactive dialogue on human rights in Yemen following the presentation of the report of the High Commissioner on OHCHR’s visit to the country. All of the Council’s activities received substantive support from OHCHR. These activities increased the visibility of the Council and expanded its response to critical human rights situations.
- ▶ The Human Rights Council continued to hold panel discussions throughout the year which addressed the human rights dimensions of poverty and the realization of economic, social and cultural rights. It held panel discussions on the gap between policy and practice in relation to issues such as violence against women and girls, the realization of the right to health of older persons and the way forward in the realization of the right to development. All the panels were supported by OHCHR and provided an opportunity and venue for the international community to focus on and discuss, with experts in the field, new and emerging thematic human rights issues to increase awareness of these issues from a human rights perspective.

- ▶ In 2011, the HRC Advisory Committee (AC) submitted to the Council the final study on discrimination in the context of the right to food (A/HRC/16/40). In 2011, the AC also submitted to the Council a preliminary study on ways and means to further advance the rights of people working in rural areas, including women, in particular smallholders engaged in the production of food and/or other agricultural products, including as a result of directly working the land, traditional fishing, hunting and herding activities (A/HRC/16/63). OHCHR was asked to collect the views and comments of Member States, relevant United Nations agencies, funds and programmes and all other relevant stakeholders on the above noted topics in order for them to be taken into consideration by the AC in their studies.
- ▶ Panel discussions held at the HRC in 2011 provided an opportunity and venue for the international community to focus on and discuss, with experts in the field, new and emerging thematic human rights issues to increase awareness of these issues from a human rights perspective. The Council held 13 panel discussions ranging from an interactive panel dialogue on the rights of persons with disabilities, violence against women, the right to health of older persons, the rights of children living or working on the street, as well as a discussion on giving voice to people living with and affected by HIV/AIDS. OHCHR provided substantive support to all the panels.
- ▶ During the HRC's 18th session, OHCHR organized a panel discussion on 13 September 2011 on the promotion and protection of human rights in the context of peaceful protests, with the participation of the President of the HRC, the Deputy High Commissioner and the President of the Maldives. The event provided an opportunity to engage in an in-depth collective analysis across international, regional and national human rights mechanisms on the issue of peaceful protests. The panel discussion was hailed as a success by many State delegations, civil society organizations and panellists.

Human rights mainstreaming within the United Nations (EA 11)

- ▶ The draft United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD) Programme Guidelines on Free, Prior and Informed Consent are being circulated for final comments. UN-REDD is a joint programme of UNDP, UNEP and FAO on reducing emissions from deforestation and forest degradation. The Guidelines describe the measures that should be

followed in consultations with indigenous peoples and local communities in the context of UN-REDD programmes in specific countries. In January 2011, the Special Rapporteur on indigenous peoples provided extensive comments on the Guidelines that were substantially reflected in the current draft of the Guidelines.

- ▶ The Special Rapporteur on indigenous peoples provided guidance to the International Finance Corporation (IFC) and the Private Sector Arm of the World Bank Group during the review of its Performance Standard 7 on indigenous peoples, including by meeting with IFC officials and providing written comments on drafts of the Performance Standard. Many of the Special Rapporteur's comments were reflected in the revised standards which have now been adopted.
- ▶ The Special Rapporteur on the right to food provided influential input to the World Trade Organization (WTO) on potential conflicts between international trade rules and the right to food. On 14 December 2011, the WTO Director-General issued a public statement indicating areas of agreement and disagreement with the Special Rapporteur's views and invited him to formally present his reports to WTO Member States.
- ▶ The 2011 report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living on "Post-conflict and Post-disaster Reconstruction and the Right to Adequate Housing" (A/HRC/16/42) marked the first time that post-disaster and post-conflict housing reconstruction was substantively addressed from a human rights perspective. The Special Rapporteur undertook a working visit to Haiti where the importance of applying a human rights-based approach to housing reconstruction in post-disaster and post-conflict settings was apparent. The Haiti visit consolidated the Special Rapporteur's work in this area and gained support from international and local actors, particularly in the humanitarian sector, as well as the UN system.
- ▶ A multi-stakeholder consultation was convened by the Special Rapporteur on safe drinking water and sanitation to address post-2015 monitoring of water and sanitation. The consultation was held in Berlin in May 2011 and brought together representatives of UN entities, the World Bank, USAID, regional development banks and civil society experts, including on water and sanitation. The consultation agreed that the human rights to water and sanitation should inform the selection of global goals, targets and indicators for the post-2015 development agenda which will succeed the Millennium Development

Goals (MDGs). After the meeting, the Special Rapporteur was invited to join the inter-agency Advisory Board for the global monitoring platform in relation to the water and sanitation MDGs. The Joint Monitoring Programme, which is co-chaired by UNICEF and WHO and includes the key UN agencies involved in the monitoring of MDGs related to water and sanitation, have committed to incorporating human rights standards into the indicators developed for the post-2015 MDG framework.

- ▶ In 2011, the Special Rapporteur on the human rights of IDPs addressed the issue of natural disasters, often closely related to climate change, through the development of the revised Operational Guidelines on the Protection of Persons in Situations of Natural Disasters. The Guidelines presented to the Human Rights Council in 2011 (A/HRC/16/43/Add.5) have been endorsed by the Inter-Agency Standing Committee (IASC), translated into several languages, widely disseminated and are increasingly used by relevant stakeholders for operational guidance in the field, including as a key reference and training tool for situations relating to natural disasters.

Global Management Outputs

Sharing OHCHR's strategic direction (GMO 1)

- ▶ Systemic issues relating to the work of the Division were discussed at various levels within the two Branches, including at weekly management meetings, weekly Section meetings and periodic all-staff Branch meetings. Colleagues from the Division actively participated in and contributed to the process of internally reviewing the OHCHR thematic strategies for 2012.
- ▶ HRCSPD, in collaboration with OHCHR's Human Rights Treaties Division, developed an office-wide planning calendar covering activities of all human rights mechanisms (special procedures, treaty bodies and UPR).

Transparent and timely decision-making (GMO 2)

- ▶ The Chiefs of SPB and HRCB regularly participated in the discussions of OHCHR's Senior Management Team (SMT) with inputs and comments from Section chiefs and ensured relevant follow-up actions by the respective Branches. The SMT agenda, documents and output were provided to the Chiefs of Section for circulation to staff for comments.

Leading human rights mainstreaming (GMO 3)

- ▶ SPB staff participated in several task forces focusing on human rights mainstreaming. In

particular, SPB substantively contributed to the work of the Task Force on migration to ensure that the findings and recommendations of the special procedures mechanisms are reflected and form an integral part of OHCHR positions on the human rights of migrants and participated in the drafting of the High Commissioner's statements and reports on migration issues. In addition, SPB staff working with the Task Force developed OHCHR positions on migration issues in the context of the Global Migration Group and other fora dealing with migration issues within the UN system. SPB also ensured that OHCHR positions for the integration of a human rights-based approach to migration are duly shared with mandate-holders to ensure that the activities undertaken by the concerned mandate-holders complement and support the work of OHCHR.

Servicing human rights mechanisms (GMO 4)

- ▶ Prior to each HRC and General Assembly session, Member States and other stakeholders were briefed by the Division. Substantive support was also provided during the meetings of the Third Committee of the General Assembly. A team of human rights officers travelled to New York to support mandate-holders reporting to the Third Committee.
- ▶ The HRCB continues to use SMS to send updates twice a day during Council sessions to ensure that all delegations are receiving real time, updated information on the evolving programme of work and any other information requiring their urgent attention. The use of the SMS alert service has been well received by subscribers and has proven to increase operating efficiency. The Office is also using social media tools, including Twitter, Flickr, YouTube and Facebook, the latter of which were added in 2011 as a means to help promote the activities of the Council, enhance its visibility and engage with the public on issues of importance to its work.
- ▶ On the 25th anniversary of the establishment of the mandate of the Special Rapporteur on freedom of religion or belief, a reference e-book was launched in Geneva compiling observations and recommendations by the four mandate-holders who have served since 1986. In its 25 years of existence, the mandate has identified some worrying trends related to intolerance, discrimination and violence against individuals based on their religion or belief. The e-book, entitled "Rapporteur's Digest on Freedom of Religion or Belief," compiles relevant excerpts from thematic and country-specific reports and is arranged according to the five topics of the Rapporteur's framework for communications. By



The three-member Independent Commission of Inquiry on Syria pictured during a special session of the Human Rights Council, December 2011.

making the analytical information publicly available, the Digest is a tool for advocacy, education and research for various stakeholders, including academics, civil society organizations and religious communities. Special procedures mandate-holders were informed of developments in the Human Rights Council, General Assembly, Security Council and other relevant UN bodies in a timely manner through a variety of means, including regular communications with staff supporting the mandates and weekly briefing notes.

- ▶ SPB conducted an induction programme for newly appointed special procedures mandate-holders with a focus on the political context of the work of special procedures and best practices in working methods. In addition, SPB assisted mandate-holders to interact with key stakeholders including through the annual meeting of mandate-holders.
- ▶ SPB sought to enhance the coherence of the special procedures system, including through support to the Coordination Committee and the production of materials such as the Visual Directory of Special Procedures Mandate-Holders which is updated regularly and has been made accessible for persons who are visually impaired.
- ▶ SPB participated in the review of the Human Rights Council in 2011 and is actively implementing the adopted outcome, in particular to enhance transparency in the selection and appointment process of mandate-holders, strengthen engagement with national human rights institutions, maintain information on special procedures in a comprehensive and easily accessible manner and address cases of reprisals

against those who cooperate with the UN in the field of human rights.

- ▶ HRCB took the lead in supporting the review of the Human Rights Council in 2011 and is working closely with the Office of the President of the Council and other stakeholders on follow-up to and implementation of the recommendations emanating from the review.

Supporting field operations (GMO 5)

- ▶ SPB supported field operations through its work on communications, country visits and legislative reporting as well as through the participation in workshops, trainings and other events as resource persons and the sharing of information. It also supported field operations with both mandate-specific information and system-wide information on a regular basis.
- ▶ HRCB supported field operations by including field offices in regional briefings on the UPR. This allowed them to provide enhanced support and advice to stakeholders on the ground in the preparation of reports for the UPR review.

Skills and competencies (GMO 6)

- ▶ HRCB actively supported the development of staff within the Branch, including by temporarily seconding staff to other Divisions, releasing staff for field missions and participating in commissions of inquiry. It encouraged staff to participate in the courses offered by the Staff Development Section and the United Nations Office at Geneva and also supported a number of off-site staff development activities in accordance with the UN programme on the upgrading of substantive skills, including sabbatical leave.

Website (GMO 7)

- ▶ HRCSPD worked closely with the Information Management and Technology Section and the Communications Section on the redesign of its web page and the regular updating of its content.

Resources (GMO 8)

- ▶ SPB worked with OHCHR's Donor and External Relations Section and developed a publicly available document which is periodically updated with information on the regular and extrabudgetary resources available for special procedures. SPB briefed key stakeholders, including Member States and mandate-holders, on the situation of financial resources available to the special procedures.

Challenges and lessons learned

Among the positive lessons learned are the increased visibility of special procedures and the work of the Human Rights Council through the UPR and urgent actions of the Council, such as the special sessions.

The Special Procedures Branch continues to provide support to an increasing number of mandates established by the Human Rights Council. The expanding activities of mandate-holders require significant support and the Special Procedures

Branch is facing challenges in obtaining necessary financial resources.

The HRC Secretariat faced a serious challenge in providing support to the Consultative Group,

Special procedures in figures

82 country visits carried out by special procedures mandate-holders

604 communications sent, 452 of which were joint communications submitted by two or more mandate-holders

121 reports submitted by mandate-holders to the HRC and **24** to the General Assembly

272 public statements issued by mandate-holders

90 standing invitations issued by Member States, compared to 78 at the end of 2010. In 2011, 12 countries issued such invitations, including: India, Japan, Lebanon, Madagascar, Marshall Islands, Nauru, Palau, Panama, Papua New Guinea, Rwanda, Thailand and Tunisia

Human Rights Council - Outcome of Sessions held in 2011**16th Session (28 February – 25 March)**

The Council adopted resolutions and decisions on:

- ▶ Review of the work and functioning of the Human Rights Council;
- ▶ Human rights and the environment;
- ▶ The United Nations Declaration on Human Rights Education and Training;
- ▶ The Social Forum;
- ▶ Economic, social and cultural rights, including the right to food, right to safe drinking water, sanitation and traditional values of human kind;
- ▶ Human rights in a number of thematic areas, including the right to development, rights of the child, persons with disabilities, enforced and involuntary disappearances;
- ▶ The extension of several thematic mandates of special procedures;
- ▶ Composition of staff of the Office of the High Commissioner for Human Rights;
- ▶ The human rights situation in Côte d'Ivoire, Democratic People's Republic of Korea, Democratic Republic of the Congo, Islamic Republic of Iran, Myanmar, occupied Syrian Golan and Occupied Palestinian Territory, including East Jerusalem;
- ▶ Right of the Palestinian people to self-determination;
- ▶ Follow-up to the report of the United Nations fact-finding mission on the Gaza conflict;
- ▶ Advisory services and technical assistance for Burundi;
- ▶ Strengthening of technical cooperation and consultative services in Guinea;
- ▶ Outcomes of the UPR of Andorra, Bulgaria, Croatia, Honduras, Jamaica, Lebanon, Liberia, Malawi, Maldives, Marshall Islands, Mauritania, Micronesia, Mongolia, Panama and the United States of America.

17th Session (30 May – 17 June)

The Council adopted resolutions and decisions on:

- ▶ The human rights situation in Belarus and Libya;
- ▶ Economic, social and cultural rights, including the right to education, the effects of foreign debt, extreme poverty and human rights, physical and mental health, respect for cultural diversity;
- ▶ Human rights, sexual orientation and gender identity;
- ▶ Optional Protocol to the Convention on the Rights of the Child;
- ▶ The extension of several thematic mandates of special procedures;
- ▶ Proclamation of 19 August as the International Day of Remembrance of and Tribute to the Victims of Terrorism;
- ▶ Human rights in a number of thematic areas, including the independence of judges and lawyers and right to peace, migrants and asylum-seekers, protection of human rights in the context of peaceful protests;
- ▶ Human rights and transnational corporations and other business enterprises;
- ▶ Assistance to Côte d'Ivoire, Kyrgyzstan and Somalia in the field of human rights;
- ▶ Office of the President;
- ▶ Outcomes of the UPR in relation to Australia, Austria, Estonia, Georgia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Niger, Oman, Paraguay, Rwanda, Saint Kitts and Nevis, Saint Lucia and Sao Tomé and Príncipe.

18th Session (12 September – 30 September)

The Council adopted resolutions and decisions on:

- ▶ Economic, social and cultural rights, including in relation to preventable maternal mortality and morbidity, the human right to safe drinking water, minorities and indigenous peoples;
- ▶ Human rights in a number of thematic areas, including migrants, climate change, human rights in the administration of justice, terrorist hostage-taking, the use of mercenaries, freedom of expression on the internet, human rights and coercive measures, human rights and racism, prevention, sport and human rights;
- ▶ The extension of several thematic mandates of special procedures;
- ▶ The right to development;
- ▶ Human rights and international solidarity;
- ▶ Promotion of a democratic and equitable international order;
- ▶ Technical assistance for Burundi, Cambodia, Haiti, South Sudan, Sudan and Yemen;
- ▶ The resumption of Libya's membership;
- ▶ Regional arrangements for the promotion and protection of human rights;
- ▶ Enhancement of technical cooperation and capacity-building in the field of human rights;
- ▶ Outcomes of the UPR in relation to Belgium, Denmark, Greece, Hungary, Latvia, Palau, Papua New Guinea, Saint Vincent and Grenadines, Samoa, Seychelles, Sierra Leone, Singapore, Solomon Islands, Sudan and Suriname.

15th Special Session (25 February)

- ▶ The Council adopted a resolution on "Situation of human rights in the Libyan Arab Jamahiriya."

16th Special Session (29 April)

- ▶ The Council adopted a resolution on "The current human rights situation in the Syrian Arab Republic in the context of recent events."

17th Special Session (22 – 23 August)

- ▶ The Council adopted a resolution on the "Situation of human rights in the Syrian Arab Republic."

18th Special Session (2 December)

- ▶ The Council adopted a resolution on "The human rights situation in the Syrian Arab Republic."

Special Procedures Mandate-Holders 2011

Mandate	Established	Mandate-holder
Country mandates		
Independent Expert on the situation of human rights in Burundi	2004 (discontinued in 2011)	Mr. Fatsah Ouguergouz (Algeria), August 2010 – September 2011
Special Rapporteur on the situation of human rights in Cambodia	1993	Mr. Surya Prasad Subedi (Nepal), since May 2009
Independent Expert on the situation of human rights in Côte d'Ivoire	2011	Mr. Doudou Diene (Senegal), since November 2011
Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea	2004	Mr. Marzuki Darusman (Indonesia), since August 2010
Independent Expert on the situation of human rights in Haiti	1995	Mr. Michel Forst (France), since June 2008
Special Rapporteur on the situation of human rights in the Islamic Republic of Iran	2011	Mr. Ahmed Shaheed (Maldives), since August 2011
Special Rapporteur on the situation of human rights in Myanmar	1992	Mr. Tomás Ojea Quintana (Argentina), since May 2008
Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967	1993	Mr. Richard Falk (United States of America), since May 2008
Independent Expert on the situation of human rights in Somalia	1993	Mr. Shamsul Bari (Bangladesh), since May 2008
Independent Expert on the situation on human rights in the Sudan	2005 (SR) 2009 (IE)	Mr. Mohamed Chande Othman (Tanzania), since October 2009
Special Rapporteur on the situation of human rights in the Syrian Arab Republic	2011	To be appointed in March 2012 at the 19 th HRC session
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	2000	Ms. Raquel Rolnik (Brazil), since May 2008
Working Group of experts on people of African descent	2002	Ms. Mirjana Najcevska (The former Yugoslav Republic of Macedonia), since November 2008 Ms. Monorama Biswas (Bangladesh), since November 2008 Ms. Mireille Fanon- Mendes-France (France), since May 2011 Ms. Maya Sahli (Algeria), since August 2008 Ms. Verene Shepherd (Jamaica), since April 2010

Mandate	Established	Mandate-holder
Working Group on arbitrary detention	1991	Mr. El Hadji Malick Sow (Senegal), Chair-Rapporteur, since May 2008 Ms. Shaheen Sardar Ali (Pakistan), Vice-Chair, since August 2008 Mr. Vladimir Tochilovsky (Ukraine), since May 2010 Mr. Mads Andenas (Norway), since August 2009 Mr. Roberto Garretón (Chile), since May 2008
Special Rapporteur on the sale of children, child prostitution and child pornography	1990	Ms. Najat Maalla M'jid (Morocco), since May 2008
Independent Expert in the field of cultural rights	2009	Ms. Farida Shaheed (Pakistan), since November 2009
Independent expert on the promotion of a democratic and equitable international order	2011	To be appointed in March 2012 at the 19th HRC session
Special Rapporteur on the right to education	1998	Mr. Kishore Singh (India), since August 2010
Working Group on enforced or involuntary disappearances	1980	Mr. Jeremy Sarkin (South Africa), Chair-Rapporteur, since May 2008 Mr. Ariel Dulitzky (Argentina/USA), since August 2010 Mr. Olivier de Frouville (France), since November 2008 Ms. Jasminka Dzumhur (Bosnia and Herzegovina), since May 2010 Mr. Osman El-Hajje (Lebanon), since August 2009
Special Rapporteur on extrajudicial, summary or arbitrary executions	1982	Mr. Christof Heyns (South Africa), since August 2010
Special Rapporteur on extreme poverty and human rights	1998	Ms. María Magdalena Sepúlveda Carmona (Chile), since May 2008
Special Rapporteur on the right to food	2000	Mr. Olivier De Schutter (Belgium), since May 2008
Independent Expert on foreign debt and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights	2000	Mr. Cephas Lumina (Zambia), since May 2008
Special Rapporteur on the rights to freedom of peaceful assembly and of association	2010	Mr. Maina Kiai (Kenya), since May 2011
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression	1993	Mr. Frank William La Rue Lewy (Guatemala), since August 2008
Special Rapporteur on freedom of religion or belief	1986	Mr. Heiner Bielefeldt (Germany), since August 2010
Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health	2002	Mr. Anand Grover (India), since August 2008

Mandate	Established	Mandate-holder
Special Rapporteur on the situation of human rights defenders	2000	Ms. Margaret Sekaggya (Uganda), since May 2008
Special Rapporteur on the independence of judges and lawyers	1994	Ms. Gabriela Knaul (Brazil), since June 2009
Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples	2001	Mr. James Anaya (United States of America), since May 2008
Special Rapporteur on the human rights of internally displaced persons	2004	Mr. Chaloka Beyani (Zambia), since November 2010
Independent Expert on human rights and international solidarity	2005	Ms. Virginia Dandan (Philippines), since 1 August 2011
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	2005	Ms. Faiza Patel (Pakistan), Chair-Rapporteur, since August 2010 Ms. Patricia Arias (Chile), since August 2011 Ms. Elzbieta Karska (Poland), since August 2011 Mr. Anton Katz (South Africa), since August 2011 Mr. Gabor Rona (USA/Hungary), since August 2011
Special Rapporteur on the human rights of migrants	1999	Mr. François Crépeau (Canada), since August 2011
Independent Expert on minority issues	2005	Ms. Rita Izsak (Hungary), since August 2011
Special Rapporteur on the promotion of truth, justice, reparation and guarantees on non-recurrence	2011	To be appointed in March 2012 at the 19 th HRC session
Special Rapporteur on contemporary forms of racism , racial discrimination, xenophobia and related intolerance	1993	Mr. Mutuma Ruteere (Kenya), since November 2011
Special Rapporteur on contemporary forms of slavery , including its causes and consequences	2007	Ms. Gulnara Shahinian (Armenia), since May 2008
Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism	2005	Mr. Ben Emmerson (United Kingdom of Great Britain and Northern Ireland), since August 2011
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment	1985	Mr. Juan Ernesto Méndez (Argentina), since November 2010
Special Rapporteur on the human rights obligations related to environmentally sound management and disposal of hazardous substances and waste	1995	Mr. Calin Georgescu (Romania), since August 2010
Special Rapporteur on trafficking in persons , especially women and children	2004	Ms. Joy Ngozi Ezeilo (Nigeria), since August 2008

Mandate	Established	Mandate-holder
Working Group on transnational corporations and other business enterprises	2011	Mr. Michael K. Addo (Ghana), since November 2011 Mr. Puvan Selvanathan (Malaysia), since November 2011 Mr. Pavel Sulyandziga (Russian Federation), since November 2011 Ms. Alexandra Guaqueta (Colombia/USA), since November 2011 Ms. Margaret Jungk (USA), since November 2011
Special Rapporteur on violence against women , its causes and consequences	1994	Ms. Rashida Manjoo (South Africa), since August 2009
Special Rapporteur on the human right to safe drinking water and sanitation	2008	Ms. Catarina de Albuquerque (Portugal), since November 2009
Working Group on the issue of discrimination against women in law and in practice	2010	Ms. Kamala Chandrakirana (Indonesia), Chair-Rapporteur, since May 2011 Ms. Emna Aouij (Tunisia), since May 2011 Ms. Mercedes Barquet (Mexico), since May 2011 Ms. Frances Raday (Israel/United Kingdom of Great Britain and Northern Ireland), since May 2011 Ms. Eleonora Zielinska (Poland), since May 2011