

Human Rights Council and Special Procedures Division

Background

The Human Rights Council (HRC) is an intergovernmental body comprising 47 Member States, elected by the General Assembly for a three-year period, that is 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 a year and may hold 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.

Special procedures are mechanisms established by the HRC to address thematic human rights issues and the human rights situations in specific countries. 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 active engagement with States, individuals and civil society organizations. 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. During 2012, the Council established three new special procedures mandates: an Independent Expert on the issue of human rights obligations related to the enjoyment of a safe, clean, healthy and sustainable environment and two new country mandates, created to address the situation in Belarus and in Eritrea. By December



The High Commissioner with the former President of the Human Rights Council during a session of the UN inter-governmental human rights body in Geneva, Switzerland.

2012, there were a total of 48 special procedures mandates (36 thematic mandates and 12 mandates relating to counties and territories). By the end of the year, 92 States had issued standing invitations for special procedures to undertake visits (increased from 90 at the end of 2011). By December 2012, special procedures conducted 80 country visits and issued a total of 603 communications (75 per cent of which were issued jointly by two or more mandate-holders) to 127 different countries and territories. The response rate by States to special procedures' communications remains low at approximately 40 per cent.

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; the two Working Groups established under the Council's Complaint Procedure (on Communications and on Situations) and the Consultative Group. The Human Rights Council and Special Procedures Division, which works directly with the Council, is composed of an Office of the Director, the Human Rights Council Branch (HRCB) and the Special Procedures Branch (SPB). HRCB provides substantive support and advice to the HRC and its subsidiary mechanisms as well as advice to other divisions of OHCHR. The SPB provides dedicated substantive and logistical support to the activities of the thematic mandates and the Forum on Minority Issues. The Branch also provides overall support to the system of special procedures, including to the Coordination Committee of Special Procedures.

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)

▶ On 13 December 2012, a judgment issued by the Grand Chamber of the European Court of Human Rights on the case of *El Masri v. the Former Yugoslav Republic of Macedonia* (Application no. 39630/09, at para. 123) made reference to the Working Group on Arbitrary Detention's Opinion 29/2006 (United States of America, UN Doc. A/HRC/4/40/Add.1 at para. 103) concerning Mr. Ibn al-Shaykn al-Libi and 25 other persons. Reference was made to the Working Group's statement that "the detention of the persons concerned, held in facilities run by the United States secret services

or transferred, often by secretly run flights, to detention centres in countries with which the United States authorities cooperated in their fight against international terrorism, fell outside all national and international legal regimes pertaining to the safeguards against arbitrary detention. In addition, it found that the secrecy surrounding the detention and inter-State transfer of suspected terrorists could expose the persons affected to torture, forced disappearance and extrajudicial killing." With the support of OHCHR, the Working Group established a database in 2011 which contains over 600 Opinions it has adopted, making them available to stakeholders and the general public and contributing to the visibility of the mandate.

- ▶ The Special Rapporteur on the human rights of migrants has engaged closely with the European Union (EU) and undertook country visits to Greece, Italy, Tunisia and Turkey in relation to a study on the management of the external borders of the EU and its impact on the human rights of migrants. The Special Rapporteur will present a thematic report on this issue to the Human Rights Council's 23rd session in 2013 and is hopeful that the report will raise awareness and assist both the EU institutions and the EU Member States in ensuring that their migration policies and practices take full account of the human rights of migrants.
- ▶ With regard to a number of cases of individuals, urgent appeals sent to governments by the Special Rapporteur on summary executions resulted in their lives being saved. Among these was an urgent appeal sent on 5 June 2012 to the Government of the United States of America regarding the case of Mr. Abdul Hamin Awkal, a Lebanese national alleged to be mentally ill, and reportedly scheduled for imminent execution on 6 June 2012, in the State of Ohio. Media reports indicate that Mr. Awkal was not executed on 6 June after the Governor of Ohio granted a last-minute reprieve on the evening of 5 June 2012. The reprieve was granted for two weeks to provide time to examine Mr. Awkal's state of mental health. In the summer of 2012, the Governor of Ohio commuted the death sentence of Mr. Awkal. In Iran, Ms. Sakineh Mohammadi-Ashtiani, sentenced to death for alleged adultery and participation in the murder of her husband, was the subject of several Urgent Appeals in 2010. In July 2012, the Government of Iran informed the Special Rapporteur that, on orders from the Chief of the Judiciary, the execution of Ms. Ashtiani was halted.
- ▶ On 30 August 2012, the Working Group on Arbitrary Detention adopted Opinion No. 33/2012

(Mexico) concerning Mr. Hugo Sánchez Ramírez who had been arrested and detained since 21 July 2007. The Working Group considered the detention of Mr. Ramírez as arbitrary and called on the Government of Mexico to release him and provide him with appropriate damages. In October 2012, the Supreme Court ordered the release of Mr. Ramírez. The Working Group received information that its Opinion had been used in the submissions made to the Supreme Court on behalf of Mr. Ramírez.

- ▶ In January 2012, the Special Rapporteurs on the right to freedom of opinion and expression, on the situation of human rights defenders and on the rights to peaceful assembly and association sent a joint allegation letter to the Government of Chile on the draft Law on Strengthening the Preservation of Public Order (*Proyecto de Ley que Fortalece el Resguardo del Orden Público*) addressing its alleged restrictions to the rights to freedom of expression and peaceful assembly. The Government of Chile sent two responses (March and September 2012) indicating the positive changes that had been introduced in the draft legislation and took into account the concerns expressed by the three mandate-holders. The Special Rapporteurs reiterated their concerns to the Government about other provisions of the draft legislation which could lead to arbitrary restrictions to the rights to freedom of expression and peaceful assembly.
- ▶ Following the visit of the Special Rapporteur on trafficking to Thailand in August 2011, the Government of Thailand prepared legislation, the draft Anti-Transnational Organized Crime Act, in order to ratify the UN Convention against Transnational Organized Crime and Protocols Thereto, including the Trafficking Protocol, in line with the Special Rapporteur's recommendation to ratify the Trafficking Protocol.
- ▶ On 20 October 2012, the Island of Jersey adopted new legislation banning so-called "vulture funds" from using the island's courts to sue the world's poorest countries for historic debts. The Debt Relief Law (Developing Countries) was adopted by the Parliament after the Independent Expert on foreign debt and human rights made a submission to the law making process and calling on the Island of Jersey to follow the example of the United Kingdom which had banned the practice in April 2010.

Ratification (EA 2)

- ▶ In May 2010, the Special Rapporteur on the sale of children, child prostitution and child pornography contributed to a two-year global

campaign launched by the UN Secretary-General to promote the universal ratification of the first two Optional Protocols to the Convention of the Rights of the Child by 2012, with the joint support of the Special Representatives on Violence against Children and for Children and Armed Conflict, and the Committee on the Rights of the Child, in cooperation with UNICEF and OHCHR. During the campaign, 24 States ratified the Optional Protocol on the sale of children, child prostitution and child pornography, bringing the total number of States Parties to 162 by the end of 2012.

State engagement with human rights mechanisms (EA 6)

- ▶ On 5 and 6 March 2012, the Special Rapporteur on the rights of indigenous peoples met with indigenous representatives and representatives of the Congress of Peru on the principle of free, prior and informed consent in the context of extractive industries. His intervention helped to provide guidance on the principle of consultation and consent with indigenous peoples and addressed concerns regarding a draft regulation on consultation with indigenous peoples, which was subsequently adopted by the Government of Peru.
- ▶ Following the visit of the Special Rapporteur on the sale of children, child prostitution and child pornography to Honduras from 30 August to 7 September 2012, the Government adopted a law in November 2012 to review all legislation relating to child protection in order to harmonize it with international standards and improve child protection.
- ▶ The Special Rapporteur on the human rights of internally displaced persons actively engaged with the Government of Kenya and other national stakeholders on the development of a national framework on internal displacement. The mandate contributed to the development of a national policy as well as a national bill on internally displaced persons, which was passed by Parliament and is awaiting presidential assent.
- ▶ On 12 October 2012, the Special Rapporteurs on the rights of indigenous peoples, on the situation of human rights defenders, on extrajudicial, summary or arbitrary executions, and on the rights to freedom of peaceful assembly and of association, sent a letter to the Government of Guatemala and issued a press release urging it to clarify the violent events that occurred on 4 October 2012 in the Cumbre de Alaska, municipality of Santa Catarina Ixtahuacán, Sololá. During these events, six indigenous peoples were killed and 33 indigenous peoples and

13 members of the military were injured. In part as a result of this intervention, the Prosecutor's Office is investigating the acts, resulting in the arrests of several members of the Guatemalan military.

- ▶ On 22 August 2012, the Special Rapporteur on the rights of indigenous peoples issued a press release calling on the Government of the United States of America and authorities in the state of South Dakota to promote consultations with indigenous people regarding the pending sale of five tracts of land in the Black Hills area in South Dakota. The lands lie within a site that is sacred to the Lakota and Dakota people, known as Pe'Sla. Following the issue of the press release, the land sale was cancelled and a campaign was launched to raise funds that would enable the indigenous community to purchase these lands of cultural and religious significance to them. It is unclear why the auction was cancelled, however media reports suggest that it may have been the result of the massive public awareness campaign, including the Special Rapporteur's press release. A version of the Special Rapporteur's press release made public on twitter was re-tweeted over 1,000,000 times.
- ▶ In a public statement on International Day of World's Indigenous Peoples, the President of Colombia referred positively to the press release issued by the Special Rapporteur on the rights of indigenous peoples regarding the situation in Cauca, agreed that the situation was serious, and supported the call for dialogue requested by the Special Rapporteur. The statement made by the Special Rapporteur on International Day of the World's Indigenous Peoples was featured on the UN website, along with other stories about the day.
- ▶ The Special Rapporteur on torture conducted a follow-up country visit to Kyrgyzstan in May 2012 to participate in a roundtable meeting on torture prevention in Kyrgyzstan. The meeting concerned the implementation of recommendations contained in his report on his mission to Kyrgyzstan and was attended by Government officials. Following the visit, an Action Plan on Prevention of Torture (based on the Rapporteur's recommendations) was prepared by OHCHR at the request of the Ministry of Foreign Affairs and the General Prosecutor's Office has indicated it will take the lead on implementing it once it has been adopted by the Office of the President.
- ▶ Following the visit of the Special Rapporteur on the situation of human rights defenders to Tunisia (27 September- 5 October 2012), conducted jointly with the Special Rapporteur on human rights defenders of the African

Commission on Human and Peoples' Rights, the Government announced on 17 October 2012 its decision to implement Decree Laws 115 and 116 concerning, respectively, freedom of the press, printing and publishing, and freedom of broadcasting and the establishment of an independent broadcasting authority. The two Special Rapporteurs had recommended in their end-of-mission statement that the Government implement the two decree laws. The Interim President signed these decrees into law on 2 November 2011, shortly before the new Government took office, in order to strengthen freedom of expression and dialogue between the Government and journalists and media workers.

- ▶ Members of both chambers in the California State Assembly and Senate repeatedly referred to the country mission report of the Special Rapporteur on the right to water and sanitation (who visited the United States of America in 2011) when debating the adoption of Bill 685 on 25 September 2012. The legislation was subsequently adopted and established the right of everyone in the State of California to safe, clean, affordable and accessible water, adequate for human needs.
- ▶ The Special Rapporteurs on the right to adequate housing and on extreme poverty welcomed the decision of the Constitutional Court of Hungary to strike down new legislation that both experts had indicated in an urgent appeal and a subsequent public statement in February 2012 would "criminalize homelessness."
- ▶ The Special Rapporteurs on racism, freedom of peaceful assembly and association, health, human rights defenders, independence of judges and lawyers, and torture and the Working Group on arbitrary detention sent a joint urgent appeal on 8 June 2012 that resulted in the decision from



The Human Rights Council room in Palais des Nations, Geneva.



The Working Group on Enforced or Involuntary Disappearances in session.

the Attorney General's Prosecution Office in Sudan to release a human rights defender who was a member of an organization that provided humanitarian assistance to the ethnic group to which he belonged.

- ▶ In 2012, a significant legislative reform came into force on enforced disappearances in the State of Nuevo Leon, Mexico. The reforms to the Penal Code stipulated that disappearance was a specific offense and a continuous crime, in line with one of the recommendations of the Working Group on Enforced and Involuntary Disappearances following its official visit to Mexico in March 2011. Other important elements introduced by the reform related to the exclusion of the application of amnesty laws or similar provisions to enforced disappearances and the imprescriptibility of the crime.
- ▶ The first cycle of UPR was completed at the 19th session of the Human Rights Council held in March 2012, with 100 per cent participation and reporting by all 192 Member States. The second cycle of UPR began in 2012, and 28 Member States submitted information and participated in the sessions of the Working Group.

Civil society engagement with human rights mechanisms (EA 7)

- ▶ The Secretary-General's report to the Human Rights Council on reprisals against persons who have cooperated with the UN and human rights mechanisms was submitted to the HRC at its 21st session. The report contained information on cases of reprisals which were documented and corroborated through multiple sources and assessed for reliability and consistency. The report was discussed at a panel of the HRC on the issue of intimidation or fear of reprisals. During the discussion, proposals were made for concrete measures to improve protection of persons who cooperate with the UN and related human rights mechanisms.

- ▶ A Practical Guide for Civil Society was made available on the website and during sessions of the UPR Working Group to clarify its processes and procedures. At the 21st session of the HRC, non-governmental organizations (NGOs) were able to intervene by video message during the adoption of UPR outcomes. This means of enhancing the participation of civil society actors was one of the recommendations of the report of the Task Force on secretariat services, accessibility for persons with disabilities and use of information technology which was adopted by a Decision of the Human Rights Council at its 19th session (A/HRC/DEC/19/119).
- ▶ NGOs increased their participation at the regular sessions of the Human Rights Council (an average 10 per cent increase in participation as compared with 2011) due to the additional support provided by OHCHR through the processing of written statements (almost 50 per cent increase), parallel events (around 10 per cent increase) and oral statements (up to 50 per cent increase).

International and regional laws and institutions (EA 8)

- ▶ The Special Rapporteur on the human rights of internally displaced persons has been actively engaged in the promotion and development of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) since the process was initiated in 2004. Over the past year, the mandate engaged with regional bodies such as the African Union and the African Parliamentary Union, with parliamentarians from various AU Member States and corresponded with 20 States urging them to sign and deposit the instrument of ratification. His efforts helped lead to the adoption of this historic Convention, the first binding regional instrument on internal displacement, which came into force on

6 December 2012 and provides specific human rights protection to the more than 10 million internally displaced persons in Africa. The Kampala Convention contains human rights standards to address challenges related to current and future internal displacement caused by conflict, natural disasters and the effects of climate change, development and mega trends such as population growth and rapid urbanization. It also outlines the obligations of States Parties, the African Union, international organizations and members of armed groups to prevent displacement, protect and assist people once displacement has occurred and find effective and lasting solutions to address displacement.

- ▶ The Working Group on the use of mercenaries continued to inform discussions of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies (OEIGWG). The Working Group presented a submission to the OEIGWG which identified gaps in international law in relation to private military and security companies and argued for a legally binding instrument to regulate their activities. In August 2012, the OEIGWG indicated the need to continue exploring issues related to this industry, including the option of elaborating a convention on private military and security companies, and recommended to the Human Rights Council that discussions continue for a further period of two years.
- ▶ Special procedures of the HRC continued to provide support for the progressive development

of international human rights law, notably through studies, consultations and the elaboration of guidelines or guiding principles by special rapporteurs. For example, the Special Rapporteur on the right to food presented Guiding Principles on human rights impact assessments of trade and investment agreements to the Council in March 2012; the Independent Expert on foreign debt presented Guidelines on foreign debt and human rights to the Council in June 2012 (endorsed by resolution 20/10) and the Special Rapporteur on extreme poverty presented draft Guiding Principles on extreme poverty and human rights to the Council in September 2012 (adopted by resolution 21/11).

- ▶ The Working Group on Enforced Disappearances adopted a General Comment on women affected by enforced disappearances and a General Comment on children and enforced disappearances during its 98th session in November 2012.
- ▶ A regional consultation was held on 17-18 January 2012, in Addis Ababa, Ethiopia between representatives of the special procedures mechanisms of the HRC and the African Commission on Human and Peoples' Rights. The objective of the consultation was to explore means to strengthen dialogue and cooperation between the two systems in the promotion and protection of human rights in Africa. It brought together mandate-holders from both mechanisms, as well as representatives of various agencies of the United Nations and African Union, civil society organizations and individual experts. At the end of the consultation, participants adopted a road map on means to strengthen future cooperation and agreed to establish a working group to this end.
- ▶ In his first thematic report presented to the Human Rights Council in June 2012, the Special Rapporteur on the rights to freedom of peaceful assembly and of association identified examples of good practices that promote and protect the rights to freedom of peaceful assembly and of association and raise the level of protection afforded by international norms and standards.
- ▶ The Special Rapporteur on trafficking devoted her report to the 67th Session of the General Assembly to the issue of trafficking in global supply chains; a relatively new topic in the field of anti-trafficking work. In the report, the Special Rapporteur examined the different ways human trafficking is manifested in the global economy; highlighted the responses of global businesses; noted existing and emerging strategies to combat abuse; and recommended the immediate and long-term steps that must be taken by business



Presentation of the draft Government UPR Action Plan in Tajikistan.



The Special Rapporteur on the rights of indigenous people visits Namibia, September 2012.

leaders to ensure effective and sustainable action. The report also outlines a series of clear and practical recommendations for businesses and States to eliminate trafficking in the supply chain. As a follow-up to this report, the Special Rapporteur convened a two-day Expert Group Meeting on Human Trafficking and Global Supply Chains, from 12 to 13 November 2012 in Ankara, Turkey. Participants included close to 20 specialists on human trafficking, business and human rights from international organizations, trade unions and NGOs as well as business representatives from leading international corporations from across regions. The expert consultations contributed to the elaboration of a draft set of benchmarks and indicators for businesses to complement existing voluntary initiatives and the UN Guiding Principles on Business and Human Rights.

Coherence among human rights mechanisms (EA 9)

- ▶ In 2012, the second UPR cycle began with a focus on implementation of the recommendations of the first cycle and new developments. Also during 2012, the number of UPR recommendations relating to the work of special procedures continued to increase. Cooperation with special procedures, both in general, and with respect to specific thematic mandates, was reiterated in recommendations made to 18 of the countries reviewed. Recommendations concerning special procedures addressed a diverse number of topics, such as extending standing invitations to all mandate-holders and encouraging the implementation of recommendations of particular mandates following country visits. The UPR process allowed special procedures

to enhance their roles in these countries, in particular through follow-up action on commitments made by Member States in the UPR through communication letters and during country visits.

- ▶ The Working Group on discrimination against women in law and practice maintained informal and formal contact with the CEDAW Committee in order to ensure complementarity of efforts. Several ideas for increasing cooperation between these two bodies were exchanged, including the Working Group's use of CEDAW's General Comments and follow-up to its Concluding Observations as a source of guidance in its work. The Working Group is also cooperating with other treaty bodies, such as the Human Rights Committee and the Committee on Enforced Disappearances.
- ▶ On Human Rights Day 2012, the Special Rapporteur on violence against women and the Special Representative of the Secretary-General on Sexual Violence in Conflict issued the first joint press statement which highlighted the issues of accountability for perpetrators and the right to truth and justice for victims of war-time sexual violence.
- ▶ The Special Rapporteur on the human rights of migrants engaged with the Chairperson of the Committee on Migrant Workers, the Rapporteur on the rights of migrants of the Inter-American Commission on Human Rights and the Special Rapporteur on refugees, asylum seekers, migrants and internally displaced persons of the African Commission on Human and Peoples' Rights. On 18 December 2012, International Migrants Day, the four experts issued a joint statement.

Responsiveness of the international community (EA 10)

- ▶ In October 2012, the Special Rapporteur on the right to food and the Special Rapporteur on extreme poverty released a proposal for the establishment of a Global Fund for Social Protection that attracted considerable interest from a range of partners, including the ILO. Notably, the proposal was presented to the 39th session of the Committee on World Food Security held in Rome in October 2012. As a result, the Committee endorsed specific recommendations highlighting "the role of international cooperation in reinforcing national actions to implement sustainable social protection programmes and systems" and underlined that "social protection programmes for food security and nutrition should be guided by human rights norms and standards."

- ▶ The Special Rapporteur on the right to food, OHCHR and FAO co-organized a regional consultation in Nairobi on 4-5 April 2012 for countries in Eastern and Southern Africa to identify steps to strengthen laws, policies and strategies for the realization of the right to food. In addition to governmental and civil society experts, the consultation gathered together parliamentarians and experts from national human rights institutions and led to the establishment of a regional network of parliamentarians to follow up on right to food issues.
- ▶ In addition to numerous urgent appeals sent to governments, several special rapporteurs issued joint press releases in relation to violence and insecurity, including a press release condemning violence in the run-up to Senegalese Presidential elections (24 February 2012).
- ▶ In 2012, the Council held 17 panel discussions and debates (one more than in 2011), with technical support from OHCHR, on subjects including the rights of persons with disabilities; participation in political and public life; human rights, sexual orientation and gender identity; rights of minorities; rights of people living with, and affected by HIV/AIDS, including young people; the promotion and protection of human rights in a multicultural context, including through combatting xenophobia, discrimination and intolerance; and access to justice by indigenous peoples. These panel discussions provided an opportunity for the international community to focus on and discuss, with experts in the field, new and emerging thematic human rights issues, increase awareness of these issues and contribute to the development of international law and standards. In addition, the Human Rights Council held its annual full-day discussion on women's human rights on the themes of women human rights defenders and remedies and reparations for women who have been subjected to violence.
- ▶ In 2012, the Human Rights Council continued to demonstrate its ability to respond to human rights crises. During the year, the HRC twice extended the mandate of the Commission of Inquiry to investigate serious violations of human rights and humanitarian law in the Syrian Arab Republic. At its 19th Session, the Council decided to establish an international fact-finding mission to investigate the implications of Israeli settlements for the human rights of Palestinian people. In response to the situation in Mali, at its 20th Session, the Council invited the High Commissioner to monitor the human rights situation in the north of Mali and to report

thereon to the Council. The Council also held its fourth consecutive special session in relation to the situation in the Syrian Arab Republic, adopting a resolution at its 19th Special Session on 1 June 2012 on *The deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in El-Houleh*.

Human rights mainstreaming within the United Nations (EA 11)

- ▶ The Special Rapporteur on racism succeeded in drawing international attention to the issue of racism in sport in the context of the 2012 UEFA Football championship, including through a thematic report submitted to the Human Rights Council. This led to enhanced cooperation between the mandate and entities such as the International Olympic Committee and the UN Office on Sport for Development and Peace.

The Special Procedures mechanisms of the United Nations and the African Commission on Human and People's Rights (ACHPR) have allied through a framework of cooperation, the so-called Addis Ababa Roadmap, agreed upon at a consultation held on 17 and 18 January 2012.

The roadmap is aimed at strengthening cooperation by regular exchanges of information, greater coordination and options of joint actions such as joint public statements, joint events and joint visits to African countries. The Roadmap established a Joint Working Group to oversee and guide its implementation. Since January the implementation of the Roadmap has made gigantic steps. Information on past and future activities is systematically shared between the two systems; exchanges of views during important events held annually by each system have successfully taken place throughout the year; the number of joint press releases has increased; a joint visit took place and efforts to disseminate the Roadmap and consequently information on the special procedures mechanisms of both systems to civil society organizations and national human rights institutions have been made. Noteworthy is that, as a result of enhanced cooperation between the two special procedures systems, the mandate of the African Commission's Working Group on the death penalty has been expanded to include extrajudicial, summary and arbitrary killings. This renders the two special procedures mandates aligned and opens up possibilities for further cooperation between them.

- ▶ The Independent Expert on minority issues continued her collaboration with UNDP and provided inputs to the newly established UN Network on Racial Discrimination and Protection of Minorities which includes members from relevant UN bodies and specialized agencies.
- ▶ The contribution of the special procedures mandate-holders, led by the Special Rapporteur on the right to food and the Special Rapporteur on the right to water and sanitation, to the negotiations concerning the outcome of the Rio+20 conference, helped to ensure adequate integration of human rights issues in the outcome document.
- ▶ The Special Rapporteur on the right to water and sanitation conducted extensive work with the UNICEF/WHO Joint Monitoring Programme (JMP) to integrate human rights perspectives in the redesigned statistical indicators that will be used to monitor the achievement of targets set for the water, sanitation and hygiene sectors in the post-2015 development agenda. Other UN and bilateral development actors welcomed the work in this area and endorsed the proposals emanating from the three task forces established by the JMP in 2012.
- ▶ Throughout the year, OHCHR continued to support the Coordination Committee of special procedures mandate-holders in order to strengthen the overall coherence of the system.
- ▶ The Office conducted an induction programme in May 2012 for 10 special procedures mandate-holders recently appointed by the Council. The programme focused on working methods of the special procedures and addressed relations with Member States of the Council and other stakeholders.
- ▶ OHCHR enhanced the visibility of the special procedures system through the production of materials such as the Directory of Special Procedures Mandate-Holders and the preparation of information tools, such as the weekly briefing notes and the *Annual Facts and Figures*. It furthermore supported the preparation of numerous press releases and web stories throughout the year, relating to country visits, thematic issues, country situations and individual cases of human rights violations.
- ▶ The Office updated the office-wide planning calendar, created in 2011, covering activities of all human rights mechanisms (special procedures, treaty bodies and UPR). The calendar was used to discuss and plan collaboration for the coming year during the

Global Management Outputs

Integrating a gender perspective (GMO 3)

- ▶ In order to enhance the equal participation of women in the Human Rights Council, OHCHR prepared a statistical report which indicated the number and percentage of women delegates (disaggregated by category; i.e.: governments, IGOs, NGOs and others) who attended the Council sessions, the number and percentage of women delegates who took the floor at sessions of the Council and the percentage of women and men participating as experts on panels.

Servicing human rights mechanisms (GMO 4)

- ▶ The Office supported special procedures mandate-holders by arranging their annual meeting in June 2012 which enabled them to engage with key stakeholders, including Member States and civil society actors. Human rights mainstreaming within the United Nations system was one of the focus themes during the 2012 annual meeting and interactive sessions were held with various United Nations agencies and entities. The annual meeting provides an important occasion to discuss working methods among mandate-holders, exchange experiences and identify best practices.



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

annual OHCHR planning event with field colleagues.

- ▶ In 2012, OHCHR launched an updated website for the Human Rights Council, with easier navigation and access to information, including an 'upcoming meetings' section. Both the Council and UPR pages provide links to the webcast page where viewers can watch live broadcasts of the Council proceedings or at a later stage through accessing webcast archives. The extranet continues to enable users to locate practical information about past, current and future sessions of the HRC and access documents, statements and correspondence on a host of issues related to the Council's work. The Human Rights Council's social media presence continues to grow, with more than 4,400 'likes' on Facebook and more than 6,000 followers on Twitter. To facilitate contact with the Secretariat, OHCHR produced a visual directory of members of the Secretariat and their functions for each session of the Council.

80 country visits carried out by special procedures mandate-holders.

603 communications sent to **127** different countries and territories. **75** per cent of these were issued jointly by two or more mandate-holders. At the end of 2012, the response rate by States to special procedures' communications remained low at approximately **40** per cent.

129 reports submitted by mandate-holders to the HRC and **32** to the General Assembly.

92 standing invitations issued by Member States, compared to 90 at the end of 2011. In 2012, two countries issued such invitations: Chad and Seychelles.

Human Rights Council - Outcome of Sessions held in 2012

19th Session (27 February - 23 March 2012)

The Council adopted resolutions, decisions and President's Statements on:

- ▶ Human rights and the environment;
- ▶ Forum on Minority Issues;
- ▶ The Social Forum;
- ▶ Economic, social and cultural rights, including the right to food, adequate housing as a component of the right to an adequate standard of living in the context of disaster settings and the question of the realization in all countries of economic, social and cultural rights;
- ▶ Human rights in a number of thematic areas, including the right to development, rights of the child, birth registration and the right of everyone to recognition everywhere as a person before the law, participation in political and public life by persons with disabilities, protection of human rights and fundamental freedoms while countering terrorism, promotion and protection of human rights in the context of peaceful protests, the role of good governance in the promotion and protection of human rights, human rights and unilateral coercive measures, human rights, democracy and the rule of law, freedom of religion or belief, combating intolerance, negative stereotyping and stigmatization of, discrimination, incitement to violence and violence against, persons based on religion or belief, and integrity of the judicial system;
- ▶ Enhancement of international cooperation in the field of human rights;
- ▶ Voluntary Trust Fund for Least Developed Countries and Small Island Developing States;
- ▶ The negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights;
- ▶ Mandate of the Special Rapporteur in the field of cultural rights;
- ▶ Composition of staff of the Office of the United Nations High Commissioner for Human Rights;
- ▶ Task Force on secretariat services, accessibility for persons with disabilities and use of information technology;
- ▶ The human rights situation in the Democratic Republic of the Congo, the Democratic People's Republic of Korea, the Islamic Republic of Iran, Myanmar, the Syrian Arab Republic, the occupied Syrian Golan, and the Occupied Palestinian Territory, including East Jerusalem;
- ▶ Right of the Palestinian people to self-determination;
- ▶ Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;
- ▶ Follow-up to the report of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict;
- ▶ Promoting reconciliation and accountability in Sri Lanka;
- ▶ The escalating grave human rights violations and the deteriorating humanitarian situation in the Syrian Arab Republic;
- ▶ Assistance to Haiti, Libya, Somalia and Yemen in the field of human rights;
- ▶ Strengthening of technical cooperation and consultative services in Guinea;
- ▶ Outcomes of the UPR of Antigua and Barbuda, Haiti, Iceland, Ireland, Libya, Lithuania, Republic of Moldova, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor Leste, Trinidad and Tobago, Togo, Uganda, United Republic of Tanzania, Venezuela (Bolivarian Republic of) and Zimbabwe.

20th Session (18 June - 6 July 2012)

The Council adopted resolutions, decisions and President's Statements on:

- ▶ United Nations Declaration on the right to peace;
- ▶ National institutions for the promotion and protection of human rights;
- ▶ Economic, social and cultural rights, including the right to education and promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity;
- ▶ Human rights in a number of thematic areas, including migrants, internally displaced persons, trafficking in persons, the right to a nationality, human rights and arbitrary deprivation of nationality, the promotion, protection and enjoyment of human rights on the internet, conscientious objection to military service, arbitrary detention, elimination of discrimination against women and accelerating efforts to eliminate all forms of violence against women: remedies for women who have been subjected to violence;
- ▶ Nelson Mandela International Day Panel;
- ▶ The effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights;
- ▶ The situation of human rights in Belarus, Eritrea, Mali and the Syrian Arab Republic;
- ▶ Assistance to Côte d'Ivoire and Somalia in the field of human rights;
- ▶ Reports of the Working Group on the Universal Periodic Review.

21st Session (10 - 28 September, 5 November 2012)

The Council adopted resolutions, decisions and President's Statements on:

- ▶ World Programme for Human Rights Education;
- ▶ Economic, social and cultural rights, including the human right to safe drinking water and sanitation, guiding principles on extreme poverty and human rights;
- ▶ Human rights in a number of thematic areas, including the right to development, enforced or involuntary disappearances, right to the truth, preventable maternal mortality and morbidity and human rights, safety of journalists, promotion of the human rights of peasants and other people working in rural areas, human rights of older persons, human rights and indigenous peoples, the rights to freedom of peaceful assembly and of association and human rights and issues related to terrorist hostage-taking;
- ▶ Mandate of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes;
- ▶ Open-ended intergovernmental Working Group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies;
- ▶ Contribution of the United Nations system as a whole to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles on Business and Human Rights;
- ▶ The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination;
- ▶ Promotion and protection of a democratic and equitable international order;
- ▶ Human rights and international solidarity;
- ▶ Human rights and transitional justice;
- ▶ Promoting human rights and fundamental freedoms through a better understanding of traditional values of humankind: best practices;
- ▶ From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance;
- ▶ Elaboration of complementary standards to the International Convention on the Elimination of All Forms of Racial Discrimination;
- ▶ High-level Panel to commemorate the twentieth anniversary of the adoption of the Vienna Declaration and Programme of Action;
- ▶ Panel on the negative impact of corruption on the enjoyment of human rights;
- ▶ Enhancement of technical cooperation and capacity-building in the field of human rights;
- ▶ The situation of human rights in Eritrea, Mali and the Syrian Arab Republic;
- ▶ Assistance to Somalia, South Sudan, Sudan and Yemen in the field of human rights;
- ▶ Outcomes of the UPR of Algeria, Bahrain, Brazil, Ecuador, Finland, India, Indonesia, Morocco, Netherlands, Philippines, Poland, South Africa, Tunisia and the United Kingdom of Great Britain and Northern Ireland.

19th Special Session (1 June 2012)

The Council adopted a resolution on "The deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in El-Houleh."

Special Procedures Mandate-Holders 2012		
Mandate	Established	Mandate-holder
Country mandates		
Special Rapporteur on the situation of human rights in Belarus	2012	Mr. Kiklós Haraszti (Hungary), since September 2012
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 Eritrea	2012	Ms. Beedwantee Keetharuth (Mauritius), since September 2012
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	Mr. Paulo Sérgio Pinheiro (Brazil), since September 2012
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. Verene Shepherd (Jamaica), Chair-Rapporteur, since April 2010 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
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
Special Rapporteur in the field of cultural rights	2009	Ms. Farida Shaheed (Pakistan), since November 2009

Mandate	Established	Mandate-holder
Independent expert on the promotion of a democratic and equitable international order	2011	Mr. Alfred de Zayas (USA), since March 2012
Special Rapporteur on the right to education	1998	Mr. Kishore Singh (India), since August 2010
Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment	2012	Mr. John Knox (USA), since August 2012
Working Group on enforced or involuntary disappearances	1980	Mr. Olivier de Frouville (France), Chair-Rapporteur, since May 2008 Mr. Ariel Dulitzky (Argentina/USA), since August 2010 Mr. Jeremy Sarkin (South Africa), 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
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



Mandate	Established	Mandate-holder
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	Mr. Pablo De Greiff (Colombia), since March 2012
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. Marc Pallemerts (Belgium), since 2012
Special Rapporteur on trafficking in persons , especially women and children	2004	Ms. Joy Ngozi Ezeilo (Nigeria), since August 2008
Working Group on transnational corporations and other business enterprises	2011	Mr. Puvan Selvanathan (Malaysia), Chair-rapporteur, since November 2011 Mr. Michael K. Addo (Ghana), 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. Frances Raday (Israel/United Kingdom of Great Britain and Northern Ireland), Vice-Chair, since May 2011 Ms. Emna Aouij (Tunisia), since May 2011 Ms. Mercedes Barquet (Mexico), since May 2011 Ms. Eleonora Zielinska (Poland), since May 2011