

Amnesty International: Intervention at meeting with Special Procedures.

Thank you, Ms McDougall, for the opportunity to meet with you all.

Although all told the system of Special Procedures was not strengthened by the review carried out by the Human Rights Council, the Special Procedures appear to have emerged without too much damage. However the struggle is not over. The mandate-by-mandate review lies ahead, and the application of the Code of Conduct and the related issue of accountability to the Council remain live.

In looking back at the discussions in the Council, I would like to commend the considerable efforts of the Coordination Committee, the OHCHR, and other mandate-holders who participated in the review, and in particular the dedication of Prof Muntarhorn, who ensured that the views of the special procedures were reflected in timely fashion, at key times in critical debates. The review provided an important opportunity for the special procedures to demonstrate that they can respond to some challenging, often unreasonable, proposals coming out of that process with maturity, integrity and professionalism, and to do so with the speed necessary to try to make a difference. The Coordination Committee has succeeded in doing so and we believe that this had stood it in good stead for the future.

Let me mention another positive outcome from this review process, which is the support expressed for the special procedures through a global petition organized by 17 regional and international NGOs. Within eight weeks of going live, that petition attracted nearly 13,000 signatures, from individuals and some 300 NGOs, based in 147 states, from all UN regions. Our collective efforts to campaign for the strengthening of the special procedures system has laid the foundations for similar campaigning and lobbying in the future. We also collected testimonies from individuals and NGOs, for whom the special procedures have made an important contribution. A small sample of their testimonies is contained in a publication which is on the table – please take a copy.

Turning now to the code of conduct.

The adoption of the President's text and the code of conduct mark a new chapter for the special procedures. The code of conduct is a document which has been poorly conceived and badly drafted, but many states will be paying close attention to how it guides your activities. You are no doubt aware that during the course of this review, the South African government suggested the creation of an ethics committee to oversee implementation of the code. Although the idea is not reflected in the text of the code of conduct, it is by no means forgotten. There are states ready to take the opportunity to resurrect it at the earliest opportunity, even as soon as by the time of the next Human Rights Council session in September. We strongly urge you to give serious consideration to how you can demonstrate that you can and will regulate your activities. Consider also how best to ensure that it is known by all stakeholders that you are taking on this function. As friends of the Special Procedures, we urge you to do so before you leave Geneva this week. You must anticipate calls for an ethics committee and do everything possible to avoid being forced to react defensively to another initiative with substantial potential to harm the special procedures.

On the distinct theme of coordination, I would like to mention two areas where I believe the special procedures would benefit from the assistance of the Coordination Committee. The first is in the area of missions and the importance of agreeing how to deal with invitations to carry out visits. The issue is the point at which a government – given the opportunity to cooperate with several mandate-holders by granting access – is able to select the order of the visits, which may or may not reflect the extent or gravity of particular violations on the ground. We were concerned with this kind of situation developing in connection with Sri Lanka earlier this year.

The second issue relates to some of the public statements which are issued in the name of multiple mandate-holders. For the sake of clarity, credibility and effectiveness, we think it is preferable that only those mandate-holders with a brief which is of direct relevance to the country or issue at hand are cited in public statements.

My final point relates to the interactive dialogues of the Human Rights Council. We believe this mechanism could offer opportunities for NGOs beyond the possibility of being on record as raising their concerns. We would be interested to hear from mandate-holders what their view is of the interactive dialogue and how they think the process might be improved.

Thank you for your attention.