

Roundtable on Special Procedures: Early warning and Emerging Issues

**ECOSOC Chamber, New York
23 October 2009**

Summary

by the Office of the United Nations High Commissioner for Human Rights

The Roundtable was opened by Ms. Jane Connors, Director of the Special Procedures Division, who introduced the panelists and respondents.

In her introductory remarks, the High Commissioner for Human Rights, Ms. Navanethem Pillay, noted that the special procedures of the Human Rights Council (HRC) were often called “the eyes and ears” of the international human rights machinery and were important partners in bringing critical human rights issues to the attention of the international community. The mandate-holders were independent experts appointed to deal with thematic or country mandates. The contribution of their independent expertise to the functioning of the international human rights system could not be overemphasized. Mandate-holders were able to perform their work with independence and integrity while respecting relevant sets of rules and obligations adopted by the General Assembly (GA) and the Human Rights Council.

The High Commissioner noted that the mandates – at present a total of 39 covering all sets of human rights – were based on the Universal Declaration of Human Rights, focused on specific situations and made recommendations to address identified problems. By virtue of their mandates, the special procedures had important tools at their disposal: they could receive information from credible sources and interact with a variety of partners, including Governments, United Nations (UN) entities, civil society, victims and their families; conduct fact-finding visits allowing them to assess the human rights situations in countries; send communications to Governments to clarify allegations of human rights violations; issue public statements about questions of concern; and conduct research and studies, as well as organize expert seminars and consultations to further develop international human rights law. The special procedures reported publicly on their work to the HRC and/or the GA.

The issues addressed by the special procedures deserved the attention of the United Nations system. Actual or impending crisis situations and related early warning processes were areas where there was a more obvious need for increased attention to be given to human rights. It was widely recognized that human rights were critical issues in all stages of conflict, that violations were often the root cause of conflict, and that human rights were an indispensable element in achieving peace and reconciliation. Likewise, in other types of global situations – such as financial, food and climate crises - objective assessments of human rights enjoyment were an indispensable tool to detect underlying patterns and to point to feasible and sustainable solutions.

The special procedures, because of their independence and the nature of their mandates, were in an ideal position to function as early warning mechanisms with functions ranging from raising issues in private or public meetings and reports, and

performing specially mandated tasks such as fact-finding or acting on individual cases. These functions could complement existing mechanisms, such as the early warning procedure established by the Committee for the Elimination of Racial Discrimination (CERD), and were also important for the HRC and for the GA – enhancing linkages with Governments, UN entities and civil society. Yet, with some notable exceptions, the potential of the special procedures had not been fully tapped for early warning and conflict prevention purposes. In exploring how linkages with the New York-based UN entities and processes could be enhanced, specific steps to make the special procedures a more integrated part of early warning processes should include: making a commitment to take into account, in early warning processes, information, analysis and recommendations for action generated by the special procedures; identifying the specific type and format of information provided by the special procedures that would indicate an urgent need for preventive action; ensuring that such information was fed into existing tools on early warning, and that the special procedures were kept informed about the use of such information; establishing direct two-way channels of communication and information-sharing between UN intergovernmental bodies, UN entities and OHCHR; consulting with, and making use of, mandate-holders in supporting preventative action, e.g. through mandated fact-finding, confidence building measures or good offices; and providing the special procedures system, with adequate financial resources to implement its important activities and provide added value in early warning.

Ms. Asma Jahangir focused her presentation on some of the experiences gained from 1998 to 2004 when she served as Special Rapporteur on extrajudicial, summary and arbitrary executions and since 2004 as Special Rapporteur on freedom of religion or belief. These and other mandates had an important early-warning function with regard to emerging human rights issues. Elaborating, Ms. Jahangir noted that the special procedures provided an independent assessment and presented recommendations on the steps to be taken by Governments and the international community to defuse tensions at an early stage. Through country visits and allegation letters, attention could be drawn to emerging problems. Additionally, in their reports to the GA and the HRC, the special procedures endeavoured to contribute to a better understanding of complex situations, for example involving systemic exclusion and discrimination of certain minority groups.

Ms. Jahangir stated that the mandate on freedom of religion or belief included a strong preventive dimension - it was not limited to monitoring situations of human rights violations but also played a role in detecting early warning signs of intolerance. Her 2009 report to the GA in fact highlighted the need to pay due attention to early signs of intolerance which may not have been human rights violations themselves, but could ultimately lead to religious discrimination and further human rights violations. Additionally, along with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, she had issued public statements on incitement to racial and religious hatred. Their ultimate goal was to find the most effective ways to protect individuals against advocacy of hatred and violence by others. Hate speech could indeed be an indicator of emerging conflicts. Adequate follow-up to recommendations, especially subsequently to country visits, was also crucial for early warning functions. In this

regard, Ms. Jahangir provided an example of how polarization of different faith groups and communal tensions could trigger violence.

One example of the importance of the special procedures in early warning was the role played by the former Special Rapporteur on extrajudicial, summary and arbitrary executions in drawing attention to cases of intercommunal violence and the targeting of Tutsis in Rwanda prior to the outbreak of genocide. This and other instances of large-scale violence triggered a review of UN actions with emphasis given to strategies allowing for prompt action to be taken on early warning signs resulting, for example, in the appointment of the Special Advisor on the prevention of genocide and the emergence of the “Responsibility to Protect” doctrine.

To conclude, Ms. Jahangir stated that any early warnings signals should reach the political and conflict-prevention bodies of the UN, such as the Security Council, the Department of Peacekeeping Operations and the Department of Political Affairs. Additionally, as highlighted by eight special procedures in a joint statement at the 2009 OHCHR seminar on the prevention of genocide, effective channels of communication were needed between different parts of the UN system in order to allow decision-makers to take action with full knowledge of the facts on the ground, while Member States had the main responsibility to facilitate the work of, and cooperate with, special procedures in order to prevent crimes against humanity and genocide. Finally, relevant stakeholders could also benefit more from specific recommendations of the special procedures in the aftermath of large-scale violence in order to address the root causes of such violence.

Mr. Olivier De Schutter, Special Rapporteur on the right to food, started his presentation by highlighting ways in which the effectiveness of the Special Procedures early warning mechanisms could be enhanced. In this regard, he noted that the various tools available to Special Procedures mandate holders to draw the attention of Governments to serious issues, such as allegation letters and urgent appeals, could be made more effective through systematic follow-up with States that do not respond or that provide pro-forma answers. He also noted that international early warning mechanisms could be made more effective if coupled with national early warning mechanisms, which should include sound methodologies, and indicators based on international human rights law. In this regard, he stressed the importance of independent bodies to provide remedies for victims of human rights violations, and noted that victims and groups must be given access to courts. He also highlighted the need to develop alternative mechanisms to national courts, such as NHRIs with effective complaints mechanisms. A good practice to be replicated was the existence of national Rapporteurs on specific human rights concerns in certain countries, such as in Brazil on the right to food, land and territory. He also emphasized the key role of civil society in the context of early warning.

Mr. De Schutter then discussed the possibility for mandate holders to act beyond joint initiatives, and to provide collective responses to widespread human rights violations. These would aim to express the position of all mandate holders towards certain situations which due to their seriousness require that they act as a group. He noted that such collective action would be useful in three situations: (1) where Special Procedures mandate holders witness gross, systematic violations of human rights, or where genocide, crimes against humanity or a risk thereof is imminent; (2) cases which, due to their seriousness, cut across several mandates, directly or indirectly; and

(3) cases where the impact of the response of individual mandate holders would be very limited in light of the situation.

Mr. De Schutter finally noted that early warning also extends to situations beyond armed conflict. Focusing on the specific situation of alleged violations of economic, social and cultural rights (ESCR), and particularly on the right to food, he noted situations where small farmers are evicted from their lands or where humanitarian aid is blocked, while governments remain passive, which is not limited to ESCR. He also explained how he had drawn the attention of the international community to the global food crisis, and how this had led to a special session of the Human Rights Council in 2008, with subsequent follow up on the recommendations made.

Mr. Ian Martin, Mediator in Residence, Department of Political Affairs, noted that he had headed the first OHCHR presence in Rwanda and had personally seen how the conclusions and recommendations of the former Special Rapporteur on extrajudicial, summary and arbitrary executions provided important signs of what was to come.

Mr. Martin, a former SRSG and OHCHR Representative in Nepal, highlighted how civil society actors had drawn the attention of the special procedures to violations of human rights, including disappearances and the use of torture, committed during the conflict. The reports and statements of several mandates, such as the Working Group on enforced and involuntary disappearances and the Special Rapporteur on extrajudicial, summary and arbitrary executions, were important pressure points, which ultimately led the Government to agree to the deployment of an OHCHR field presence in the country. Additionally, the visit of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment highlighted the systematic use of torture by security forces, while the visit of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people highlighted how the root causes of the conflict had not been sufficiently addressed. The work of the special procedures combined with the activism of civil society actors allowed for a greater human rights role to be played by the UN presence on the ground – mitigating, for example, the excessive use of force by security forces and regulating the conduct of armed groups.

Mr. Martin noted that while the UN system had progressed since 1994, with human rights components integrated into many peacekeeping operations, the findings and recommendations of the special procedures were still not sufficiently integrated into the work of UN entities or Governments. Information provided by the special procedures should be given more political attention and should specifically inform policy and decision-making processes in the UN Secretariat and Member States.

Ms. Yvonne Terlingen, Representative of Amnesty International at the United Nations in New York, stated that the special procedures were only one tool in the early warning “kit”. The High Commissioner, OHCHR’s field offices, and the HRC, which was also specifically mandated by GA resolution 60/251 “to respond promptly to human rights emergencies”, all had a role to play, as did the early warning procedure of CERD. She noted, however, that recommendations contained in a study on strengthening the special procedures system (prepared by former mandate-holders, Ms. Mona Rishmawi and Mr. Thomas Hammarberg) on developing an effective approach to respond to emergencies had yet to be taken forward.

The special procedures had the necessary expertise, independence and working methods to identify emerging crises and provide early warning and were particularly well-placed within the system to raise the alarm promptly. Covering civil and political, as well as economic, social and cultural rights, they could highlight and give expert advice on a range of crises, as seen with the HRC's special session on the world food crisis. Additionally, the special procedures had the ways, and sometimes the means, to provide for rapid and responsive action. The special procedures could, for example, identify early warning and emerging crises through their urgent appeals procedure. Additionally, fact-finding missions allowed the special procedures to examine first-hand the situation on the ground. Yet, many mandate-holders were frustrated by resource constraints that limited the number of such missions that could be taken. Moreover, such visits were conditional upon the consent of Member States. Although mission reports documenting findings and recommendations were presented to and debated by the HRC, meaningful action to address the situation was dependent on a Government's willingness to act on such recommendations.

The special procedures also had a crucial role to play in helping the HRC to respond promptly to human rights emergencies. Their early warning function should be integrated into a fuller early warning, prevention, and emergency response function of the HRC that would include other trigger mechanisms. The HRC could establish a tool to monitor "crisis indicators" so that information from the special procedures and others could be analyzed and potential crises identified and acted upon.

Ms. Terlingen welcomed the initiative of the special procedures to present information on urgent appeals and allegation letters to States in a single report as a means of enhancing the UN's capacity for early warning and identifying emerging patterns of violations. To respond more effectively to early warning signs and to emergencies, the special procedures needed from the UN system: adequate resources to be able to undertake fact-finding missions in addition to their two missions per year, for the necessary period of time, and staff with the requisite expertise; immediate access to the HRC in order to present their mission reports in a timely fashion, so that the HRC could consider their findings and recommendations and take appropriate action (which may include referral of a potential situation to the Security Council); and other relevant UN bodies more open to receiving their information.

For example, the Security Council could start to take account of the reports and recommendations of the special procedures on the thematic and country situations already on its agenda. This would require coordination among mandate-holders in order to draw on the wealth of experiences from a broad range of mandates – for example, input into discussions on women, peace and security would benefit from the work of the Special Rapporteur on violence against women, its causes and consequences as well as from those on extrajudicial executions and on torture. Relevant special procedures could be invited to participate in Arria formula meetings of the Security Council; political will shown by Member States and political bodies to be much more alert and responsive to the warnings, findings and recommendations of the special procedures. This included compelling States to cooperate fully with the special procedures, taking action if States failed to do so and helping to ensure that the special procedures could fully and effectively carry out their mandates when early warning signs so required. To conclude, Ms. Terlingen stated that the special

procedures played an important role in helping the international community avert further human rights disasters. It was therefore time for the international community to summon the political will and the courage to use these expert mechanisms to their full potential.

Mr. Steve Crawshaw, UN Advocacy Director at Human Rights Watch, noted the enhanced focus and emphasis now given to the work of special procedures. He stated that in the current context, the failures of the past already referred to would probably not happen today. However, he also noted that despite this, if special procedures are not listened to and their work not taken into consideration, the value of the entire system is greatly reduced. He focused in particular on the situation in the Democratic Republic of the Congo and Sri Lanka. He noted that despite the information collected by special procedures and the fact that special procedures, and others, spoke out strongly regarding the need for an independent investigation into alleged human rights violations, this had not happened. In this respect, he noted in particular the cautious and hesitant approach of the Security Council and the UN Secretariat.

Mr. Vitit Muntarbhorn, Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, highlighted several features of the special procedures which allowed them to function as natural early warning mechanisms: they worked pro bono, were drawn from the field and in touch with local environment; they were also information analysts and advocates, activators and mobilizers of the global community, for example through the HRC and GA, as well as through their joint statements, reports and country visits, communicators through urgent appeals and letters to concerned authorities, as well as accessible mechanisms reaching out to victims, for example through fax, email, letters, phone, third parties, to help seek redress.

Mr. Muntarbhorn explored the role of the special procedures as triggers. At the national level, this could involve Governments, national human rights institutions, the media or other stakeholders. At the international level, specific reference was made to the Security Council with several possible entry points highlighted, such as informal consultations, for example special retreats; Arria Formula meetings involving the special procedures; formal participation in the meetings of the Security Council; reporting through the High Commissioner or through the Secretary-General and the UN Secretariat more generally. Mr. Muntarbhorn wondered whether a support group or process was needed in this regard and cited the working group of the Security Council on resolution 1612, which followed-up on the work of the Special Representative of the Secretary-General, as well as the work of the Special Adviser on the prevention of genocide who received and compiled information from various UN entities.

The importance of interaction at the local level, in particular with the UN Country Team, and interagency cooperation between human rights, development, humanitarian, security and peacekeeping components to raise concerns and to coordinate each agency's early warning (where it existed), was emphasized. Similarly, linkages with civil society and its early warning capacity, in coordination with OHCHR field presences, its rapid response desk and field contacts, were also seen as important. Additionally, the need for emergency action, learning from disaster-related early warning mechanisms - preparedness, management, mitigation, redress, based on

graduated measures – with pooling of resources and joint actions between different UN agencies and the special procedures was highlighted. This would also depend on the liberal and progressive use of the ‘Responsibility to protect’ doctrine with regard to genocide, ethnic cleansing, war crimes and crimes against humanity; coverage of situations of armed conflicts, systematic violence and violations, especially through resolutions of the Security Council, for example on protection of civilians, women or children in conflict; and a broadened understanding of international peace and security to cover concerns, such as personal security, food security, environmental security.

Ms. Felice Gaer, Director of the Jacob Blaustein Institute for the Advancement of Human Rights and Member of the Committee against Torture, noted that the Roundtable had raised the profile of the special procedures at UN headquarters by drawing attention to the relevance and added value of their work in relation to early warning and emerging issues, and by providing evidence of productive interaction between them and other UN entities. Reminding participants that early warning was the “the process of collecting and analyzing information in relation to areas of crisis for the purpose of identifying and recommending strategic options for preventive measures”, Ms. Gaer stated that human rights bodies addressed such information – a reason why they were so abundant and had made such a difference; also a reason why States had often fought to suppress them. She indicated, however, that the weakness in the UN human rights system was linking the information to the strategic options for prevention. This might require new mechanisms.

With reference to the work of the Committee against Torture, Ms. Gaer noted that there was considerable value in precise information being provided - lists of prisoners; details on deaths in detention, etc. although there were challenges in gathering and analyzing police and criminal justice statistics in many countries and there was a need for more vigorous fact-finding and monitoring. There was also great protective value in conducting prompt, impartial investigations into allegations of abuse. This was often best undertaken by separate, independent and impartial bodies at the national level or, if ineffective, at the international level. Additionally, there was a need for police training with clear-cut instructions on the prohibition of torture, as well as information on the conduct of medical examinations.

Ms. Gaer noted that the special procedures often addressed these issues although there was an absence of evaluative mechanisms. This was where New York-based bodies could play a key role. Attention was drawn to the Security Council’s increasing use of missions, fact-finding-missions, special envoys to crisis areas and areas where there was already a peacekeeping presence. Whether to raise visibility, solve problems or explore options for conflict resolution in advance, such missions had great potential. In that regard, Ms. Gaer noted that the special procedures could prove particularly valuable in conflict prevention through more regularized interaction with the Security Council. She proposed the creation of a network of special procedures to facilitate the routine sharing of key information and identification of risk factors with the Special Adviser on the prevention of genocide – a post mandated to not only gather first-hand information, but also to collect that from others in order to assess and reach judgments on the issue. Elaborating, Ms. Gaer noted that the compilation of risk factors should ensure that was a clear distinction between random, isolated and/or individual acts, and patterns of abuse and discrimination. This would require an evaluative mechanism to ensure that the thresholds were high and only referred to severe abuses.

For this reason, risk factors, present during both times of peace as well as during armed conflict, would likely refer to ‘systematic denial’ and ‘severe abuses’. An alternate proposal related to more regularized reporting and participation by the High Commissioner or an Assistant Secretary-General in New York. In this regard, Ms. Gaer asserted that OHCHR’s New York Office should be expanded and upgraded. An Assistant Secretary-General could routinely participate in Security Council briefing and mission-evaluation sessions. The High Commissioner should be personally invited to attend and participate in Council briefings and have the authority to evaluate and present documentation from the special procedures. In this way, the human rights system could provide early warning that contained not only information, but represented an evaluative process that would allow for presentation of strategic options when thresholds were reached.

Ms. Norul Rashid, Special Assistant to the Special Adviser on the prevention of genocide, noted that the UN had made significant progress in the last 60 years in developing mechanisms to prevent and punish the crime of genocide. The Office of the Special Adviser was established specifically to act as an early warning mechanism to prevent potential situations that could result in genocide. An essential part of the Special Adviser’s global mandate entailed the systematic collection of relevant and accurate information within the UN system, which was then processed and analyzed using the Office’s 8-category Analysis Framework, to determine risk of genocide. The Office’s Analysis Framework reflected elements that were pertinent to specific mandates such as minorities’ rights, extreme poverty, racial discrimination, prevalence of hate speech, religious persecution, torture, extrajudicial, summary arbitrary executions, enforced and involuntary disappearances and arbitrary detentions affecting members belonging to the four protected groups under the Genocide Convention.

Although the mandate was specific to the Office, it could not and did not work in isolation; it was fully integrated within the UN system. The Office valued its special and close working relationship with OHCHR, charter-based and treaty-based bodies, in particular with the special procedures which always worked independently, courageously and were able to depoliticize human rights discourse in complex situations, and through its work, contributed to the process of prevention. Mandate-holders were essential in situations where there was little UN presence and were at times the only individuals with access to some of the darkest corners of the world. They often contributed to identifying and collection of information on massive and serious violations of human rights and in warning of complex situations that might lead to genocide. The contributions of the special procedures therefore helped the Office to better appreciate the dynamics that led to genocide and mass atrocities.

Mr. David Haeri, Chief of the Best Practices Section, UN Department of Peacekeeping Operations (DPKO), focused his presentation on the structural integration that had taken place allowing human rights information to be taken into consideration by the UN system. He provided examples of increased OHCHR participation in various bodies and mechanisms, such as the Policy Committee (of which the High Commissioner is a member), Integrated Mission Task Forces (IMTFs), as well as integrated peacekeeping missions – with heads of human rights components reporting to Special Representatives of the Secretary-General (SRSGs) and issuing public reports on human rights. He noted that while some structures were in place to

allow interface between the human rights machinery and the broader UN system, information from OHCHR did not always enter the system directly. Additionally, different prerogatives and priorities of various UN departments and entities sometimes impeded such interface.

Mr. Haeri then highlighted areas where special procedures could have an impact on the work of DPKO, such as through joint operations and civil/administrative structures in peacekeeping missions, leading to joint policy development, or on specific topics such as sexual and gender-based violence. He noted that DPKO could play a role during country visits of the special procedures mandate-holders by, for example, facilitating a dialogue with Special Representatives of the Secretary-General (SRSGs). He concluded by highlighting the need for increased political will from New York-based mechanisms to bring in independent human rights experts.

Mr. Hansjörg Strohmeyer, Chief of the Policy Development and Studies Branch, UN Office for the Coordination of Humanitarian Affairs (OCHA), referred to the independent study on the protection of civilians commissioned by DPKO and OCHA and the new Security Council mandate to operationalize and implement this concept in the Secretariat and in peace operations. In this regard, early warning was of fundamental importance. Mr. Strohmeyer also noted the existence of a number of early warning mechanisms – with reference made to an OCHA mechanism aimed at bringing to the attention of the Security Council and Member States serious humanitarian concerns, and to the newly-established Global Impact and Vulnerability Alert System (GIVAS), which aimed at providing the international community with early, real-time evidence of how a global crisis was impacting the lives of the poorest and most vulnerable populations, and raise ‘red flags’ on newly-emerging situations of global concern. There was, however, still room for improvement regarding the connectivity and systematic cooperation between the various early warning mechanisms of the UN. Further, improvements were still necessary in various areas, such as information-sharing mechanisms, where there was a need for clearer rules regarding confidentiality, use of indicators, and data collection methods.

Mr. Strohmeyer also questioned whether early warning would necessarily lead to early action. In this regard, he stated that even with the existence of political will, logistical and financial considerations or constraints impeded the ability of the UN to react or respond. Thus, early action mechanisms should accompany early warning mechanisms. More emphasis should thus be placed on preparedness and contingency planning; more should also be done to address the quality of response. Mr. Strohmeyer noted that there had been increased political willingness in the last fifteen years to take human rights issues into account, more mechanisms to trigger action, as well as better integration of human rights information in the UN system. The work of the special procedures should be more regularly included in the political dialogue in New York – ultimately it was about bringing political attention to a particularly situation. Similarly UN departments and entities should also more regularly share information with the special procedures, particularly if they faced constraints in addressing a particular situation publicly.

Ms. Elsa Stamatopoulou, Chief of the Secretariat of the Permanent Forum on Indigenous Issues, Department of Economic and Social Affairs (DESA), noted that the subject of the panel brought out one of the most fundamental visions of the UN

Charter, which was that peace and security, development and human rights were inextricably linked and should be pursued together. Considerable progress in the visibility of the human rights special procedures and their contribution to the UN's early warning had been achieved since the 1990s. It was noted that human rights were often at the root of crises and that the special procedures could make unique analytical contributions in the UN's prevention efforts and to the work of departments and bodies based at UN Headquarters.

Challenges had multiplied in the contemporary world, with the impact of the economic and financial crisis, climate change and the food and energy crises, and with the most vulnerable parts of the population especially affected. Special attention should be paid to the particular circumstances faced by indigenous peoples, who increasingly found themselves at the center of multiple crises and conflict, which the UN Permanent Forum on Indigenous Issues had been highlighting. How the special procedures could contribute further to early warning and preventive action in that regard should thus be explored. The facts before the UN were increasingly compelling and alarming. Indigenous peoples were five percent of the world's population, but constituted 15 percent of the world's poor. Suffering marginalization and systemic discrimination, they were often unreached by social services and were at the bottom of social statistics in terms of education, health and other indices. Communities were displaced from their traditional lands by mega projects and other infrastructure projects and found themselves in the midst of conflicts over the exploitation of natural resources. Violence against indigenous women was used in conflict situations as one more weapon of war. Indigenous peoples often suffered daily affronts to their cultural rights and their identity, including non-recognition of their very existence and policies of extinguishing their languages, signs that could foretell violence.

The Special Rapporteurs on the human rights and fundamental freedoms of indigenous people; on violence against women, its causes and consequences; and on the right of everyone to the enjoyment of the highest attainable standard of physical and mental, among others, had highlighted such alarming situations. What seemed to be missing was a concerted effort of the entire special procedures system to pay adequate attention to the plight of indigenous peoples from a preventive action point of view. Pursuant to Articles 41 and 42, UN organs and bodies should contribute to the full realization of the UN Declaration on the Rights of Indigenous Peoples and should promote respect for and full application of its provisions and follow-up its effectiveness. Ms. Stamatopoulou wondered how the special procedures could systematically integrate the human rights of indigenous peoples in their work on a regular and systematic basis; how the work of the Special Rapporteur on the human rights and fundamental freedoms of indigenous people could be taken into account by the other special procedures in their analysis in view of early warning; and how the New York-based UN early warning mechanisms could systematically include indigenous issues as part of their analysis and action. She emphasized the need for the special procedures to take into account the violations of cultural rights as part of their understanding of early warning. To conclude, Ms. Stamatopoulou stated that concerted action by the UN family in these directions was needed. A rapid response unit in OHCHR, accessible around the clock, would enhance the UN's capacity to respond early.

Conclusions:

The moderator concluded the session by noting that, as highlighted by all participants, the special procedures had a significant role to play in early warning. They were often in a position to indicate what the trends were and where the potential existed for a situation to deteriorate, thus resulting in more serious human rights violations and abuses. Ms. Connors also emphasized that the tools at their disposal needed to be strengthened through additional resources; improvements were also needed in the means to disseminate and integrate the information collected in other parts of the UN system, in particular political bodies. She noted that more political attention needed to be given to issues brought to the fore by the special procedures, in particular by the Security Council.
