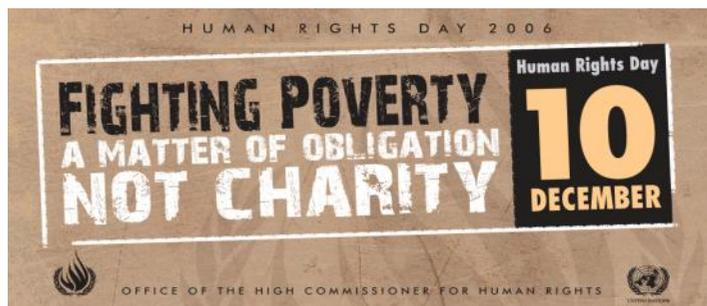


SPECIAL PROCEDURES BULLETIN



Third Issue: September - December 2006



[Human Rights Day 2006 \(10 December\)](#)

On the occasion of Human Rights Day, a statement was issued by 37 mandate holders on 8 December 2006. The statement focused on fighting poverty, observing that poverty is often a cause, as well as a result, of a complex system of human rights denials, in which violations of civil, cultural, economic, political, and social rights interact and mutually reinforce each other, with devastating effects. Mandate holders emphasized that any successful effort to eradicate poverty must advocate for full respect of all human rights and that eliminating poverty will greatly contribute to efforts to protect and promote human rights and human dignity. The statement also stressed the important contribution of special procedures to the international human rights system.

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The quarterly Special Procedures Bulletin provides a general overview of the main activities of the 41 Special Procedures mandates. The next issue of the Bulletin will cover January - March 2007.

How to send information to Special Procedures

SPECIAL PROCEDURES BRANCH

c/o OHCHR-UNOG
8-14 Avenue de la Paix
1211 Geneva 10
Switzerland

Fax : +41 22 917 90 06

E-mail : urgent-action@ohchr.org
<http://www.ohchr.org/english/bodies/chr/special/index.htm>

For further information on how to submit communications, please visit the OHCHR website under Human Rights Bodies/ Special Procedures.

Please specify which special procedure(s) mechanism the information is addressed to in the subject line of the e-mail or fax, or on the envelope.

How to find information on Special Procedures

To learn more about Special Procedures, consult Fact Sheet no. 27 (Seventeen Frequently Asked Questions about United Nations Special Rapporteurs) available at :

<http://www.ohchr.org/english/about/publications/sheets.htm>

Or contact:

PUBLICATIONS UNIT

c/o OHCHR-UNOG
8-14 Avenue de la Paix
1211 Geneva 10
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Tel: +41 22 917 92 24

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E-mail: mabdelazim@ohchr.org

The OHCHR website contains more information on specific mandates under Human Rights Bodies/ Special Procedures, with pages devoted to each Special Procedure, including details on the mandate, how to submit information, country visits, links to reports, etc.

Further information can also be obtained by contacting:
SPBINFO@OHCHR.ORG

COMMUNICATIONS

Some special procedures mechanisms intervene directly with Governments on specific allegations of human rights violations that fall within their mandates. The intervention can relate to a human rights violation that has already occurred, is ongoing, or which has a high risk of occurring. The process generally involves sending a letter to the concerned Government requesting information and comments on the allegation and calling for preventive or investigatory action.

The decision to intervene is at the discretion of the special procedure mandate holder and depends on criteria established by him/her. Criteria generally relate to the reliability of the source and the credibility of information; the details provided; and the scope of the mandate itself. Further information is frequently requested from sources. Mandate holders may send joint communications when the case falls within the scope of more than one mandate. The OHCHR's Special Procedures Branch Quick Response Desk coordinates communications and keeps relevant databases updated.

2006 COMMUNICATIONS

1165 Total number of communications
48% Joint Communications; 378 Joint Urgent Actions and 187 Joint Letters of Allegation
63% of all individuals covered by joint communications
2869 Individual cases covered; 17% of these were women
143 Countries received communications

September - December 2006 COMMUNICATIONS

342 Total number of communications
49% Joint Communications; 104 Joint Urgent Actions and 62 Joint Letters of Allegation
51% of all individuals covered by joint communications
893 Individual cases covered; 22% of these were women
94 Countries received communications

COUNTRY VISITS

[JOINT VISIT BY SPECIAL PROCEDURES MANDATE HOLDERS TO LEBANON AND ISRAEL](#)

A joint visit to Lebanon and Israel was undertaken by the Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Philip Alston; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Mr. Paul Hunt; the Special Representative of the Secretary-General on the human rights of internally displaced persons Mr. Walter Kälin; and the Special Rapporteur on the right to adequate housing as a component of the right to an adequate standard of living, Mr. Miloon Kothari, from 7 to 14 September 2006. The mandate holders presented their conclusions at a meeting of the Human Rights Council during its second session. Their report concludes that, according to available information, serious violations of human rights and humanitarian law were committed by Israel during the recent conflict in Lebanon. They expressed concern about reports that, in many instances, Israel failed to distinguish between military and civilian objectives; to fully apply the principle of proportionality; and to take all feasible precautions to

OHCHR WEBSITE PAGE ON [SPECIAL PROCEDURES COUNTRY VISITS](#)

<http://www.ohchr.org/english/bodies/chr/special/visits.htm>

An alphabetical table of country visits by Special Procedures mandate holders since 1998 is available on this page as well as a list of all countries having extended standing invitations to all the thematic procedures. As of December 2006, 56 countries have extended standing invitations.

An annual compilation of recommendations of Special Procedures by country is also available on this page.

Joint visit continued...

minimize civilian injury and damage. Based on available information, the experts also concluded that Hezbollah violated humanitarian law in many instances by targeting civilian populations and by disregarding the principle of distinction.

ADEQUATE HOUSING

VISIT TO SPAIN BY THE SPECIAL RAPPOREUR

The Special Rapporteur on the right to adequate housing as a component of the right to an adequate standard of living, Mr. Miloon Kothari, visited Spain from 20 November to 1 (continued on next page)

Adequate housing continued ...

December 2006. In the press release issued on 13 December, the Special Rapporteur welcomed various efforts by the Government to ensure the realization of the right to adequate housing, including the creation of a Ministry of Housing and the protection of the right to adequate housing in the Spanish Constitution. The Special Rapporteur was concerned about the affordability of housing, noting that there is a serious lack of public housing and that the needs of the bottom 20-25% of the population are not adequately addressed. He noted that the situation has been aggravated by speculation, and that it has led to gentrification of cities, resulting in segregation and forced evictions. He also heard testimonies of “mobbing” or physical and psychological violence to force people to leave their homes for speculation purposes. He observed that there is wide scale corruption with regard to the housing and land sectors. The Special Rapporteur drew particular attention to the situation of certain vulnerable groups, including homeless persons, youth, migrant workers, and Roma. He made recommendations related to justiciability, impunity, adoption of a housing policy, and the need to address the lack of housing and social services.

ARBITRARY DETENTION

VISIT TO TURKEY BY THE WORKING GROUP

The Working Group on arbitrary detention visited Turkey on official mission from 9 to 20 October 2006. In the press release issued on 20 October, the Working Group stressed that the entry into force on 1 June 2005 of the new Criminal and Criminal Procedure Codes, as well as of several connected laws, had strengthened the safeguards against arbitrary detention in the criminal justice system. However, the Working Group expressed the concern that the reforms were not showing their beneficial effects in criminal proceedings regarding terrorism related crimes. While for common offences police custody was limited and trials were fairly expeditious, this was much less the case for persons accused of terrorism, as if the reforms did not apply to them. The delegation found most disturbing the situation of numerous persons accused of terrorism who have spent between seven and thirteen years in detention without a guilty verdict. Torture aimed at extorting confessions appeared to be uncommon. However, the

Arbitrary detention continued ...

evidentiary ban on the use of incriminating statements made to the police in the absence of a lawyer was not applied retroactively to declarations made to the police before the entry into force of the new law. With regard to the deprivation of liberty of foreigners awaiting expulsion and of persons kept involuntarily in mental health institutions, the Working Group noted that Turkey lacked a sufficient legislative foundation for these forms of administrative detention as well as a process for these detainees to challenge their detention.

BURUNDI

VISIT BY THE INDEPENDENT EXPERT

The Independent Expert on the situation of human rights in Burundi, Mr. Akich Okola, visited the country from 7 to 14 October 2006. His visit focused on the rule of law, governance, political prisoners, and the establishment of transitional justice mechanisms.

SALE OF CHILDREN

VISIT TO UKRAINE BY THE SPECIAL RAPPORTEUR

On 27 October 2006, the Special Rapporteur on the sale of children, child prostitution and child pornography, Mr. Juan Miguel Petit, issued a press release concerning his mission to the Ukraine from 22 to 26 October 2006. He observed that the country is at a crossroads with respect to protection of children’s rights, acknowledging that the Government has made serious efforts to comply with international and regional standards, but noting that much work remains to be done. He expressed concern about the welfare system where the State exercises full control over all social policies. The Special Rapporteur noted that while this system has produced some positive results, it does not adequately recognize and support the work of private institutions working for the protection of children’s rights, and it has led to the establishment of large orphanages where it is difficult for children to adapt to normal life. He was concerned about the low rate of prosecution and sentencing of traffickers and authors of child pornography, which was reportedly due to corruption. The Special Rapporteur also highlighted the absence of a separate juvenile justice system as a gap in the protection of children’s rights.

DEMOCRATIC PEOPLES' REPUBLIC OF KOREA (DPRK)

VISIT TO JAPAN, REPUBLIC OF KOREA, AND MONGOLIA BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on the situation of human rights in the DPRK, Mr. Vitit Muntarbhorn, visited Japan, the Republic of Korea and Mongolia from 10 to 23 December 2006. In Japan, the Special Rapporteur expressed concern about the abduction of Japanese nationals by the DPRK, particularly in the 1970s. Some of these cases remain unresolved. He called upon the Government to ensure the immediate return of the abducted persons and access to justice for the victims and members of their families. During his visit to the Republic of Korea, the Special Rapporteur called on the DPRK to resolve the outstanding cases of missing persons. He also encouraged the Republic of Korea to continue its work to support improvement of the human rights situation in the DPRK and its humanitarian policy of accepting refugees from the DPRK. The Special Rapporteur called upon the DPRK to cease human rights violations and invite the Special Rapporteur to visit the country. In Mongolia, the Special Rapporteur particularly encouraged the government to continue its humanitarian policy of accepting people who seek refuge from the DPRK.

DISAPPEARANCES

VISIT TO GUATEMALA BY THE WORKING GROUP

The Working Group on enforced or involuntary disappearances conducted a visit to Guatemala from 19 to 21 September 2006. In the press release issued on 25 September, the Working Group noted that this was its second visit to Guatemala since 1987. While the country had some important legal provisions protecting human rights, including provisions making the act of enforced disappearance a separate crime, the Working Group remained concerned at the limited progress in implementing and enforcing these laws. They welcomed the creation, through presidential decree, of the Commission for the Search of the Disappeared and called on all parties in Congress to continue working to establish a commission through legislation. The right to reparation as well as the rights to truth and information were highlighted as central to the

Disappearances continued ...

implementation of the Declaration on the Protection of All Persons from Enforced Disappearance. The Working Group reiterated that perpetrators should not enjoy impunity, and expressed concern about reports of intimidation and reprisals against people working in organizations searching for disappeared persons

EDUCATION

VISIT TO MOROCCO BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on the right to education, Mr. Vernor Muñoz Villalobos, undertook a mission to Morocco from 27 November to 5 December 2006. In the press release issued on 6 December, the Special Rapporteur noted that very positive steps had been taken by the Kingdom of Morocco in the institutional and legislative fields to realize the right to education. However, the Special Rapporteur noted that children in rural areas, particularly girls, working and street children as well as children with disabilities, were often deprived of their fundamental right to education. Major challenges remain with respect to the implementation of public policies and strategies regarding education coverage and the quality of education. Further efforts are needed, particularly in rural areas, to guarantee that children complete their primary education and continue on to higher education. Additionally, illiteracy remains a major challenge and there are serious obstacles to the realization of the right to education of children with disabilities. The Special Rapporteur emphasized the importance of strengthening efforts to achieve the enrolment and the retention of the estimated 600,000 street children as well as the importance of further combating the use of corporal punishment at school.

The Special Rapporteur highlighted the need to establish a data and information collection system on street children and girl domestic workers, which should lead to the adoption of a comprehensive strategy and programmes, ensuring the right to education and the prohibition of child labour. He also recommended increasing the budget devoted to integrating girls and boys with disabilities into school life and the need to improve teachers' knowledge of the Amazigh language and of human rights.

FOOD

VISIT TO LEBANON BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on the right to food, Mr. Jean Ziegler, visited Lebanon from 10 to 16 September 2006. He presented his findings at a meeting of the Human Rights Council during its second session. His report details the extensive damage caused by Israeli bombardment to agriculture and fishing, affecting the livelihood and access to sources of income of rural inhabitants and of fishermen. Forced displacement of many people has disrupted normal access to food and left tens of thousands dependent on food aid. The report concluded that much farmland had been affected by bombing and will continue to be affected by unexploded bombs, which prevent access to many fields. The Special Rapporteur found that the livelihoods of a large part of the population were disrupted by the war, and that the process of reconstruction was slow. He observed that this loss of livelihoods and sources of income are the main threats to the future wellbeing of the population.

INDIGENOUS PEOPLE

VISIT TO KENYA BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Mr. Rodolfo Stavenhagen, visited Kenya from 4 to 14 December 2006. In the press release issued on 11 December, the Special Rapporteur was encouraged by the Government's special attention to land tenure issues, universal primary education and efforts to meet the Millennium Development Goals. He expressed concern about the loss and degradation of indigenous peoples' lands and natural resources. Certain indigenous groups are among the poorest and most marginalized in Kenya, and their situation requires urgent attention. He also found that some indigenous communities suffer from lack of access to basic services, water and infrastructure which severely affects their economic, social and cultural wellbeing.

LIBERIA

VISIT TO LIBERIA BY THE INDEPENDENT EXPERT

The Independent Expert on technical cooperation and advisory services in Liberia,

Liberia continued ...

Dr. Charlotte Abaka, conducted a mission to the country from 13 to 23 November 2006. While some positive developments were observed, she expressed serious concerns about the lack of progress in key areas. With Liberian National Police (LNP) and superintendents deployed in all counties, the establishment of local administrations is complete. The Truth and Reconciliation Commission has commenced activities but the failure to fully respect the terms of the TRC Act is preventing this body from developing into the prime mechanism for peace and reconciliation.

The Independent Expert was concerned about the Liberian criminal justice system which is not equipped to respond to ongoing human rights violations. Effective implementation of the laws by both the national police and the judiciary is critical. The Independent Expert noted that the high incidence of sexual assault throughout the country reflects the weakness of the LNP to provide adequate policing and highlights the urgent need to strengthen the competence and capacity of the LNP. While legislation that came into force in January 2006 provides for stronger penalties for rape and includes the specific crime of gang rape, interlocutors report that clear evidence is frequently rejected in court. Domestic violence and harmful traditional practices are not being addressed and the non implementation of the 2006 Rape law means that discrimination against women continues unabated.

MIGRANTS

VISIT TO THE REPUBLIC OF KOREA BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on the human rights of migrants, Mr. Jorge Bustamante, visited the Republic of Korea from 5 to 12 December 2006. In the press release issued on 11 December, the Special Rapporteur acknowledged that the Government has recognized the vulnerability of migrant workers and tried to increase their protection by drafting and implementing a new Employment Permit for Migrant Workers (EPS Act), which will enter into force in 2007.

At the same time, he was concerned about some aspects of the new EPS Act. Most notably, the EPS Act grants migrant workers a legal status for a non-renewable period of three years only, which means that they would remain in a vulnerable situation. The Special Rapporteur noted some discriminatory measures endorsed by the new EPS Act, particularly in relation to

Migrants continued ...

workers' rights to change employment and join trade unions. The Special Rapporteur also noted with concern that the enjoyment of rights by women who are not Korean nationals and are married to Korean men is entirely dependant on the consent of their husbands, particularly in relation to residency permits, custody of children and divorce, even in cases of domestic violence.

VISIT TO INDONESIA BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on the human rights of migrants, Mr. Jorge Bustamante, visited Indonesia from 12 to 21 December 2006. In the press release issued on 22 December, the Special Rapporteur encouraged Indonesia to follow up on the treatment of women migrant workers by labour agencies, to monitor recruitment agencies, labour suppliers and places of employment, and to ensure that domestic law and its implementation comply with international obligations to protect the rights of women. The Special Rapporteur regretted that provisions in the Memorandum of Understanding between the Governments of Indonesia and Malaysia, signed on 13 May 2006, address the interests of employers and recruitment agencies without equal consideration for the human rights of migrants. He was encouraged that the National Legislature in Indonesia has agreed to discuss, in 2007, the signature of the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

MINORITY ISSUES

VISIT TO ETHIOPIA BY THE INDEPENDENT EXPERT

The Independent Expert on minority issues, Ms. Gay McDougall, visited Ethiopia from 28 November to 12 December 2006. After the visit, she praised the Ethiopian Constitution as a comprehensive and valuable foundation for rights, freedoms and equality in Ethiopia and noted that the system of ethnic-based federalism established by the Constitution brings to the fore the civil and political as well as economic, social and cultural rights of Ethiopia's diverse nations, nationalities and peoples. However, ethnic-based federalism has reinforced and politicized ethnicity as the most salient individual and group marker, leading to new arenas, dynamics and dimensions of ethnic division, discrimination and exclusion.

Minorities continued ...

The Independent Expert noted that continuing conflicts between different ethnic groups, often caused by land, water and other resource issues, or by political factors, are damaging to the prospects of both regional stability, and a unified, democratic and prosperous Ethiopia. She suggested that more concerted conflict prevention and resolution efforts are required by the state and Federal governments. Discriminated, excluded and marginalized minority communities are frequent victims of conflict, may be forcibly displaced from their traditional territories, and lack opportunities and capacity to promote and protect their rights. Some communities, including pastoralist groups, made vulnerable by such circumstances, face severe survival issues, extreme poverty and food and water insecurity on a daily basis.

OCCUPIED PALESTINIAN TERRITORY (OPT)

VISIT BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Prof. John Dugard, carried out a mission to Israel and the OPT from 1 to 8 December 2006. He met, inter alia, with members of the United Nations (UN) Country Team and representatives of UN agencies; with Palestinian personalities; as well as with representatives of Palestinian and Israeli human rights NGOs. He did not meet with representatives of the Israeli authorities. The Special Rapporteur visited several localities in the West Bank as well as the Gaza Strip. In Beit Hanoun, he spoke to members of the al-Athamnah family, 16 of whose members were killed by Israeli Defense Forces shelling on 8 November. During his mission, the Special Rapporteur focused on general human rights issues, with special emphasis on the devastation in the Gaza Strip following "Operation Summer Rains" and "Operation Autumn Clouds"; health; education, and the situation regarding the Wall.

RACISM

VISIT TO ITALY BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia, and related intolerance, Mr. Doudou Diène, visited Italy from 9 to 13 October 2006. His

(continued on next page)

Racism continued ...

central conclusion was that while Italian society is not marked by a profound phenomenon of racism, it is facing a disturbing trend of xenophobia and manifestations of racism primarily affecting the Roma and Sinti community, immigrants and asylum seekers of African origin, Eastern Europeans and the Muslim community. In his view, the gravest manifestations of xenophobia and related racism faced by these communities are institutional discrimination, socio-economic marginalization, and cultural discrimination. The Special Rapporteur was particularly alarmed by information received on the slavery-like working conditions of immigrants in the agricultural sector. He was also disturbed by the situation of migrant women, who, as domestic workers and caregivers, are vulnerable to abusive working conditions and are also highly represented in the prostitution sector. The Special Rapporteur noted with concern the security focus in the immigration legislation that has led to the criminalization of immigrants, and the fact that members of the Muslim faith, despite belonging to the second largest denomination, are the only religious group with whom the State has not signed a bilateral agreement.

The Special Rapporteur recommended a threefold strategy: political, legal and cultural. First, he noted the need for explicit political will to combat discrimination and xenophobia at the highest level. Second, he emphasized the importance of implementing the existing laws, elaborating comprehensive legislation to combat racism, redefining the national programme of action to combat racism and establishing an independent national institution against discrimination in accordance with the Paris Principles. Third, he recommended the promotion of mutual knowledge and interaction between the different communities, and the importance of linking the combat of racism with the long-term development of multiculturalism.

TORTURE

VISIT TO PARAGUAY BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Manfred Nowak, visited Paraguay from 22 to 29 November 2006. On 29 November, he issued a press statement, in which he expressed concern about prison conditions and torture by police officials,

Torture continued ...

particularly in the first days of detention. Concerning prison conditions, the Special Rapporteur especially highlighted the problems of overcrowding, the lack of access to basic services and poor hygiene. With regard to torture, the Special Rapporteur noted that the definition of torture in the criminal code does not comply with the UN Convention against Torture. On the basis of interviews with witnesses and detainees, he concluded that torture is still widely used in the early days of detention, particularly to elicit confessions. He observed that one of the major reasons for the continuing practice of torture and ill-treatment is impunity, and called on the Government to ensure that all allegations of torture are investigated and prosecuted.

TRAFFICKING

VISIT TO SAUDI ARABIA, OMAN AND QATAR BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on trafficking in persons, especially women and children, Ms. Sigma Huda, carried out an official visit to the Kingdom of Bahrain from 29 October to 1 November 2006, to the Sultanate of Oman from 2 to 7 November 2006 and to the State of Qatar from 8 to 12 November 2006. The Special Rapporteur found that Bahrain, Oman and Qatar are countries of destination and, in some instances, also of transit for trafficking of migrant workers, mainly for forced labour, sexual exploitation, and, to some extent, for the exploitation of children as camel jockeys in Oman and Qatar. The Special Rapporteur highlighted two main concerns. The first concern related to the sponsorship system and the unjust situation this arrangement causes, rendering foreign migrant workers dependant on their sponsors, and creating an unequal balance of power. The Special Rapporteur argues that this system increases the vulnerability of foreign migrant workers and therefore fosters the demand for trafficking. The second main concern regards migrant domestic workers. The labour codes of the three countries exclude them from protection and create a situation where their working conditions are regulated as private matters between the head of the household and the domestic workers.

The Special Rapporteur concluded that despite some measures, that have been established or are in the process of being elaborated, and despite a generally strong legal framework providing protection for all workers, more is needed to empower foreign migrant workers; to closely monitor the implementation of existing laws; to ensure investigations and prosecutions of all
(continued on next page)

Trafficking continued ...

persons suspected of activities involving trafficking in persons and enforcement of court decisions; and to raise the necessary awareness and education of the public at large and of public officials, in particular on issues related to the trafficking in persons and the rights of migrant workers. The Special Rapporteur particularly called for providing domestic

Trafficking continued ...

workers with stronger legal protection, an alternative to the sponsorship system, stronger mechanisms of collaboration and cooperation between sending and receiving States, and an enhanced role for civil society in combating trafficking in persons and in promoting and protecting the rights of trafficked persons.

FORTHCOMING VISITS

Algeria (SR on violence against women)

January-February 2007

Argentina (WG on disappearances) *March 2007*

Cambodia (SRSG on human rights in

Cambodia) February 2007

Central African Republic (SRSG on internally

displaced persons) February - March 2007

El Salvador (WG on disappearances) *January -*

February 2007

Honduras (WG on disappearances) *January -*

February 2007

Malaysia (SR on the right to education)

February 2007

Maldives (SR on the independence of judges

and lawyers) February - March 2007

Nigeria (SR on torture) *March 2007*

Peru (WG on the use of mercenaries) *January -*

February 2007

Philippines (SR on summary executions)

February 2007

Sudan (high level mission mandated by HRC,

SR on human rights in Sudan) February

*2007**

Tajikistan (SR on freedom of religion) *February*

- March 2007

Uganda (SR on the right to health) *January -*

February 2007

Ukraine (SR on toxic waste) *January 2007*

SPECIAL SESSIONS OF THE HUMAN RIGHTS COUNCIL

Israel

The Human Rights Council held its Third Special Session on 15 November 2006 on Israeli military incursions in Northern Gaza and the assault on Beit Hanoun. It adopted resolution S-3/1 which decided to dispatch urgently a high-level fact-finding mission, appointed by the President of the HRC, to travel to Beit Hanoun to, *inter alia*: (a) assess the situation of victims; (b) address the needs of survivors; and (c) make recommendations on ways and means to protect Palestinian civilians against any further Israeli assaults. OHCHR's Rapid Response Unit contributed to the swift establishment of the mission with administrative, technical and logistical assistance, and to the conduct of its preliminary work in Geneva. However, the investigative mission could not take place as scheduled owing to the lack of cooperation by the Israeli Government.

Sudan

The Human Rights Council held its Fourth Special Session from 12 to 13 December 2006 on the human rights situation in Darfur, Sudan. It adopted, without a vote, decision S-4/101, which, *inter alia*, expressed its concern regarding the seriousness of the human rights and humanitarian situation. The Council decided "to dispatch a High-Level Mission to assess the human rights situation in Darfur and the needs of the Sudan." The mission is to be composed of six highly qualified persons, including the Special Rapporteur on the situation of human rights in the Sudan, and will take place in February 2007. It will present its report to the fourth session of the Council.

* Not a regular visit of the Special Rapporteur on the situation of human rights in Sudan

REQUESTED AND ACCEPTED VISITS

INITIAL VISIT REQUESTS
*between September - December 2006*REQUESTS ACCEPTED /
INVITATIONS EXTENDED
between September - December 2006

Bangladesh (SR on summary executions)	Liberia (IE on economic reform policies)	Estonia (SR on racism, regional visit to Baltic States, including Latvia and Lithuania)
Brazil (SR on summary executions)	Nepal (joint request: IE on minorities and SR on indigenous people)	Guatemala (SR on the independence of judges and lawyers, SR on migrants)
Burkina Faso (IE on economic reform policies)	Pakistan (SR on counter-terrorism)	India (SR on toxic waste)
Cambodia (SR on the independence of judges and lawyers)	Philippines (SR on the independence of judges and lawyers)	Indonesia (SRSG on human rights defenders)
Central African Republic (SR on summary executions, SR on the right to food)	Spain (SR on counter-terrorism)	Israel (SR on counter-terrorism)
Democratic Republic of Congo (SR on the independence of judges and lawyers, SR on the right to food, IE on human rights in DRC)	Singapore (SR on summary executions)	Russian Federation (SR on the independence of judges and lawyers)
Ethiopia (IE on economic reform policies)	Sri Lanka (SR on the independence of judges and lawyers)	South Africa (SR on counter-terrorism)
Ghana (WG on the use of mercenaries)	Sudan (SR on the right to food)	Thailand (joint mission: SR on sale of children and SR on trafficking)
Haiti (IE on human rights in Haiti)	Tanzania (IE on economic reform policies)	United Kingdom of Great Britain and Northern Ireland (SR on freedom of religion)
India (SR on summary executions)	Thailand (SR on human rights in Myanmar)	United States of America (SR on counter-terrorism)
Iran (SR on the independence of judges and lawyers, SR on summary executions)	Trinidad and Tobago (SR on summary executions)	Zimbabwe (SR on violence against women)
Israel (SR on counter-terrorism)	United States of America (SR on summary executions)	
Kenya (SR on summary executions)	Venezuela (SR on summary executions)	
	Yemen (SR on summary executions)	

HIGHLIGHTS

HUMAN RIGHTS COUNCIL - SECOND AND THIRD SESSIONS

During the second regular session of the Human Rights Council (HRC), held from 18 September to 6 October, and then in resumed session from 27 to 29 November 2006, interactive dialogues were held with thematic and country special procedures mandate holders. The HRC also adopted resolution 2/1 requesting the Working Group on the review of mandates to draft a code of conduct for special procedures and elaborate comments on the draft manual. The Council adopted 18 texts, including on human rights and access to water, extreme poverty, the occupied Syrian Golan, the right to truth, incompatibility between democracy and racism, Israeli settlements in the Occupied Palestinian Territory, persons deprived of liberty in the context of counter-terrorism measures, cooperation with the Office of the High Commissioner in Afghanistan and Nepal, effective

All decisions and statements from the Human Rights Council can be found on the OHCHR website on the [extranet](#) of the Human Rights Council.

Human Rights Council continued ...

implementation of international instruments on human rights, and Darfur.

During the third regular session of the Human Rights Council, held from 29 November to 8 December, the Council discussed progress reports from the facilitators of the inter-sessional working groups on the Universal Periodic Review mechanism and the review of mandates (special procedures, complaint procedure and expert advice body). The Council adopted six resolutions and one decision during the session, including on the human rights situation in the Occupied Palestinian Territory; preparations for the Durban Review Conference; global efforts for *(continued on next page)*

Human Rights Council continued ...

the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive follow-up to the World Conference and the effective implementation of the Durban Declaration and Programme of Action; regional cooperation for the protection and promotion of human rights in the Asian and Pacific region; the report of the Commission of Inquiry on Lebanon; and implementation of General Assembly resolution 60/251. The HRC also decided to establish a working group to formulate concrete recommendations on its agenda, its annual programme of work, its methods of work as well as its rules of procedure.

INTERSESSIONAL WORKING GROUPS ON THE REVIEW OF MANDATES AND ON THE UNIVERSAL PERIODIC REVIEW

The two intersessional Working Groups set up by the Human Rights Council, on the review of mandates (focusing on the review of special procedures, complaints mechanism (future 1503 procedure), and expert advice (proposed successor to Sub-Commission)), and on the Universal Periodic Review, started their first sessions on 13 November.

At the Working Group on the review of mandates, important issues discussed were the selection of mandate holders; including criteria for selection and the methodology for the selection, the extent of coverage of human rights situations by special procedures, including in relation to thematic issues and countries; the relationship of mandate holders with the HRC; cooperation with Governments; including follow up given to recommendations of mandate holders; working methods of special procedures mandate holders, including a potential code of conduct and the revision of the mandate holders draft manual; as well as contacts with NGOs and the media. The facilitator of the review of special procedures, the Czech Permanent Representative, Ambassador Husak, submitted a paper containing preliminary conclusions to the third session of the HRC in December. A summary was also prepared by the Secretariat. At its resumed second session, on 27 November 2006, which took place just before the third session, the HRC adopted resolution 2/1, which requested the Working Group on the review of mandates to draft a code of conduct and elaborate comments on the draft manual. It also requested that the Coordination Committee extend the deadline for comments on the draft Manual. The deadline for comments had been

Working Groups continued ...

extended on 26 November 2006.

The meetings of the Working Group were attended at various stages by different representatives of mandate holders, namely Ms. Leila Zerrougui, Chairperson-Rapporteur of the Working Group on Arbitrary Detention, Mr. Vitit Muntarbhorn, Chair of the Coordination Committee and Special Rapporteur on the situation of human rights in DPRK, Mr. Louis Joinet, Independent Expert on the situation of human rights in Haiti, Mr. Santiago Corcuera, Chairperson of the Working Group on enforced or involuntary disappearances, and Mr. Doudou Diène, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. The representatives of mandate holders stressed the special features and added value of the system and the need for addressing protection gaps; the importance of cooperation and constructive dialogue between special procedures and States; collaboration with NGOs; the need for enhanced follow-up to recommendations; complementarity of special procedures with other human rights mechanisms such as treaty bodies; and measures to guarantee the independence of mandate holders. Delegations welcomed the participation of special procedures mandate holders in the meetings of the Working Group.

The Working Group on the Universal Periodic Review (UPR) focused its work on six elements: (1) the terms of reference/basis of review, (2) the objectives and guiding principles of the review, (3) periodicity and order of review, (4) process and modalities of review, (5) outcome of review, and (6) follow-up to review. Member States and other stakeholders expressed differing views on the role of special procedures in the UPR. Some States stressed that information from special procedures should form part of the basis for the review, but other States emphasized that special procedures recommendations are not legally binding and should not be considered. The discussion continued along similar lines concerning participation of special procedures mandate holders in the review. Concerning the outcome of the UPR, while some States suggested that the review might result in the appointment of a special procedures mandate, there was considerable disagreement on this point.

Discussions on the expert advice body and on a complaint mechanism reflected diverging views on the potential relationship of special procedures with these mechanisms. Some
(continued on next page)

Working Groups continued ...

delegations particularly emphasized the importance of avoiding duplication, while other delegations highlighted the different functions and uses of each mechanism.

GENERAL ASSEMBLY DEFERS ACTION ON THE DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

On 28 November 2006, the General Assembly adopted a resolution (L.57/Rev.1) deciding to defer consideration and action on the United Nations Declaration on the Rights of Indigenous Peoples and to conclude consideration of this Declaration before the end of its 61st Session.

The Special Rapporteur on the human rights and fundamental freedoms of indigenous people, Mr. Rodolfo Stavenhagen, issued a press statement on 4 December 2006, expressing disappointment that the General Assembly missed the opportunity to assert its principled support of this important human rights instrument. He called on the Human Rights Council to reaffirm its commitment in promoting and protecting the dignity, survival and well-being of the millions of indigenous people around the world. He also expressed his hope that the General Assembly will reconsider its position on this matter at the earliest possible moment.

UPCOMING MEETINGS

- **Fourth session of the Human Rights Council**
12 - 30 March 2007
- **Intersessional Working Groups on review of mandates (special procedures, complaint mechanism, and expert advice) and on UPR**
5-16 February 2007
16-27 April 2007
- **Intersessional Working Group on the Agenda, Methods of Work and Rules of Procedure**
15-19 January 2007
10-13 April 2007
- **Annual meeting of Special Procedures mandate holders**
18-22 June 2007

EXTENSION OF DEADLINE FOR COMMENTS ON THE DRAFT MANUAL ON SPECIAL PROCEDURES TO 10 APRIL 2007

The Manual on Special Procedures was originally adopted by mandate holders at their Annual Meeting in 1999. Since then, it has been revised by the Coordination Committee to reflect the changing structure of the United Nations human rights machinery, new developments in relation to mandates, and the evolving working methods of the mandate-holders. At their 13th Annual Meeting, in June 2006, the mandate-holders reaffirmed the importance of working in a consultative and transparent way and agreed to invite comments on the draft from Governments, civil society organizations, independent experts and all other stake holders. On 26 November 2006, the deadline for comments on the Manual was extended to 10 April 2007. The Manual is available at: <http://www.ohchr.org/english/bodies/chr/special/manual.htm>

Comments may be sent to the following e-mail address spmanual@ohchr.org. Comments received are posted on the [extranet of the HRC](#), and in the future, on a separate extranet page for Special Procedures. The Coordination Committee of Special Procedures plans to revise the Manual in light of the comments received, consult further with all mandate holders, and present a final draft for consideration and approval by the mandate holders.

ADOPTION OF THE INTERNATIONAL CONVENTION FOR THE PROTECTION OF ALL PERSONS AGAINST ENFORCED DISAPPEARANCES

On 20 December 2006, the General Assembly adopted the International Convention for the Protection of All Persons from Enforced Disappearance. In the press release issued by the Working Group on enforced or involuntary disappearances, it was noted that the Convention represents significant progress in international law for the protection of persons from enforced disappearance, in particular by recognizing the right of persons not to be subjected to enforced disappearance, and the right of victims to justice and reparation.

RESOLUTIONS AND DECISIONS OF THE SECOND AND THIRD SESSIONS OF THE HUMAN RIGHTS COUNCIL RELATED TO SPECIAL PROCEDURES

Resolutions

Resolution 2/1 on the **Working Group on the Review of Mandates** - Requests an extension of the deadline for comments to the Manual on special procedures and requests "the Working Group to draft a code of conduct regulating the work of the special procedures ..."

Resolution 2/2 on **Human rights and extreme poverty** - "Requests the United Nations High Commissioner for Human Rights to circulate the draft guiding principles [on extreme poverty and human rights], in order to obtain the views ... special procedures including the independent expert on the question of human rights and extreme poverty, ... and other relevant stakeholders, and to report to the Council at its seventh session."

Resolution 2/4 on **Israeli settlements in the Occupied Palestinian Territory (OPT), including East Jerusalem, and in the occupied Syrian Golan** - "Welcomes the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (E/CN.4/2006/29 and A/HRC/2/5) and calls upon the government of Israel to cooperate with the Special Rapporteur to allow him fully to discharge his mandate"

Resolution 3/1 on the **OPT** - "Requests the Special Rapporteur on the situation of human rights in the OPT to report to the Council on the implementation of" the resolution adopted at the First Special Session of the Council.

Resolution 3/2 on **Preparations for the Durban Review Conference** - "Requests ... the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur on freedom of religion or belief, ... Working Group of Experts on People of African Descent and other relevant human rights mechanisms to assist the Preparatory Committee for the Durban Review Conference by undertaking review and submitting recommendations, through the [OHCHR], as contributions to the outcome of the Review Conference."

Decisions

Decision 2/106 on the **Incompatibility between democracy and racism** - "Requests the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, [...] to include the issue of political participation and representation of groups that are vulnerable to racism, racial discrimination, xenophobia and related intolerance in the decision-making process in national Governments, parties, parliaments and civil society in general, taking into consideration their possible contribution to reinforcing the anti-discrimination perspective in political and social life with a view to strengthening democracy [when submitting his report to the Council at any session after its fourth session]."

Decision 2/108 on **The right of everyone to the enjoyment of the highest attainable standard of physical and mental health** - "Requests the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, [...] to include the possibility of identifying and exploring, [...] the key features of an effective, integrated and accessible health system [in his future reports to the Council]."

Decision 2/109 on the **Effects of economic reform policies and foreign debt on the full enjoyment of all human rights** - Takes "note of the report of the independent expert on the effects of economic reform policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights (E/CN.4/2006/46 and Add.1), [requests] the United Nations High Commissioner for Human Rights to convene an expert consultation to contribute to the ongoing process of drafting the draft general guidelines to be followed by States and by private and public, national and international financial institutions in the decision-making on and execution of debt repayments and structural reform programmes ..."

Decision 2/110 on the **Integrity of the judicial system** - Requests "the Special Rapporteur on the independence of judges and lawyers to take full account of [...] relevant resolutions and decisions on the issue of administration of justice through military tribunals of the Sub-Commission on the Promotion and Protection of Human Rights in the discharge of his mandate and in his report to the Council at its fourth session (March/April 2007)."

Decision 2/115 on **Darfur** - Welcomes "the cooperation established by the Government of the Sudan with the Special Rapporteur on the situation of human rights in the Sudan, and calls upon the Government to continue and intensify its cooperation with the Human Rights Council and its mechanisms."

GENERAL ASSEMBLY CONSIDERS REPORTS OF SPECIAL PROCEDURES MANDATE HOLDERS

Several special procedures mandate holders engaged in dialogues with the Third Committee of the General Assembly at its 61st session in New York in October/November 2006. The following provides a brief summary of the main points raised during the meetings.

The [Special Rapporteur on the human rights and fundamental freedoms of indigenous peoples](#), Mr. Rodolfo Stavenhagen, encouraged the General Assembly to adopt the Draft Declaration on the Rights of Indigenous Peoples. The [Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health](#), Mr. Paul Hunt, emphasized the gravity of the problem of maternal mortality and morbidity as well as the problem of access to medicines. The [Special Rapporteur on the human rights of migrants](#), Mr. Jorge Bustamante, highlighted his communications to Governments concerning the human rights of migrants, and called for ratification of the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. The [Special Rapporteur on the situation of human rights in the Palestinian Territories occupied since 1967](#), Mr. John Dugard, reported that the situation in the OPT continued to worsen. The [Special Rapporteur on extrajudicial, summary or arbitrary executions](#), Mr. Philip Alston, focused his comments on the reform of the special procedures system, and drew attention to developments in Sri Lanka. The [Special Rapporteur on the situation of human rights in Myanmar](#), Mr. Paulo Sergio Pinheiro, reported on developments in Myanmar, including the reform process, detention of political leaders, forced labour, and the addition of Myanmar to the agenda of the Security Council. The [Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea \(DPRK\)](#), Mr. Vitit Muntarbhorn, raised concern about the rights to food and to life in the DPRK. The [Special Rapporteur on the situation of human rights in the Sudan](#), Ms. Sima Samar, reported that the situation in Darfur had dramatically deteriorated, despite the signing of a peace agreement in May 2006. The [Independent Expert on the situation of human rights in the Democratic Republic of the Congo \(DRC\)](#), Mr. Titinga Frédéric Pacéré, noted that human rights violations continue in the DRC,

General Assembly continued ...

particularly with regard to sexual violence, detention conditions and impunity. The [Special Representative of the Secretary-General on human rights defenders](#), Ms. Hina Jilani, reported on the communications to Governments over the past year, and her concern that policing of peaceful demonstrations appears to have become more violent. The [Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#), Mr. Manfred Nowak, focused on the non-admissibility of evidence extracted through torture. The [Representative of the Secretary-General on the human rights of internally displaced persons](#), Mr. Walter Kälin, recommended, inter alia, that national laws and policies provide protection for, and assistance to, internally displaced persons, particularly in countries facing large scale conflict-induced displacement. The [Special Rapporteur on freedom of religion or belief](#), Ms. Asma Jahangir, highlighted that measures adopted by Governments to counter terrorism had significantly affected the freedom of religion or belief of numerous religious groups, particularly Muslims, around the world. The [Special Rapporteur on the independence of judges and lawyers](#), Mr. Leandro Despouy, focused on military justice, emphasizing that military courts did not have jurisdiction over serious human rights violations. The [Special Rapporteur on the protection and promotion of human rights and fundamental freedoms while countering terrorism](#), Mr. Martin Scheinin, stressed the impact of counter-terrorism measures on the right to freedom of association and peaceful assembly. The [Special Rapporteur on violence against women, its causes and consequences](#), Ms. Yakin Ertürk, reviewed her country visits and emphasized the importance of tackling the root causes and consequences of violence against women. The [Independent Expert on the effects of economic reform policies and foreign debt on the full enjoyment of all human rights](#), Mr. Bernard N. Mudho, updated on recent developments and the potential impact of the Multilateral Debt Relief Initiative (MDRI). The [Special Rapporteur on the right to food](#), Mr. Jean Ziegler, expressed concern that hunger is on the rise, despite evidence that there is more than enough food to feed everyone in the world. The [Independent Expert on the situation of human rights in Burundi](#), Mr. Akich Okola, expressed concern about continuing human rights violations in Burundi.

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General Assembly continued ...

The [Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance](#), Mr. Doudou Diène, noted the rise in racist violence as well as increasing democratic legitimization of racism and xenophobia. The Chairperson of the [Working Group on the use of mercenaries as a means of](#)

General Assembly continued ...

[violating human rights and impeding the exercise of the rights of peoples to self-determination](#), Ms. Amada Benavides de Pérez, explained that the Working Group sought to draw attention to the growing tendency of States to cede core military functions to private companies.

PRESS STATEMENTS

[SRI LANKA ANNOUNCES PLANS TO ESTABLISH COMMISSION TO INQUIRE INTO KILLINGS](#)

On 5 September 2006, the Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Philip Alston, issued a press statement welcoming the announcement by Sri Lanka's President Mahendra Rajapakse of his intention to invite an international commission to inquire into recent killings, disappearances and abductions in Sri Lanka. The Special Rapporteur emphasized that any such commission must be independent, credible, effective, and empowered to make a difference. He observed that the situation in Sri Lanka has deteriorated significantly since he visited there less than a year ago.

[CONCERN ABOUT JORDAN'S ANTI-TERROR LAW](#)

The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Mr. Martin Scheinin, issued a press release on 7 September 2006, calling for further debate and amendments to Jordan's Anti-Terrorism law before it is ratified. The Special Rapporteur expressed concern that a number of provisions negatively impact human rights such as the overly broad definition of terrorism, the lack of procedural safeguards during detention and trial, the excessive powers given to enforcement officials and the Public Prosecutor and the designation of military courts as the sole jurisdiction for terrorism cases. He noted that the principles of the right to privacy, freedom of movement and due process may be severely compromised by these provisions.

[SECURITY COUNCIL EXAMINES REPORT ON CHILDREN AND ARMED CONFLICT IN DEMOCRATIC REPUBLIC OF THE CONGO \(DRC\)](#)

The Special Representative of the Secretary-

DRC continued ...

General for children and armed conflict, Ms. Radhika Coomaraswamy, issued a press statement on 7 September 2006, welcoming the conclusions of the Security Council Working Group on Children and Armed Conflict following the examination of the Secretary-General's report on the situation in DRC. She called them an important landmark in the fight against impunity for those who commit grave violations against children during armed conflict.

[TOXIC WASTE DUMPING IN COTE D'IVOIRE](#)

On 14 September 2006, the Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous productions and wastes on the enjoyment of human rights, Mr. Okechkwu Ibeanu, issued a press statement expressing concern about the dumping of toxic waste in Abidjan, Cote d'Ivoire. The pollution resulting from this waste has already led to the deaths of six persons and poisoned thousands of inhabitants of the city. He called for a full investigation and for those responsible to be held accountable. He also emphasized that processes should be put in place as quickly as possible to limit further adverse effects on the population.

[POLITICAL IMPRISONMENTS IN MYANMAR](#)

On 28 September 2006, the Special Rapporteur on the situation of human rights in Myanmar, Mr. Paulo Sergio Pinheiro, issued a press statement calling for the release of three prominent student leaders reportedly arrested on 27 September. He expressed his concern about their condition in light of the fact that over the last seven years he has received numerous reports of human rights violations in pre-trial detention.

[WORLD HABITAT DAY](#)

On 29 September 2006, the Special Rapporteur on the right to adequate housing as a *(continued on next page)*

World Habitat Day continued ...

component of the right to an adequate standard of living, Mr. Miloon Kothari, issued a press statement on the occasion of World Habitat Day. He reminded the international community and national governments of their legal obligations to fulfil and promote the progressive realization of the right to adequate housing. With the theme of World Habitat Day as "Cities, Magnets of Hope," he observed that housing is intertwined with the rights to land, health, water and livelihood, and the interplay between rural and urban habitat issues must be seen in this context. He also noted that migration from rural to urban areas is frequently involuntary given the severe circumstances characterizing rural life. In urban areas, many people are forced to live in slums, or other inadequate housing conditions, and they are particularly susceptible to forced evictions. He urged States to take concrete and urgent measures to address these issues affecting millions of people.

APPEAL TO COUNTRIES TO RESPOND TO REQUESTS FOR INVITATIONS FROM SPECIAL RAPPORTEUR ON COUNTER-TERRORISM

On 3 October 2006, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Mr. Martin Scheinin, issued a press release calling upon Governments to respond to his requests for country visits. The Governments of Algeria, Egypt, Malaysia, Philippines, South Africa, Tunisia and the United States of America had yet to provide an official response to a country visit request from the Special Rapporteur. Five of these States are members of the Human Rights Council and some of them are currently introducing new legislation while others are planning to amend or introduce new laws in the near future. Since the issuance of the press release, the Special Rapporteur has received invitations to visit the United States and South Africa.

MISSION TO RUSSIAN FEDERATION CANCELLED

On 4 October 2006, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment, issued a press release expressing his regret that his mission to the Russian Federation, planned for 9 to 20 October 2006 was cancelled at a late stage in the preparations. The Special Rapporteur explained that he was informed by the Government that certain elements of his Terms of Reference for carrying out visits to detention facilities would

Russia continued ...

contravene Russian law, particularly with respect to carrying out unannounced visits, and holding private interviews with detainees. These issues could not be resolved prior to the visit and thus the mission could not proceed as planned. The Special Rapporteur has been assured by the Government that a mutually agreeable solution will be found to ensure that this mission is carried out in the near future.

REDUCTIONS IN FOOD AID TO CHECHNYA AND AZERBAIJAN

On 12 October 2006, the Special Rapporteur on the right to food, Mr. Jean Ziegler, issued a press statement to support calls made by the United Nations World Food Programme in July 2006 encouraging donors to continue providing funds to avoid further reductions in food rations and in the number of assisted persons in the Chechen Republic of the Russian Federation and in Azerbaijan.

ANTI-TERROR LAW IN UNITED STATES INCOMPATIBLE WITH INTERNATIONAL OBLIGATIONS

On 27 October 2006, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Mr. Martin Scheinin, issued a press release expressing his concern over the enactment of the Military Commissions Act in the United States of America. A number of provisions are incompatible with the international obligations of the United States under human rights law and humanitarian law, namely the universal and fundamental principles of fair trial standards and due process enshrined in Common Article 3 of the Geneva Conventions. In particular, the power of the President to declare anyone, including US citizens, without charge as an "unlawful enemy combatant", the broad scope of crimes to be tried by military commissions, the denial of non US citizens (including legal permanent residents) in US custody the right to challenge the legality of their detention by filing a writ of habeas corpus, with retroactive effect, and the denial of the right to see exculpatory evidence deemed classified information.

VIOLENCE IN OAXACA, MEXICO

On 30 October 2006, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Mr. Rodolfo
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Mexico continued ...

Stavenhagen, issued a statement regarding the situation of human rights in the state of Oaxaca, Mexico, where four persons died and several others were wounded as a result of clashes between protesters of the Popular Assembly of the Peoples of Oaxaca (APPO) and paramilitary forces. The Special Rapporteur called on the Mexican authorities to stop the violence, and to reach a negotiated solution to the social issues that have given rise to ongoing protests.

[DEATH SENTENCE IMPOSED ON AND CARRIED OUT AGAINST SADDAM HUSSEIN](#)

The [Special Rapporteur on the independence of judges and lawyers](#), Mr. Leandro Despouy, issued a press release on 6 November 2006, regarding Saddam Hussein's and his two co-defendants' death sentences in Iraq. The Special Rapporteur reiterated his objections regarding the conduct of the trial and expressed his concern about the consequences this judgment may have on the situation in Iraq and the region. He urged the Iraqi authorities not to carry out the death sentences, as their application would represent a serious legal setback for the country and would be in open contradiction to the growing international tendency to abolish the death penalty.

The [Working Group on arbitrary detention](#), issued a press statement on 28 November 2006, reiterating its concerns, expressed in its Opinion N° 31/2006 of 1 September 2006, regarding Saddam Hussein's trial in Iraq. In its Opinion, the Working Group considered that the non-observance of the relevant international standards during Saddam Hussein's first trial was of such gravity as to confer his deprivation of liberty an arbitrary character. The Working Group invited the Governments of Iraq and the United States to consider whether a trial of the former Head of State in conformity with international standards was at all possible under the current conditions in Iraq, or whether the case should rather be referred to an international tribunal.

The [Special Rapporteur on the independence of judges and lawyers](#), Mr. Leandro Despouy, issued a statement on 28 December 2006 reiterating his concern about the death sentence of Saddam Hussein, upheld following an appeal. The Special Rapporteur emphasized his concerns regarding the fairness of the legal process and urged the authorities not to carry out the death sentence.

[INTERNATIONAL COMMUNITY MUST ADDRESS ATTACKS BY ISRAEL IN GAZA](#)

On 8 November 2006, the [Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967](#), Mr. John Dugard, issued a press statement calling attention to the military campaign launched by Israel on 25 June 2006 in Gaza resulting in over 300 deaths, including many civilians, over a thousand injuries and large scale devastation of property, schools, hospitals, land and infrastructure. He observed that little has been done by the international community to halt these attacks and called on the Security Council to act urgently.

On 10 November 2006, the [Special Rapporteur on the right to adequate housing as a component of the right to an adequate standard of living](#), Mr. Miloon Kothari, issued a press statement condemning the artillery shelling of Palestinian homes by the Israeli defense force in Beit Hanoun that killed 19 civilians and injured 60. He expressed alarm about continuing reports of deliberate attacks by Israeli forces resulting in the destruction of homes, civilian property, and infrastructures in the Gaza Strip. He also criticized Israel's practice of confiscating Palestinian land, demolishing Palestinian homes, and implanting illegal settlements and called on the Israeli government to halt all such activities.

[VIOLATIONS AGAINST CHILDREN CONTINUE IN NORTHERN UGANDA](#)

On November 21, the Special Representative of the Secretary-General for children and armed conflict, Ms. Radhika Coomaraswamy, issued a press statement calling for an immediate release of children still held in the ranks of the Lord's Resistance Army in Northern Uganda.

[INTERNATIONAL DAY AGAINST VIOLENCE AGAINST WOMEN \(25 NOVEMBER\)](#)

On the occasion of the [International Day on the Elimination of Violence Against Women](#), the UN High Commissioner for Human Rights, Ms. Louise Arbour, the Special Rapporteur on violence against women, its causes and consequences, Ms. Yakin Ertürk, and the Special Rapporteur on the human rights of migrants, Mr. Jorge A. Bustamante, issued a joint statement on 24 November 2006, calling for the protection of all women, regardless of their immigration status, against

Violence against women continued ...

all forms of trafficking, exploitation and violence. They emphasized that States should assure that women have the option to migrate without fear of violence, discrimination or prejudice to their human dignity.

On the occasion of the [International Day on the Elimination of Violence against Women](#), the Special Rapporteur on trafficking in persons, especially women and children, Ms. Sigma Huda, issued a press statement on 24 November 2006, which highlighted various forms of violence against women, and particularly expressed concern about online pornography. She called upon each and every concerned citizen, organization, Government and international body to work effectively towards combating the crime of violence against women.

[FLOODS AND STALLED PEACE TALKS IN SOMALIA](#)

The Independent Expert on the situation of human rights in Somalia, Mr. Ghanim Alnajjar, issued a press statement on 28 November 2006, expressing concern about the flash floods affecting southern Somalia, as well as about the stalled peace negotiations between the Transitional Federal Institutions and the Union of Islamic Courts.

[POLITICAL PRISONER'S HEALTH DETERIORATING IN BELARUS](#)

On 8 December 2006, the Special Rapporteur on the situation of human rights in Belarus, Mr. Adrian Severin, issued a press statement to express his deepest concern over the deteriorating health condition of Mr. Alexander Kazulin after 49 days of hunger strike. Mr. Kazulin, a former presidential candidate, is

Belarus continued ...

the leader of the Belarusian Socialist Democratic Party "Narodnaya Hramada" and was sentenced in July 2006 to five and a half years imprisonment.

[INTERNATIONAL MIGRANTS DAY \(18 DECEMBER\)](#)

On the occasion of International Migrants Day, the Special Rapporteur on the human rights of migrants, Mr. Jorge A. Bustamante, and the Chairperson of the Committee on Migrant Workers, Mr. Prasad Kariyawasam, issued a joint statement calling for greater support by the international community for the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. They urged all States which have not yet done so to ratify the Convention for the sake of the dignity and the protection of the human rights of millions of migrants.

[GEORGIAN NATIONAL PLAN ON INTERNALLY DISPLACED PERSONS SHOULD BE ADOPTED AND IMPLEMENTED](#)

In a press release issued on 18 December 2006, the Special Representative of the Secretary-General on the human rights of internally displaced persons, Mr. Walter Kälin, welcomed the public presentation in Georgia of the draft National Strategy for Internally Displaced Persons. He commended its provisions, its commitment to human rights, and its development through a broad-based consultative process, and urged the Government to adopt the policy without delay and move swiftly towards its implementation. The Special Representative visited Georgia from 14 to 16 December 2006, as a follow up visit to the mission conducted by his predecessor in May 2000.

"Special procedures" refer to the mechanisms established by the former Commission on Human Rights, and assumed by the Human Rights Council, to examine, monitor, advise and publicly report on a human rights situation in a specific country (country mandates) or on a thematic issue (thematic mandates). Currently, there are 41 special procedures, 28 thematic mandates and 13 country mandates, including special rapporteurs, special representatives, independent experts and working groups (all known as "special procedures mandate holders"). For more information, please visit <http://www.ohchr.org/english/bodies/chr/special/index.htm>

