



# SPECIAL PROCEDURES BULLETIN

**FOURTH ISSUE: JANUARY - MARCH 2007**

## HIGHLIGHTS

### [Human Rights Council - Fourth session \(12-30 March 2007\)](#)

**A**t the fourth session of the Human Rights Council, held from 12 to 30 March 2007, 26 special procedures mandate holders engaged in interactive dialogues with the Council. The text of their statements are on the Human Rights Council extranet, which can be accessed at <http://www.ohchr.org/english/bodies/hrcouncil/>. Links to the summary records of the interactive dialogues are on pages 7-8 of this Bulletin.



[Resolutions](#) were adopted on the following topics: transitional justice, realization in all countries of economic, social and cultural rights, follow up to the special sessions on the OPT, review of mandates, human rights and unilateral coercive measures, right to development, enhancement of international cooperation in the field of human rights, strengthening the Office of the High Commissioner for Human Rights, Darfur, combating defamation of religions, and the elimination of all forms of intolerance and discrimination based on religion or belief.

In his closing statement, Ambassador Luis Alfonso de Alba, President of the Council, said the Council should feel satisfaction with the high level of interaction, as well as the work undertaken. The level of participation and commitment shown was very encouraging. It showed the priority that should be attached to the institution building process, convergence and follow-up, seeking consensus, the need to clearly identify outstanding issues and focus on them. The time had clearly come to begin negotiating, to reduce the distance between positions and take account of different concerns.

### How to send information to Special Procedures

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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**

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The OHCHR website (<http://www.ohchr.org>) 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, press statements, etc.

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

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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 April - June 2007. The Bulletin is produced by the Information and Management Team of the Special Procedures Branch of the OHCHR.

## 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 investigative action.

The decision to intervene is at the discretion of the special procedure mandate holder and depends on criteria established by him or 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

**1115** 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

**3206** Individual cases covered; 17% of these were women

**143** Countries received communications

### JANUARY - MARCH 2007 COMMUNICATIONS

**218** Total number of communications

**56%** Joint Communications; 90 Joint Urgent Actions and 32 Joint Letters of Allegation

**53%** of all individuals covered by joint communications

**531** Individual cases covered; 19% of these were women

**77** Countries received communications

## COUNTRY VISITS

### BURUNDI

#### VISIT BY THE INDEPENDENT EXPERT

The Independent Expert on the situation of human rights in Burundi visited the country from 14 to 27 January 2007. He highlighted that while important steps were being taken to guarantee economic, social and cultural rights, food insecurity continues to be a major problem. He also expressed concern about the marginalization of the Batwa community. He highlighted political developments, particularly the signing of the ceasefire agreement. However, he pointed out that despite this agreement, human rights violations continue, including summary executions, which have not been adequately investigated.

### DISAPPEARANCES

#### VISIT TO EL SALVADOR BY THE WORKING GROUP

The Working Group on enforced or involuntary disappearances visited El Salvador from 5 to 7 February 2007. The Working Group was represented by its Chairman-Rapporteur, Mr. Santiago Corcuera, and Working Group member, Mr. Darko Götlicher.

The purpose of this visit was to clarify past cases of disappearance in El Salvador and to discuss further efforts that should be undertaken by the Government, in cooperation with the Working Group, to address all cases of disappearances in light of international human rights standards, especially the Declaration on the Protection of All Persons from Enforced Disappearance.

The delegation visited the city of San Salvador. It held

### 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.

meetings with high ranking officials from the executive, legislative and judicial branches of the Government. It also met with representatives of non-governmental organizations and representatives and relatives of victims of enforced disappearances. The delegation gave the list of its outstanding cases in order to encourage the Government and the sources to provide any information they might have to clarify these cases. At present, the Working Group has a total of 2,270 outstanding cases of disappeared persons that originally occurred during the period of armed conflict.

#### VISIT TO HONDURAS BY THE WORKING GROUP

The Working Group on enforced or involuntary disappearances visited Honduras from 31 January to 2 February 2007. The Working Group was represented by the Chairman-Rapporteur Mr. Santiago Corcuera, and Working Group member, Mr. Darko Götlicher.

The purpose of this visit was to clarify past cases of disappearance in Honduras and to discuss further efforts that should be undertaken by the Government, in cooperation with the Working Group, to address all cases of disappearances in light of international human rights standards, especially the Declaration on the Protection of All Persons from Enforced Disappearance.

The delegation visited Tegucigalpa and held meetings with high ranking officials of the executive, legislative and judicial branches of the Government. The members of the Working Group also met with non-governmental organizations and families of victims of enforced disappearances.

## **EDUCATION**

### **VISIT TO MALAYSIA BY THE SPECIAL RAPPORTEUR**

The Special Rapporteur on the right to education, Mr. Vernor Muñoz Villalobos, carried out an official visit to Malaysia from 5 to 14 February 2007. In the press statement issued on 16 February 2007, he highlighted the need to strengthen educational institutions. In this regard, the Special Rapporteur encouraged the government to adopt an overall human rights approach, and in particular called for the ratification of the International Covenant of Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. He also drew attention to national provisions which he found to be inconsistent with international human rights standards.

Since the educational policies promote ethnic, linguistic and religious diversity, the Special Rapporteur emphasized that equal opportunities to claim the right to education should exist for all groups, including different ethnic minorities, indigenous people, undocumented children of foreign origin, as well as girls and women. The Special Rapporteur called on the Government to step up efforts to eradicate corporal punishment in schools, which is expressly prohibited in the Convention on the Rights of the Child. He specifically recommended that the Government urgently develop and use qualitative and quantitative indicators, disaggregated according to gender, age, ethnic group, and disabilities, to help assess gaps in human rights protection with regard to the right to education. Finally, he expressed his belief that Malaysia has the resources to respond creatively and comprehensively to all the challenges it faces with respect to the right to education, and urged the Government to undertake the necessary measures without delay.

## **HEALTH**

### **VISIT TO UGANDA BY THE SPECIAL RAPPORTEUR**

The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Mr. Paul Hunt, carried out a mission to Uganda from 4 to 9 February 2007. One objective of this visit was to understand the role of Sweden, and in particular the Swedish International Development Agency (Sida) in relation to the highest attainable standard of health in Uganda, building upon the Special Rapporteur's mission to Sweden in 2006. The Special Rapporteur was impressed

by Sida's international policies on development, the commitment of Sida's Kampala staff to an explicit human rights-based approach to health as well as Sida's important support to the Ugandan Ministry of Health and to the World Health Organisation (WHO) Uganda's programme on health and human rights. He also noted that Sida supports many NGOs working on health, and provided humanitarian assistance in the north of the country.

The Special Rapporteur also followed up on his March 2005 visit to Uganda, which was carried out jointly with WHO, to gather information on neglected diseases and related policy and legal frameworks, and to analyse them in the context of the right to health. He noted that despite some progress made since that mission, much remains to be done. The Special Rapporteur commended the steps taken by the Ministry of Health to integrate human rights, especially the right to health, within its work, as well as progress made with respect to some neglected diseases. However, the Special Rapporteur noted with particular regret that the health sector was seriously under-funded, emphasizing that the Government's present level of investment in health was inconsistent with Uganda's international human rights obligations.

## **INDEPENDENCE OF JUDGES AND LAWYERS**

### **VISIT TO THE MALDIVES BY THE SPECIAL RAPPORTEUR**

The Special Rapporteur on the independence of judges and lawyers, Mr. Leandro Despouy, conducted a visit to the Maldives from 25 February to 1 March 2007. In the press statement, issued on 1 March, the Special Rapporteur observed that the country is in the process of adopting fundamental constitutional and judicial reforms, which would contribute to the establishment of an independent judiciary. Currently, the judiciary is under the control of the President, seriously affecting its independence. The Special Rapporteur expressed concern about numerous issues, including the lack of training for judges and lawyers, the trial of detainees without the assistance of a lawyer, and the regular use of preventive detention.

The Special Rapporteur recommended that the Government urgently adopt the constitutional reforms and other legislative reforms that have already been submitted to the Parliament. The adoption of a police bill is also of key importance to prevent human rights violations. He called for an independent judiciary, as well as the establishment of an independent body that would be responsible for appointing, promoting and disciplining judges. He also recommended that special measures be taken to ensure an appropriate representation of women within the judiciary. He noted the importance of involving judges and prosecutors in police investigations to ensure respect for human rights and also suggested that the status of the Attorney-General be enhanced and a separate post of prosecutor established. Finally, the Special Rapporteur observed that drug consumption affects almost every family, and that the current policy of criminalization has been unsuccessful. In this regard, he called for the strengthening of prevention and rehabilitation programmes.

## **INTERNALLY DISPLACED PERSONS**

### **VISIT TO CENTRAL AFRICAN REPUBLIC BY THE REPRESENTATIVE OF THE SECRETARY-GENERAL**

The Representative of the Secretary-General on the human rights of internally displaced persons, Mr. Walter Kälin, visited the Central African Republic from 24 February to 3 March 2007. He concluded that, in the north of the country, persons displaced by the conflict suffer serious human rights violations. He also noted that a large number of displaced persons, whose villages have been burnt down by security forces, have been forced to seek refuge in the bush in great distress. They lack adequate shelter, access to drinking water, and to medical services; their children cannot enjoy their right to education; and, most of all, they live in a state of permanent insecurity. He expressed his concern that this serious protection crisis could rapidly turn into a humanitarian crisis that could easily spiral out of control. He called on all actors to fully respect their obligations under relevant international law and reminded the Government that the protection of the population is primarily the responsibility of the authorities. In addition, the RSG urged the humanitarian community to assist the Central African Republic in its efforts to respond to the humanitarian and protection needs, in particular by significantly strengthening their presence in the field. He called on donors to engage in an ambitious development programme in the north of the country.

## **MERCENARIES**

### **VISIT TO PERU BY THE WORKING GROUP**

The Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination visited Peru from 29 January to 2 February 2007. The Working Group was represented by Ms. Amada Benavides de Perez, Chairperson-Rapporteur and Mr. José Luis Gomez del Prado, member. In the press statement issued on 5 February, the Working Group congratulated the Peruvian Government on its intention to accede to the 1989 International Convention against the recruitment, use, financing and training of mercenaries. The Working Group expressed concern about reports regarding the recruitment and training of hundreds of Peruvians by private security companies to perform security functions in Iraq and Afghanistan. Some of these companies are registered in Peru as subsidiaries of companies based abroad while others have operated without being registered. The Working Group has also received information from various sources concerning contractual irregularities and poor working conditions, including overcrowding, excessive working hours, partial or non-payment of salaries, ill-treatment and isolation, and neglect of basic needs such as health and hygiene. It recommended that the authorities maintain transparent registers of private security companies, including all matters concerning ownership, statutes, purposes and functions as well as a system of regular inspections.

The Working Group noted serious omissions and shortcomings in complying with obligations under international law, including labour standards. It emphasized

that although the unfavourable socio-economic situation and high unemployment have contributed to making these contracts attractive, these realities do not diminish the Government's responsibility. The Working Group especially called for action by the Ministry of Labour and the National Prosecutor's Office. The Working Group was also concerned about allegations that private security groups or police officers engaged in private security work have been involved in a series of actions to intimidate the population, and in particular environmental rights defenders in the Cajamarca region. These include the deaths of several local individuals and infringements on personal freedoms. The Working Group urged Government agencies to continue to provide these leaders with the precautionary protection measures demanded by the Inter-American Commission on Human Rights.

## **RELIGION OR BELIEF**

### **VISIT TO TAJIKISTAN BY THE SPECIAL RAPPORTEUR**

The Special Rapporteur on freedom of religion or belief, Ms. Asma Jahangir, undertook a mission to Tajikistan from 26 February to 1 March 2007. In the press statement issued on 1 March, she noted that the Government of Tajikistan generally respects the freedoms of all religious communities and individuals. However, challenges remain and some contentious issues are in the process of being resolved. She stressed that, the international community should support the Government during this transitional period to adopt a balanced approach, particularly on specific legislation and policies. All action in this sphere should respect the right to freedom of religion or belief. The Special Rapporteur further noted that the population, especially vulnerable individuals, should be protected from harassment by non-State actors in the name of religion.

The Special Rapporteur also expressed her confidence that the Government of Tajikistan is committed to adopting the most appropriate approach in dealing with these complex issues. She urged the Government to be creative and delicate in this regard.

## **SUMMARY EXECUTIONS**

### **VISIT TO THE PHILIPPINES BY THE SPECIAL RAPPORTEUR**

The Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Philip Alston, conducted an official visit to the Philippines from 12 to 22 February 2007. In the press statement issued on 22 February, the Special Rapporteur reported his satisfaction with the cooperation extended to him by the Government. He noted that while he was unwilling to provide a figure on the number of killings that have occurred, he was certain that the number is high enough to be distressing. He emphasized that the impact of even a limited number of extrajudicial, summary or arbitrary executions is corrosive in many ways. It intimidates vast numbers of civil society actors, it sends a message of vulnerability to all but the most well connected, and it severely undermines the political discourse which is central to a resolution of the problems. The Special Rapporteur found that a significant number of killings had been convincingly attributed to the Armed Forces

of the Philippines (AFP), which remains in a state of almost total denial of its need to respond effectively to these allegations. While the Special Rapporteur noted the good faith of the President in establishing an independent commission ("Melo Commission") to investigate the killings, he regretted that this initiative has been undermined by the refusal to publish the report. With regard to the judicial system, the Special Rapporteur expressed concern about the prevailing impunity, as well as witness vulnerability.

Concerning the larger political context, the Special Rapporteur observed that the executive, in cooperation with the military, has refused to engage in reconciliation efforts with the leftist groups. While the legislative framework provides a legitimate space for these groups to enter the democratic political system, this has not been put into practice. According to the Special Rapporteur, this problem is closely linked with distressing aspects of the current counter-insurgency strategy. He noted that the increase in extrajudicial executions in recent years is attributable, at least in part, to a shift in counterinsurgency strategy that occurred in some areas. In particular, he observed that the attempt to vilify left-leaning organizations and to intimidate their leaders had in some instances escalated into extrajudicial execution.

## **TORTURE**

### **VISIT TO NIGERIA BY THE SPECIAL RAPPORTEUR**

The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Manfred Nowak, visited Nigeria from 4 to 10 March 2007. In the press statement issued on 12 March, he thanked the Government for its general cooperation, but regretted that the State Security Service denied him access to their detention facilities on each of the three occasions he attempted to visit. Despite assurances from the Government that torture is prohibited by law, and that the sternest measures are taken against perpetrators, the Special Rapporteur found that torture was widespread, based on a high number of consistent and credible allegations of torture received during his meetings with various detainees in different parts of the country. He found that torture was frequently used in order to extract confessions or to obtain further information in relation to alleged crimes. Methods of torture included: flogging with whips; beating with batons and machetes; shooting suspects in the foot; threatening a suspect with death and then shooting him with powder cartridges; suspension from the ceiling or metal rods in various positions; and being denied food, water and medical treatment.

The Special Rapporteur drew attention to the impunity that surrounds these crimes, noting that few functioning complaint mechanisms exist and that, where they do exist, many victims of torture have no confidence in them. The Special Rapporteur also was appalled by the conditions of detention. He highlighted that detainees are held in unsanitary overcrowded cells, forced to sleep on concrete floors, with minimum food and water supply. In some police stations men, women, and children were held together. Medical care is non-existent and seriously ill detainees are left to languish until they die. He noted that the regular recourse to pre-trial detention exacerbates the problem of overcrowding and encouraged the Government to address this issue.

## **TOXIC WASTES**

### **VISIT TO THE UKRAINE BY THE SPECIAL RAPPORTEUR**

The Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, Mr. Okechukwu Ibeanu, carried out an official visit to the Ukraine from 22 to 30 January 2007. In the press statement issued on 30 January, he thanked the Government for its cooperation and noted the many officials and individuals with whom he met. He remarked that there is recognition by the Government, at all levels, as well as by civil society, of the urgent problem posed by the accumulation of toxic and dangerous products and wastes, and there is significant motivation to solve these problems. The Special Rapporteur noted that he examined the cases of the Premix in Zakaparttya and acid tars in the Lviv region in detail, but is convinced that these are unfortunately not the only cases of illicit transfers of toxic wastes. He recognized that it is difficult to establish scientifically conclusive links between the toxic wastes and health problems of the affected population, but stressed that past experiences have shown that products with identical levels of toxicity can be presumed to have adverse health effects. For this reason, the precautionary principle should guide the response of the authorities, even if the complete scientific results are not yet conclusive. He also drew attention to the importance of improving access to information for the local population regarding environmental issues and their potential impact on the enjoyment of human rights.

The Special Rapporteur particularly highlighted the positive work of the Prosecutor's Office concerning environmental crimes and he proposed more funding as well as training for this work. He acknowledged that the responsibility for many cases of illicit transfer of toxic wastes lies with the corporations involved, but observed that, in urgent cases, action by the authorities might be considered while at the same time seeking compensation from these corporations.

## **VIOLENCE AGAINST WOMEN**

### **VISIT TO ALGERIA BY THE SPECIAL RAPPORTEUR**

The Special Rapporteur on violence against women, its causes and consequences, Ms. Yakin Ertürk, visited Algeria from 21 to 31 January 2007. In the press statement issued on 1 February, she noted positive aspects in Algerian law and policy with regard to non-discrimination, in particular the provisions in the Constitution providing for equality between women and men, as well as the successful efforts of the Government to ensure equal access of boys and girls to all levels of education. Additionally, a presidential decree from 2005, confirmed by both chambers of Parliament, has successfully established the equality of men and women under the Nationality Code. However, in family matters and access to property women still face discrimination. While the reform has removed some of the critical areas of inequality for women, the Special Rapporteur observed that it falls short of responding to the needs and aspirations of Algerian women, particularly with regard to inheritance and divorce law.

The Special Rapporteur also expressed concern about violence against women in the home and the public sphere and the lack of visibility of this major human rights concern. The

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social taboos around violence in the society and the lack of a sufficient institutional response and support for victims of violence silence the victims and perpetuate the violence. The Special Rapporteur also drew attention to sexual harassment in the work place, certain forms of which have recently been criminalized. She also highlighted that women still suffer from the legacy of the so-called Black Decade of violence, during which systematic and widespread rape and sexual enslavement of women occurred. The National Charter on Peace and Reconciliation, adopted in September 2005 by public referendum, does not allow amnesty for persons implicated in rape, collective massacres and bombings in public places – serious crimes that affected women disproportion-

ately. However, the Special Rapporteur noted that it remains unclear to what extent the amnesty exemption clause has been applied to individual cases. Moreover, she expressed concern about a provision in the Decree implementing the National Charter, which criminalizes the use or exploitation of the wounds of the national tragedy to harm the State, its institutions, agents or international image, and the potential implications of this provision on the enjoyment of the right to freedom of expression.

## FORTHCOMING VISITS

**Azerbaijan** (SR freedom of expression) *April 2007*  
**Azerbaijan** (RSG internally displaced persons) *April 2007*  
**Bolivia** (SR right to food) *April-May 2007*  
**Burkina Faso** (IE economic reform or debt) *April 2007*  
**Democratic Republic of Congo** (SR independence of judges and lawyers) *April 2007*  
**Democratic Republic of Congo** (IE human rights in DRC) *May 2007*  
**Ecuador** (SR right to health) *May 2007*  
**Equatorial Guinea** (WG arbitrary detention) *June 2007*  
**Fiji** (WG mercenaries) *May 2007*

**Indonesia** (SRSG human rights defenders) *June 2007*  
**Mexico** (SR sale of children) *May 2007*  
**Norway** (WG arbitrary detention) *April-May 2007*  
**Occupied Palestinian Territories** (SR OPT) *May- June 2007*  
**South Africa** (SR housing) *April 2007*  
**South Africa** (SR counter terrorism) *April 2007*  
**Togo** (SR torture) *April 2007*  
**Ukraine** (SR freedom of expression) *May 2007*  
**United Kingdom** (SR freedom of religion or belief) *June 2007*  
**United States of America** (SR migrants) *April 2007*  
**United States of America** (SR counter terrorism) *May 2007*

## REQUESTED AND ACCEPTED VISITS

### INITIAL VISIT REQUESTS between January and March 2007

**Afghanistan** (WG mercenaries)  
**Central African Republic** (WG mercenaries)  
**Chad** (WG mercenaries)  
**Equatorial Guinea** (WG use of mercenaries)  
**Guatemala** (SR right to education)  
**Japan** (WG arbitrary detention)  
**Liberia** (IE economic reform or debt - reminder)  
**Mauritania** (WG arbitrary detention)  
**Senegal** (WG arbitrary detention)  
**South Africa** (WG mercenaries)  
**Sudan** (SR human rights in Sudan)  
**United States of America** (SR on racism, WG mercenaries)  
**Zimbabwe** (WG mercenaries)

### REQUESTS ACCEPTED / INVITATIONS EXTENDED between January and March 2007

**Angola** (WG arbitrary detention, SR freedom of expression, SR freedom of religion or belief)  
**Brazil** (SR summary executions)  
**Dominican Republic** (joint visit: IE minorities and SR racism)  
**Guinea** (SR summary executions)  
**India** (SR freedom of religion, SR right to health)  
**Italy** (WG arbitrary detention)  
**Madagascar** (SR right to food)  
**Malta** (WG arbitrary detention)  
**Philippines** (SR independence of judges and lawyers)  
**Russian Federation** (SR independence of judges and lawyers)  
**Sri Lanka** (RSG internally displaced persons)  
**Turkey** (SR freedom of expression)  
**Turkmenistan** (SR freedom of religion or belief)  
**Yemen** (SR summary executions)

# HIGHLIGHTS

## [Working Group on review of mandates holds its second session](#)

The Human Rights Council Working Group on the review of mandates (part of the Working Group on the issue of reviewing and, where necessary, improving and rationalizing all mandates, mechanisms, functions and responsibilities in order to maintain a system of special procedures, expert advice and a complaint procedure) held meetings during its second session on 6, 7, 13 and 15 February 2007. The Czech Facilitator presented his non-paper which outlined points of convergence, points for further discussion, and proposals.

Discussions continued to revolve around issues including the selection of mandate holders, country mandates, a proposed code of conduct and the draft manual, Special Procedures' relationship with the Council and other human rights mechanisms, working methods, in particular communications, and reporting. Discussions appeared to confirm convergence relating to term limits for mandate holders (6 years maximum) and main criteria for the selection of mandate holders, including independence, impartiality, human rights expertise, gender and regional balance.

Considerable time was devoted to discussions concerning selection procedures, with disagreement about whether mandate holders should be appointed or elected. Some hybrid proposals, or two-tiered systems, were also discussed. Views continued to differ on how country situations should be addressed. Several delegations reiterated the opinion that all country mandates established under item 9 of the former Commission on Human Rights agenda should be abolished, while other delegations stressed the need to retain country mandates as a tool for addressing situations of grave human rights violations.

Concerning the individual review of mandates, some delegations proposed conducting the review through separating country mandates and thematic mandates, and grouping thematic mandates according to clusters. Some delegations expressed reservations about clustering thematic mandates given the interdependence and indivisibility of all human rights. The Working Group invited mandate holders, through the Coordination Committee, to identify protection gaps and overlaps in the system.

Concerning cooperation of States with special procedures, while it was generally agreed that such cooperation was important, several delegations highlighted their view that standing invitations are not the most important means of demonstrating cooperation.

In resolution 2/1 adopted at the Council's second resumed session in December 2006, the Council had requested the Working Group to draft a Code of Conduct. Several delegations called for a review also of the Special Procedures Manual, while others stressed that the Manual and Code of Conduct were two separate documents and should not be linked. Several delegations highlighted the importance

Click on the below links to access the official records of interactive dialogues with mandate holders at the Fourth session of the Human Rights Council by chronological order:

**Independent Expert on minority issues, Ms. Gay McDougall**

[20 March morning](#)

[20 March afternoon](#)

**Special Rapporteur on the human rights of migrants, Mr. Jorge Bustamante**

[20 March morning](#)

[20 March afternoon](#)

**Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Mr. Rodolfo Stavenhagen**

[20 March morning](#)

[20 March afternoon](#)

**Representative of the Secretary General on the human rights of internally displaced persons, Mr. Walter Kälin**

[20 March afternoon](#)

[21 March morning](#)

**Special Rapporteur on violence against women, its causes and consequences, Ms. Yakin Ertürk**

[20 March afternoon](#)

[21 March morning](#)

**Special Rapporteur on the sale of children, child prostitution and child pornography, Mr. Juan Miguel Petit**

[20 March afternoon](#)

[21 March morning](#)

**Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the rights of peoples to self-determination, Mr. José Luis Gomez del Prado**

[21 March morning](#)

[21 March afternoon](#)

**Independent Expert on the effects of economic reform policies and foreign debt on the full enjoyment of all human rights, Mr. Bernards Andrew Nyamwaya Mudho**

[21 March morning](#)

[21 March afternoon](#)

**Special Rapporteur on the right to education, Mr. Vernor Muñoz Villalobos**

[21 March morning](#)

[21 March afternoon](#)

**Working Group on enforced or involuntary disappearances, Mr. Santiago Corcuera**

[21 March afternoon](#)

[22 March morning](#)

**Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Mr. John Dugard**

[22 March afternoon](#)

**Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, Mr. Vitit Muntarbhorn**

[23 March morning](#)

*Working Group on review of mandates continued ...*

of examining the communication procedure and defining criteria for sending communications, as well as for interaction with the media. Algeria, on behalf of the African Group, announced that the Group was preparing a draft code. This draft was circulated to all delegations on 13 March 2007.

The Working Group meetings were attended by Ms. Leïla Zerrougui, Chairperson-Rapporteur of the Working Group on arbitrary detention (6 and 7 February), Mr. Doudou Diène, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (6 and 7 February), Ms. Yakin Ertürk, Special Rapporteur on violence against women, its causes and consequences (7 February) and Mr. Martin Scheinin, Special Rapporteur on the protection and promotion of human rights while countering terrorism (13 February). They emphasized the importance of independence and expertise in the selection of mandate holders and reiterated the value of a cooperative dialogue with States with the aim of improving promotion and protection of human rights. They pointed out that the communications procedure is a very important mechanism for ensuring this dialogue, and providing better protection to victims of human rights violations. They also noted the importance of maintaining country mandates. Regarding country visits, the importance of interacting with OHCHR and other UN agencies was signaled as crucial for the effective undertaking of fact finding missions. Additionally, they emphasized the complementary relationship between special procedures and treaty bodies. They also encouraged the Council to devote more time to considering their reports and recommendations, and to act upon them. They noted the important role of the Coordination Committee, especially to facilitate communication between mandate holders and States.

### **Other institution building working groups of the Human Rights Council**

The intersessional Working Groups on expert advice, complaint procedure (part of the Working Group on the issue of reviewing and, where necessary, improving and rationalizing all mandates, mechanisms, functions and responsibilities in order to maintain a system of special procedures, expert advice and a complaint procedure) and on the Universal Periodic Review (UPR) held meetings between 5 and 16 February 2007. In the Working Group on the UPR, several issues related to special procedures were raised, including the extent to which information from special procedures would be included in the basic documentation for the review, the participation of experts in the review, the outcome of the review, and follow up to the conclusions of the review. Concerning the deliberations on the complaint procedure, there were diverging views on the role of special procedures. In particular, delegations disagreed on whether cases declared inadmissible under the complaint mechanism could be referred to relevant special procedures because of the confidential nature of the process. Concerning the discussions on the new expert advice mechanism, discussions focused inter alia on the selection of the experts, but there were no significant references made to the special procedures system.

### **Interactive Dialogues continued ...**

**Independent Expert on the situation of human rights in Burundi, Mr. Akich Okola**

[23 March morning](#)

**Special Rapporteur on the situation of human rights in Myanmar, Mr. Paulo Sergio Pinheiro**

[23 March morning](#)

**Independent Expert on technical cooperation and advisory services in Liberia, Ms. Charlotte Abaka**

[23 March afternoon](#)

**Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Mr. Martin Scheinin**

[26 March afternoon](#)

[27 March morning](#)

**Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Manfred Nowak**

[26 March afternoon](#)

[27 March morning](#)

**Special Rapporteur on freedom of religion or belief, Ms. Asma Jahangir**

[27 March afternoon](#)

**Special Rapporteur on freedom of opinion and expression, Mr. Ambeyi Ligabo**

[27 March afternoon](#)

**Working Group on arbitrary detention, Ms. Leïla Zerrougui**

[27 March afternoon](#)

**Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Philip Alston**

[27 March afternoon](#)

[28 March morning](#)

**Working Group of experts on people of African descent, Mr. Peter Kasanda**

[27 March afternoon](#)

[28 March morning](#)

**Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Doudou Diène**

[27 March afternoon](#)

[28 March morning](#)

**Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, Mr. John Ruggie**

[28 March afternoon](#)

**Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Mr. Paul Hunt**

[28 March afternoon](#)

**Special Representative of the Secretary-General on the situation of human rights defenders, Ms. Hina Jilani**

[28 March afternoon](#)



### **HRC RESOLUTION 4/8 ON DARFUR**

At its fourth session, the Human Rights Council adopted resolution 4/8, entitled, "Follow-up to decision S-4/101 of 13 December 2006 adopted by the Human Rights Council at its fourth special session entitled 'Situation of human rights in Darfur.'" The Council "[d]ecides to convene a group to be presided over by the Special Rapporteur on the situation of human rights in the Sudan, composed of the Special Representative of the Secretary General for children and armed conflict, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Representative of the Secretary-General on the situation of human rights defenders, the Representative of the Secretary General on human rights of internally displaced persons, the Special Rapporteur on the question of torture and the Special Rapporteur on violence against women, its causes and consequences." It requests this group to work with the Government of the Sudan, the African Union and the Chairman of the Darfur-Darfur Dialogue and Consultation (DDDC) "to ensure the effective follow-up and to foster the implementation of resolutions and recommendations on Darfur." It also requests the group to report to the fifth session of the Human Rights Council.

### **International Women's Day (8 March)**

On the occasion of International Women's Day, the Special Rapporteur on violence against women, its causes and consequences, Ms. Yakin Ertürk, the Special Rapporteur on trafficking in persons, especially women and children, Ms. Sigma Huda, and the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Mr. Miloon Kothari, issued a press release calling for an end to impunity for violence against women. They drew attention to the obligation of all States to criminalize all forms of violence against women, to enforce these laws scrupulously, and to prosecute those who perpetrate violence against women. They also highlighted that women's empowerment is crucial for women to be able to denounce violence and access justice. They noted that ending impunity for crimes committed against women requires determination, political will and joining forces with all stakeholders engaged in combating violence against women at national and international levels.

The following special procedures mandate holders will be presenting their reports and engaging in an interactive dialogue with the Council at its fifth session, scheduled for 11-18 June 2007:

### **Upcoming Events**

- 16-27 April 2007 - Intersessional Working Groups on reviewing and rationalizing all mandates, mechanisms, functions and responsibilities in order to maintain a system of special procedures, expert advice and a complaint procedure; on the Universal Periodic Review; and on the Agenda and Working Methods
- 11-18 June 2007 - Fifth session of the Human Rights Council.
- 18-22 June 2007 - Annual meeting of special procedures mandate holders

Special Rapporteur on **adequate housing** as a component of the right to an adequate standard of living, Mr. Miloon Kothari

Special Rapporteur on the situation of human rights in **Belarus**, Mr. Adrian Severin

Special Representative of the Secretary-General for human rights in **Cambodia**, Mr. Yash Ghai

Personal Representative of the High Commissioner on the situation of human rights in **Cuba**, Ms. Christine Chanet

Independent Expert on the situation of human rights in the **Democratic Republic of Congo**, Mr. Titinga Frédéric Pacéré

Independent Expert on human rights and **extreme poverty**, Mr. Arjun Sengupta

Special Rapporteur on the right to **food**, Mr. Jean Ziegler

Special Rapporteur on the **independence of judges and lawyers**, Mr. Leandro Despouy

Independent Expert on human rights and **international solidarity**, Mr. Rudi Muhammad Rizki

Special Rapporteur on contemporary forms of **racism**, racial discrimination, xenophobia and other forms of intolerance, Mr. Doudou Diène

Special Rapporteur on the adverse effects of the illicit movement and dumping of **toxic and dangerous products and wastes** on the enjoyment of human rights, Mr. Okechukwu Ibeanu

Special Rapporteur on **trafficking** in persons, especially women and children, Ms. Sigma Huda

## PRESS RELEASES

### CONCERNS ABOUT DEATH SENTENCES IN IRAQ

On [3 January 2007](#), the **Special Rapporteur on extrajudicial, summary or arbitrary executions**, Mr. Philip Alston, issued a press statement expressing disappointment at the major flaws surrounding the trial and execution of Saddam Hussein. He noted that the trial was marred by serious irregularities denying Mr. Hussein a fair hearing; that, the Iraqi Government engaged in an unseemly and evidently politically motivated effort to expedite the execution by denying time for a meaningful appeal; and finally, the humiliating manner in which the execution was carried out clearly violated human rights law. The Special Rapporteur called on the Iraqi government to halt the execution of Mr. Hussein's co-defendants. He also called for several immediate measures to be taken with respect to the Iraqi High Tribunal, in order to ensure respect for international human rights obligations.

On [24 January 2007](#), the **Special Rapporteur on the independence of judges and lawyers**, Mr. Leandro Despouy, and the **Working Group on arbitrary detention**, issued a press statement expressing concern about the death sentences imposed upon Saddam Hussein and two co-defendants linked to his regime and the manner in which the executions were carried out. They emphasized that international law allows the imposition of capital punishment only within rigorous legal constraints, including respect for fair trial standards, which, according to the experts, were not guaranteed by the Iraqi High Tribunal. In light of the shortcomings of the trial against Saddam Hussein and his co-defendants, pointed out in previous press statements, the experts strongly called upon the Iraqi authorities to suspend without delay any further executions until it is ensured that a fair trial is provided to those accused under their jurisdiction, in full respect of all due process guarantees required by international human rights law.

On [13 February 2007](#), the **Special Rapporteur on extrajudicial, summary or arbitrary executions**, Mr. Philip Alston, issued a press statement calling on the Iraqi Government not to proceed with the execution of Mr. Taha Yassin Ramadan. The Special Rapporteur noted that the trial of Mr. Ramadan was marred by serious irregularities, which denied him a fair hearing and due process. He reiterated that the Government of Iraq needs to take several immediate measures in order to ensure respect for international human rights obligations.

On [16 March 2007](#), the **Special Rapporteur on the independence of judges and lawyers**, Mr. Leandro Despouy, issued a press statement drawing attention to the shortcomings in the trial of Mr. Taha Yassin Ramadan. Although Mr. Ramadan had been sentenced to life imprisonment by the trial court, the Appeals Chamber of the Iraqi High Tribunal described this sentence as too lenient and sent the case back to the trial court for the sentence to be increased to death. Mr. Despouy stressed that the court was not in a position to sentence Mr. Ramadan to death considering the failure to observe international standards related to due process. He called on the Iraqi Government not to carry out the death sentence.

### EXPERTS URGE IRANIAN GOVERNMENT NOT TO CARRY OUT IMMINENT EXECUTIONS OF AHWAZI ARABS

On 10 January 2007, the **Special Rapporteur on extrajudicial, summary or arbitrary executions**, Mr. Philip Alston, the **Special Rapporteur on the independence of judges and lawyers**, Mr. Leandro Despouy, and the **Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment**, Mr. Manfred Nowak, issued a press statement calling on the Iranian Government to halt the imminent execution of seven men belonging to the Ahwazi Arab minority and grant them a fair and public hearing. The experts called attention to the case of ten men who were sentenced to death after a secret trial before a court in the Western Iranian province of Khuzestan. Their lawyers were not allowed to see the defendants prior to their trial, and were also threatened with charges of "threatening national security" against them. The convictions were reportedly based on confessions extorted under torture. Three of the ten men were executed in mid-December 2006, despite repeated letters from the experts to the Government drawing attention to the case and requesting clarification. On 8 January 2007, the authorities in Ahwaz, the capital of Khuzestan province had informed the families of the remaining seven men that they would be executed within the next few days.

### UN EXPERT CONCERNED ABOUT MURDER OF JOURNALIST IN TURKEY

On 23 January 2007, the **Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression**, Mr. Ambeyi Ligabo, issued a press statement to express his deep concern over the murder of Hrant Dink, a respected journalist and intellectual, in Turkey. The Special Rapporteur observed that the safety of media workers remains a core issue for ensuring the full exercise of the right to freedom of expression, a key component of all democratic societies. Governments and State institutions have the primary responsibility to guarantee the safety and security of citizens, including journalists and other media professionals. In this connection, the Special Rapporteur welcomed the prompt reaction of the Government of Turkey, and expressed his hope that the investigations will shed light on this heinous crime.

### SPECIAL RAPPOORTEUR CALLS ON SINGAPORE NOT TO CARRY OUT EXECUTION

On 25 January 2007, the **Special Rapporteur on extrajudicial, summary or arbitrary executions**, Mr. Philip Alston, issued a press statement calling on the Government of Singapore not to proceed with the planned execution of Iwuchukwu Amara Tochi, a Nigerian citizen. Mr Tochi was sentenced to death for attempting to traffic diamorphine (heroin) into Singapore in November 2004 and was scheduled to be executed by hanging on 26 January 2007. The Special Rapporteur stressed the basic principle of innocence until proven guilty and criticized the reasoning of the appeal court placing the burden of proof on the defendant. He also asserted that the Government of Singapore failed to ensure respect for the relevant legal safeguards in order to protect the human rights of those facing the death penalty.

### **INDEPENDENT EXPERT CALLS FOR RELEASE OF JOURNALISTS**

On 12 February 2007, the **Independent Expert on the situation of human rights in Somalia**, Mr. Ghanim Alnajjar, issued a statement expressing concern about threats to freedom of opinion and expression in Somalia. He drew attention to the arrest and detention of three journalists as a result of their work in Somaliland, and highlighted that others had also been arrested for supporting these journalists. He stressed that threats to journalists and media outlets constitute serious violations of Article 19 of the Universal Declaration of Human Rights and reminded that a free and independent press which does not fear any party is crucial to restoring peace and security in Somalia. He called upon the Government to unconditionally release the journalists.

### **SPECIAL RAPPORTEUR EXPRESSES REGRET ABOUT EXTENSION OF HOUSE ARREST OF OPPOSITION POLITICIAN**

On 16 February 2007, the **Special Rapporteur on the situation of human rights in Myanmar**, Mr. Paulo Sergio Pinheiro, issued a press statement expressing regret about the extension, on 14 February 2007, by one year of the house arrest of Mr. Tin Oo, the Vice-Chairman of Daw Aung San Suu Kyi's National League for Democracy party. Tin Oo has been in detention since May 2003 despite calls by the party and international community to release him. The Special Rapporteur called on the Government of Myanmar to unconditionally release Tin Oo, Daw Aung San Suu Kyi, who has been held without charge or trial for over ten years, as well as all remaining prisoners of conscience.

### **HUMANITARIAN ACTORS MUST HAVE ACCESS TO AREAS AFFECTED BY CONFLICT IN MYANMAR**

On 23 February 2007, the **Special Rapporteur on the situation of human rights in Myanmar**, Mr. Paulo Sergio Pinheiro, issued a press statement drawing attention to the on-going military operations in Kayin State and their humanitarian and human rights implications. He stressed that, as a result of the increase of military operations, the number of communities in need, such as villagers facing food shortage, internally displaced villagers and refugees, significantly increased in 2006. The Special Rapporteur noted the importance of providing these groups at risk with immediate humanitarian assistance and reiterated that the humanitarian assistance should not be made hostage to politics. He urged the Government of Myanmar to authorize access to the affected areas by the United Nations and associated personnel, as well as personnel of humanitarian organizations and guarantee their safety, security and freedom of movement.

### **CONCERN OVER DRAFT NIGERIAN BILL OUTLAWING SAME SEX RELATIONSHIPS**

On 25 February 2007, the **Special Representative of the Secretary-General on human rights defenders**, Ms. Hina

Jilani; the **Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance**, Mr. Doudou Diène; the **Special Rapporteur on violence against women, its causes and consequences**, Ms. Yakin Ertürk; and the **Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health**, Mr. Paul Hunt, issued a joint press statement expressing deep concern over the draft Nigerian "Bill for an Act to Make Provisions for the Prohibition of Relationship between Persons of the Same Sex, Celebration of Marriage by Them, and for Other Matters Connected Therewith" which was heard before the Judiciary Committee of the Nigerian House of Representatives on 14 February 2007. The experts highlighted that provisions of the draft Bill discriminate against a section of society and constitute an unjustified intrusion of the right to privacy as well as violations of the right to equality. They observed with concern that the Bill, as currently drafted, heightens the potential for stigmatization, discrimination and intolerance against individuals for their actual and imputed sexual orientation or their gender identity, which could make them more susceptible to arbitrary arrests, torture, and other ill treatment and violence. In addition, if adopted, the experts warn that it could lead to the denial of opportunities and conditions necessary for the enjoyment of economic, social and cultural rights, particularly with regard to HIV/AIDS education and prevention efforts. The experts urged the Government to reconsider the Bill and to ensure that any law that is adopted conforms to international human rights norms and to Nigeria's obligations under international law.

### **SPECIAL RAPPORTEUR APPALLED WITH DECEPTIVE TACTICS OF MILK COMPANIES IN THE PHILIPPINES**

On 26 February 2007, the **Special Rapporteur on the right to food**, Mr. Jean Ziegler, issued a press statement expressing concern about a media campaign in the Philippines supporting breastmilk substitutes. He particularly noted that the content of this campaign's materials manipulate data emanating from UN specialized agencies such as the WHO and UNICEF, as well as the Filipino Department of Health and alleged that the campaign aimed only to protect the milk companies' huge profits, regardless of the best interest of Filipino mothers and children. In 2003, the WHO estimated that 16,000 children under the age of 5 died in the Philippines as a result of improper feeding practices including infant formula. In July 2006, the Filipino Department of Health introduced strict regulations in order to implement the 1986 Milk Code, which includes a ban on the advertising and promotion of milk substitutes for children up to two years old, with an absolute ban on false health and nutritional claims. However, this regulation was challenged by the Pharmaceutical and Healthcare Association of the Philippines (PHAP) and the Supreme Court has issued a temporary restraining order on the implementation of the Milk Code. The Special Rapporteur expressed his support for the Government's efforts to implement the Milk Code and urged the companies concerned to take all necessary measures to review their marketing practices related to breast milk substitutes.

### WORKING GROUP ADDRESSES ISSUES RELATED TO PRIVATE MILITARY AND SECURITY COMPANIES

On 26 February 2007, the **Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the rights of peoples to self-determination** issued a press statement upon the conclusion of the Working Group's week-long second session, having addressed emerging trends regarding mercenaries, mercenary-related activities and the effects of the activities of private companies offering military assistance, consultancy and security services on the international market and their impact on the enjoyment of human rights. The Working Group expressed its concerns about the effects of the increasing phenomenon of the recruitment of nationals from countries in many regions by subsidiaries of transnational private military and security companies with legal personality in another country, and providing services in countries experiencing violent conflict. It also expressed concern for conflicts involving private companies that provide security to installations and facilities of extractive industries and the effects on local communities and the enjoyment of land rights and a clean environment. The Working Group also took the opportunity to commend some Governments for taking steps towards acceding to the International Convention against the Use, Recruitment, Financing and Training of Mercenaries.

### SPECIAL RAPPORTEUR CALLS FOR CHANGES TO THE PHILIPPINES' HUMAN SECURITY ACT

On 12 March 2007, the **Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism**, Mr. Martin Scheinin, issued a press statement encouraging the legislative branch of the Government of the Philippines to reconsider the provisions of the Human Security Act, which was signed into law by the President on 6 March. The Special Rapporteur was particularly concerned by the Act's overly broad definition of terrorist acts as well as the strict application of a penalty of forty years' imprisonment, which undermines judicial discretion in individual cases and may result in a disproportionate punishment due to the broad definition of terrorist acts. He also called attention to the lack of certain procedural guarantees and threats to the freedom of movement.

### SPECIAL RAPPORTEUR CALLS FOR IMMEDIATE RELEASE OF ITALIAN JOURNALIST AND AIDES

On 12 March 2007, the **Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression**, Mr. Ambeyi Ligabo, issued a press statement to express concern about the kidnapping of Italian journalist Daniele Mastrogiacomo and his aides in Afghanistan. The Special Rapporteur observed that the role of the media in exposing abuses of human rights and disregard for the rule of law is beyond question. Attacks on journalists prevent them from fulfilling that function. The Special Rapporteur also noted that such attacks undermine the enjoyment of the right to freedom of expression, and of all the rights that flow from it. He called for the immediate and unconditional release of Mr. Mastrogiacomo and his aides, as well as the release of all media

professionals unlawfully detained around the world.

### INDEPENDENT EXPERT CONDEMNS MURDER OF SOMALI HUMAN RIGHTS DEFENDER

On 16 March 2007, the **Independent Expert on the situation of human rights in Somalia**, Mr. Ghanim Alnajjar, issued a press statement expressing deep sadness about the murder of Mr. Isse Abdi Isse, the chairperson of the KISIMA non-governmental organization, based in Kismayo, Somalia. He condemned the murder as well as all other attacks on human rights defenders in Somalia. He observed that the killing of Mr. Isse highlights the absence of human rights protection mechanisms for human rights defenders as well as other civilians, and the atmosphere of impunity in which Somalis live. He urged the authorities to investigate all cases in order to bring the perpetrators to justice.

### WORKING GROUP ADOPTS GENERAL COMMENT AT ITS 81ST SESSION

In a press statement issued on 20 March 2007, the **Working Group on enforced or involuntary disappearances** announced that it had adopted a General Comment at its 81st session in March 2007. The General Comment addressed two central issues in relation to the definition of disappearance. First, it stated that the Working Group concurs with the provision of the newly adopted Convention on enforced disappearance that States shall take appropriate measures to investigate acts comparable to enforced disappearances which are committed by persons acting without the support of the state. Second, it affirms that any detention followed by an extrajudicial execution is an enforced disappearance, as long as all elements of the definition of enforced disappearance are met. The General Comment does not depart from past practice and will not affect the work of the Working Group or international legal standards, except to further affirm them.

### SPECIAL RAPPORTEURS EXPRESS CONCERN ABOUT EVENTS SURROUNDING DISMISSAL OF CHIEF JUSTICE IN PAKISTAN

On 21 March 2007, the **Special Rapporteur on the independence of judges and lawyers**, Mr. Leandro Despouy, and the **Special Representative of the Secretary-General on the situation of human rights defenders**, Ms. Hina Jilani, issued a press release, noting that the President had suspended the Chief Justice on 9 March based on allegations of "misuse of office" and calling on the Government of Pakistan to ensure respect for the independence of the judiciary in Pakistan. They also expressed concern about excessive use of force against peaceful demonstrators, who took to the streets to protest the decision of the President. The two experts called upon the Government to scrupulously follow the constitutional procedures for an inquiry related to the Chief Justice's conduct, to immediately halt the excessive force applied by law enforcement authorities, to investigate thoroughly these actions, and to do its utmost to ensure a continued functioning of the administration of justice in conformity with international standards.

### **SPECIAL RAPPORTEURS HIGHLIGHT THE IMPORTANCE OF WATER FOR THE REALIZATION OF HUMAN RIGHTS**

On the occasion of World Water Day, commemorated on 22 March 2007, the **Special Rapporteur on the right to food**, Mr. Jean Ziegler, and the **Special Rapporteur on adequate housing as a component of the right to an adequate standard of living**, Mr. Miloon Kothari, issued a press statement stressing that the lack of a sufficient supply of safe water can adversely affect numerous human rights including the right to life, the right to the highest attainable standard of health and an adequate standard of living including adequate food and housing. The Rapporteurs urged all actors to refrain from adopting measures that could deny or limit access to water and refrain from engaging in activities that could pollute water. They also called for the adoption of appropriate legislative measures to protect water resources from adverse intervention by public or private actors, such as for example industrial pollution.

### **SPECIAL RAPPORTEUR CALLS FOR RELEASE OF POLITICAL PRISONER**

On 27 March 2007, the **Special Rapporteur on the situation of human rights in Myanmar**, Mr. Paulo Sérgio Pinheiro, issued a press statement calling on the authorities in Myanmar to release U Win Tin, who is now the longest serving political prisoner in Myanmar. U Win Tin is a human rights defender and advocate of democracy. His prison sentence was extended another seven years after he wrote to the UN to express concern about the prison conditions and ill treatment of prisoners. The Special Rapporteur noted that he is one of over 1200 political prisoners in Myanmar and urged the Government to release all political prisoners without delay.

### **SPECIAL RAPPORTEUR CHALLENGES UNITED STATES' INTERPRETATION OF INTERNATIONAL HUMAN RIGHTS LAW**

On 28 March 2007, the **Special Rapporteur on extrajudicial, summary or arbitrary executions**, Mr. Philip Alston, issued a press statement drawing attention to the position of the United States that international human rights law did not apply to a situation where a man on the Afghanistan/Pakistan border was killed by a US missile fired by an un-manned aerial drone because it involved an enemy combatant and took place during an armed conflict. The Special Rapporteur noted with concern that this argument has dangerous implications as it suggests that Special Procedures, and by implication, the Human Rights Council, would have no role to play in some of the most chronic human rights situations. The Special Rapporteur also explained that a more appropriate response would have been to assert that a particular incident was a lawful killing of an 'enemy combatant' during an 'armed conflict' and then provide the relevant UN human rights mechanisms with the facts and evidence that demonstrates that position.

### **SPECIAL RAPPORTEUR CALLS FOR END TO MURDER OF JOURNALISTS IN RUSSIA**

On 28 March 2007, the **Special Rapporteur on extrajudicial, summary or arbitrary executions**, Mr. Philip Alston, issued a press statement calling on the Russian Federation to ensure prosecution of those responsible for the murder of journalists. In a report issued by the Special Rapporteur on 27 March, he presents details on the murders of 13 journalists since 2000, and the lack of Government action to adequately investigate these cases and hold the perpetrators accountable. He observed that these journalists have been targeted because of their attempts to investigate allegations of corruption or of human rights violations in the Chechen Republic. While the Government has provided responses to the Special Rapporteur's communications on these cases, the Special Rapporteur noted that the responses have been incomplete. He emphasized that it is critical for journalists to be able to do their work without risking death.

### **SPECIAL RAPPORTEUR SAYS EXTRAJUDICIAL KILLINGS IN NIGERIA CONTINUE**

On 28 March 2007, the **Special Rapporteur on extrajudicial, summary or arbitrary executions**, Mr. Philip Alston, issued a press statement expressing concern that, despite positive signals after his visit to Nigeria in June/July 2005 that the problem of extrajudicial killings would be addressed, these killings continue unabated. He particularly drew attention to a communication which he sent to the Government of Nigeria concerning the killing of 12 persons by the police in August 2006 in Umuahia in Abia State. Although the Government replied to the communication explaining that the 12 persons were involved in an armed robbery, that three of them were killed on the spot when the police arrived and that the other nine suspects sustained injuries which lead to their deaths, the Special Rapporteur asserted that the explanation lacked adequate substantiation. He also expressed concern about the death sentence imposed on two men accused of sodomy in July 2006 in Kano State. He called on the Government to demonstrate its commitment to ending all extrajudicial killings without delay.

### **SPECIAL RAPPORTEUR URGES IRAN TO CEASE EXECUTIONS OF JUVENILES**

On 28 March 2007, the **Special Rapporteur on extrajudicial, summary or arbitrary executions**, Mr. Philip Alston, issued a press statement calling on the Government of Iran to immediately commute all death sentences imposed for crimes committed by individuals before the age of 18. In a report released on 27 March, he referred to 15 cases of individuals sentenced to death for crimes committed while they were minors. He urged the Government to demonstrate its commitment to international human rights law by taking concrete action to halt the application of the death penalty to juveniles.

### **SPECIAL RAPPORTEUR CALLS ON INDONESIA TO RELEASE REPORT ON MURDER OF HUMAN RIGHTS ACTIVIST**

On 28 March 2007, the **Special Rapporteur on extrajudicial, summary or arbitrary executions**, Mr. Philip Alston, issued a press statement calling on Indonesia to release the final report of the Presidential Fact-Finding team, concerning the murder of Mr. Munir Said Thalib, a leading human rights activist, and investigate all those implicated by the report. The victim died of poisoning on a flight from Singapore to Amsterdam on 6 September 2004. His death was investigated by an independent fact-finding team, Tim Pencari Fakta (TPF), but the report has never been made public. The Special Rapporteur observed that the only person convicted for the murder of Mr. Munir was acquitted despite evidence of a conspiracy involving many high ranking intelligence officials.

### **SPECIAL RAPPORTEUR CALLS ON EGYPT TO STOP POLICE FROM FIRING ON CROWDS OF DEMONSTRATORS**

On 28 March 2007, the **Special Rapporteur on extrajudicial, summary or arbitrary executions**, Mr. Philip Alston, issued a press statement expressing serious concern about the situations in which police in Egypt are permitted to fire upon crowds of demonstrators. He corresponded with the Government regarding information that alleged that police fired upon crowds of people who wished to gain access to a polling station on 7 December 2005, resulting in the death of at least eight people. In its explanation, the Government noted that there are circumstances where firearms could be used to break up a demonstration, and that it is permissible to fire at a person's legs when alternative measures have been exhausted. The Special Rapporteur noted that firing on the legs of persons in the crowd is disproportionate and a violation of human rights law. He also observed that this is not the first incident of this kind. He called on the Government of Egypt to change these laws and policies in order to prevent similar deaths in the future.

### **SPECIAL RAPPORTEUR CALLS FOR HALT TO EXECUTION OF SUSPECTS IN BANGLADESH**

On 28 March 2007, the **Special Rapporteur on extrajudicial, summary or arbitrary executions**, Mr. Philip Alston, issued a press statement calling on the authorities in Bangladesh to cease executions by the police of criminal suspects. He explained that the evidence suggests that incidents reported by the police and special forces as "crossfire" deaths are in fact staged executions. The Special Rapporteur had sent communications to the Government about these deaths, and made these communications public in his annual communications report. The Government failed to provide any substantive response to his communication. The Special Rapporteur said that the Government's apparent indifference to these grave allegations is deeply disturbing. He further asserted that the involvement of the police in extrajudicial executions is of great concern to the international community.

### **INDEPENDENT EXPERT EXPRESSES DEEP CONCERN OVER VIOLENCE IN MOGADISHU**

On 30 March 2007, the **Independent Expert on the situation of human rights in Somalia**, Mr. Ghanim Alnajjar, issued a press release to express concern about the safety of civilians in Mogadishu, Somalia, amid continued hostilities. He observed that dozens of civilians had already been killed and more than 200 have been injured. He also noted that thousands have fled the city, or are stranded because of the fighting. He called on all parties to stop the fighting and reminded that the laws of war must be observed at all times. He reiterated that international humanitarian and human rights law must be respected.

"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"). Twenty-five thematic mandates are serviced by the OHCHR Special Procedures Branch. All country mandates are serviced by the Capacity Building and Field Operations Branch and three thematic mandates are serviced by the Research and Right to Development Branch. For more information, please visit

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

