



SPECIAL PROCEDURES BULLETIN

FIFTH ISSUE: APRIL - JUNE 2007

HIGHLIGHTS

Special Procedures mandate holders meet in Geneva for Fourteenth Annual Meeting (18 - 22 June 2007)

The Fourteenth annual meeting of Special Procedures was held in Geneva from 18 to 22 June 2007. Participants elected the new members of the Coordination Committee: Gay McDougall (Chairperson of the meeting and of the Coordination Committee); Vernor Muñoz Villalobos (Rapporteur of the meeting), Yakin Ertürk, Okechukwu Ibeanu, Miloon Kothari and Vitit Muntarbhorn (ex-officio member). Ms. Gay McDougall, made a [statement](#) to the Human Rights Council on 22 June, which focused on the results of the institution building process, as well as the discussions held at the annual meeting of Special Procedures.

During the annual meeting, participants exchanged views with the High Commissioner, the Deputy High Commissioner, the former President of the Human Rights Council, and the former facilitator of the Working Group on the universal periodic review (UPR) to discuss issues arising from the institution-building process. Mandate holders had discussions about the draft revised Manual and the newly adopted Code of Conduct. They decided to authorize the Coordination Committee to draft and present to its fifteenth Meeting an appropriate procedure by which the Code of Conduct and other relevant documents, including the Manual of the United Nations Human Rights Special Procedures may best be implemented to enhance the effectiveness and independence both of the Special Procedures system as a whole and also of individual mandate-holders. In the meantime, the Coordination Committee is authorized to give appropriate consideration to any matter concerning the working methods of mandate holders which may be brought to its attention.

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The quarterly Special Procedures Bulletin provides a general overview of the main activities of the 40 Special Procedures mandates. The next issue of the Bulletin will cover July - September 2007. The Bulletin is produced by the Information and Management Team of the Special Procedures Branch of the OHCHR.

How to send information on alleged human rights violations to Special Procedures

SPECIAL PROCEDURES BRANCH

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1211 Geneva 10
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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. Communications should contain a factual description of the alleged violation and be submitted by individuals or organizations acting in good faith with direct or reliable knowledge of the violations they are reporting. They should not be politically motivated, abusive or based solely on media reports. 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> (to be updated in 2007)

Or contact:

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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, country visits, links to reports, press statements, how to submit information, etc.

For further information, or to submit information (other than specific information on alleged human rights violations), please contact: 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 investigative action.

The decision to intervene is at the discretion of the special procedure mandate holder and depends on criteria estab-

lished by him or her, as well as the criteria laid out in the Code of Conduct. 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. Communications should not be politically motivated, abusive or based solely on media reports. 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

APRIL - JUNE 2007 COMMUNICATIONS

275 Total number of communications

45% Joint Communications; 78 Joint Urgent Actions and 56 Joint Letters of Allegation

58% of all individuals covered by joint communications

521 Individual cases covered; 15% of these were women

84 Countries received communications

COUNTRY VISITS

ADEQUATE HOUSING

VISIT TO SOUTH AFRICA BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Mr. Miloon Kothari, visited South Africa from 12 to 24 April 2007. On 7 May, he issued a press release recognizing that South Africa is one of the few countries which has made legislative and constitutional commitments to socio-economic rights, including the right to adequate housing. However, he expressed regret that few mechanisms are in place to ensure implementation of these commitments. He expressed particular concern about evictions which appear to be taking place regularly in South Africa, especially affecting black farm dwellers and backyard shack dwellers. The Special Rapporteur reported that he visited several informal settlements, where people were living in desperate conditions. Although Government plans exist to upgrade these settlements, the Special Rapporteur observed a failure on the part of the Government to provide even the most basic services, including proper sanitation, water, access to schools and access to livelihood options.

The Special Rapporteur also expressed concern about communities affected by mining operations, highlighting that there appears to be insufficient consultation between the Government and these communities about resettlement options. He noted the large scale privatization and out-sourcing of public services with few accountability and monitoring mechanisms. He further drew attention to the situation of indigenous peoples, women-headed

OHCHR WEBSITE PAGE ON SPECIAL PROCEDURES COUNTRY VISITS

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

Links to alphabetical tables of country visits by Special Procedures mandate holders since 1998 are available on this page as well as a list of all countries having extended standing invitations to all the thematic procedures. As of June 2007, 56 countries have extended standing invitations.

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

households, and persons with special needs, including persons living with HIV/AIDS, persons with disabilities, orphans and young people, and homeless people. He reaffirmed the crucial role of civil society in working with the Government to ensure realization of the right to adequate housing.

ARBITRARY DETENTION

VISIT TO NORWAY BY THE WORKING GROUP

The Working Group on arbitrary detention, represented by its Chairperson-Rapporteur, Ms. Leila Zerrougui, and member, Ms. Manuela Carmena Castrillo, visited Norway from 23 April to 2 May 2007. On 2 May, the Working Group issued a press release noting that arbitrary detention is not a major problem in Norway and that the institutional arrangements function effectively to ensure that pre-trial

detention is not prolonged and that detainees have access to a lawyer. The Working Group also welcomed the Government's commitment to ensuring that inmates are provided with education, health care and occupation, while living in a suitable environment for detention. The Working Group positively noted the Government's policy towards minors in conflict with the law, asylum seekers, and persons in psychiatric institutions.

The Working Group expressed general concern about the frequent use of isolation in detention. It was pointed out that isolation and restrictions imposed upon pre-trial detainees could be considered severe treatment, which may weaken the detainee's position when the police are gathering evidence to build a case against them. The Working Group observed that the situation is even more complicated for persons on the "infolyt" system, which is a database with classified information about alleged political extremists, terrorists, or detainees involved in organised crime. This information either forms the basis for a decision by prison authorities to impose restrictions upon inmates, including solitary confinement, or is factored into decisions concerning a prisoner's eligibility for early release, usually after having served two thirds of their prison term. The Working Group noted that there is very limited access to this database, especially on the part of inmates and their lawyers, which makes it difficult for them to challenge court decisions against applications for early release, or to challenge restrictions imposed. The Working Group also expressed concern about prisoners placed in preventative detention and indicated its intention to study this issue in further detail.

CAMBODIA

VISIT BY THE SPECIAL REPRESENTATIVE

The Special Representative of the Secretary-General for human rights in Cambodia, Mr. Yash Ghai, visited Cambodia from 29 to 31 May 2007. On 31 May, he issued a press release, welcoming the imminent adoption of the Code of Penal Procedure, after many years of preparation. However, he noted that impunity for human rights violations continues to pose a threat to the rule of law in Cambodia. He also expressed regret about a decision by the Appeal Court in April 2007 to uphold, despite strong exculpatory evidence, the conviction of two men accused of murdering a trade union leader, following fundamentally flawed proceedings. With regard to this case, and another case where a trade union leader was killed, the Special Representative called for a thorough investigation and that those responsible be brought to justice. The Special Representative was also alarmed by the continuation of attacks and intimidation against members of the workers' movement in the course of the last year. Serious restrictions have been placed, illegally, on their right to assemble and carry out their responsibilities.

The Special Representative also drew attention to the dangers of allowing the pursuit of economic growth to trump human rights guarantees. He expressed deep concern about the continuing alienation of indigenous land through 'land grabbing', illegal or coercive sales, and the granting of concessions, including mining licenses. He fur-

ther welcomed developments with respect to the Extraordinary Chambers in the Courts of Cambodia (ECCC). He emphasized the importance of independent international monitoring of the trials and the responsibility of any monitor to bring matters of concern to public attention. He noted the atmosphere in which commune council elections took place in April 2007, which was characterized by less violence, threats and confrontation than during previous elections.

COUNTER-TERRORISM AND HUMAN RIGHTS

VISIT TO SOUTH AFRICA BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Mr. Martin Scheinin, visited South Africa from 16 to 26 April 2007. On 26 April, he issued a press release explaining that the purpose of the visit was to examine South Africa's laws, policies and practices on counter-terrorism and to assess how such measures affect the protection and promotion of human rights, as well as the role South Africa plays in southern Africa and on the African continent in countering terrorism in the international context. The Special Rapporteur noted that, in the context of emerging from apartheid rule, the term "terrorism" had been associated with widespread and systematic human rights violations by the regime. Today, the Government does not perceive terrorism as a serious threat to the country. He highlighted some aspects of the South African Counter-Terrorism Act of 2005 as examples of good practice, but also expressed concern about certain elements contained in the legislation, including concerns about an overly broad definition of terrorism, protection of freedom of expression, and lack of clarity about the nature and scope of parliamentary action against persons listed by the UN Security Council.

The Special Rapporteur also drew attention to allegations of police brutality, as well as community violence against certain foreigners, especially Somali nationals. He noted with concern provisions in the law concerning detention of foreigners, and the implications of these provisions in the counter-terrorism context. He observed that foreigners may be detained on security-related offences, without trial, and there is no independent monitoring agency conducting visits to the police stations where they may be held. The Special Rapporteur highlighted that South Africa plays a key regional role and encouraged the Government to take the lead in ensuring the development of laws on counter-terrorism in conformity with international human rights standards.

VISIT TO THE UNITED STATES OF AMERICA BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Mr. Martin Scheinin, visited the United States of America from 16 to 25 May 2007. In the press release issued on 29 May, he explained that the objective of the visit was to undertake a fact-finding exercise, and a legal assessment of US law and practice in the fight

against terrorism, measured against international law. His visit was also aimed at identifying and disseminating best practice in countering terrorism. The Special Rapporteur expressed his view that the United States has a special responsibility in the protection of human rights while countering terrorism. He noted that the international fight against terrorism is not a "war" in the true sense of the word, and reminded the authorities that international human rights law applies during armed conflict, as well as with respect to any person subject to a States' jurisdiction, even when it acts outside its territory. The Special Rapporteur expressed grave concern about the situation of detainees held at Guantánamo Bay, and detainees held in Afghanistan and Iraq, especially with regard to the prohibition of arbitrary detention, the right to judicial review, the right to a fair trial and the right of *habeas corpus*.

The Special Rapporteur also drew attention to several problems related to the use of military commissions to try terrorist suspects, including jurisdictional issues, as well as issues surrounding the independence of the commissions, their potential use to try civilians, and their lack of appearance of impartiality. He addressed various matters concerning the use and availability of evidence in proceedings before military commissions, the ability to impose the death penalty, and the consequences of acquittal or completion of sentence following conviction. The Special Rapporteur also expressed concern about the interrogation of terrorist suspects. He addressed the issue of "extraordinary rendition" of terrorist suspects, and their detention in "classified locations", and the accountability of those responsible for conducting interrogation by techniques amounting to torture or cruel, inhuman or degrading treatment. The Special Rapporteur also examined the definitions of terrorism under US law, the alleged targeted killings of terrorist suspects by US agents, the provision of compensation to victims of terrorism, profiling, community outreach, and immigration and refugee status. Further, the Special Rapporteur highlighted the impact of surveillance on the right to privacy.

ECONOMIC REFORM AND FOREIGN DEBT

VISIT TO BURKINA FASO BY THE INDEPENDENT EXPERT

The Independent Expert on the effects of economic reform policies and foreign debt on the full enjoyment of all human rights, Mr. Bernards Mudho, visited Burkina Faso from 23 to 27 April 2007. During his consultations with Government representatives, non-state actors and the international community, the Independent Expert focused in particular on Burkina Faso's foreign debt situation and its effect on the country's capacity to comply with human rights norms and standards. He also examined the human rights impact of recent debt relief initiatives and the effects of economic reform policies, in particular of policies adopted in the framework of the poverty reduction strategy, on the full enjoyment of all human rights. This included issues such as trade, privatisation of public enterprises and social sector policy. In his discussions with all stakeholders, the Independent Expert emphasised the added value of a human rights based process of designing and implementing economic reform and foreign debt programmes. In this context, he mentioned in particular

the importance of strong participation and accountability elements within the poverty reduction strategy paper and foreign debt decision processes.

FOOD

VISIT TO BOLIVIA BY SPECIAL RAPPORTEUR

The Special Rapporteur on the right to food, Mr. Jean Ziegler, undertook a mission to Bolivia from 29 April to 6 May 2007. On 23 May, he issued a press release in which he expressed serious concern that one in four Bolivian children is chronically malnourished and that 60% of Bolivians today live in poverty and at least 40% live in conditions of such extreme poverty that they cannot afford to feed their families. He noted that the great majority of the poor and hungry are indigenous peoples, including Aymara, Quechua and Guarani peoples, who have long been excluded and exploited. The Special Rapporteur was particularly concerned by reports of persistent conditions of semi-slavery or bonded labour in the *latifundios* of the Chaco region.



Special Rapporteur on the right to food, Mr. Jean Ziegler, with Socamani farmer's community in Oruro, Bolivia

The Special Rapporteur welcomed the initiative of the new Government to renegotiate its contracts on oil and gas to increase the revenues accruing to the Bolivian state, for the ultimate benefit of its citizens. The Special Rapporteur also welcomed the Government's "Zero Malnutrition Programme" which will address the chronic levels of malnutrition amongst Bolivia's young children. He highlighted the establishment of a Constituent Assembly which is drafting a new Constitution founded on equality for all Bolivians. He urges the Constituent Assembly to ensure that the right to food and the right to water are recognised as fundamental human rights in Bolivia's new Constitution.

FREEDOM OF EXPRESSION

VISIT TO AZERBAIJAN BY SPECIAL RAPPORTEUR

The Special Rapporteur on the promotion and the protection of the right to freedom of opinion and expression, Mr. Ambeyi Ligabo, undertook a mission to Azerbaijan from 22 to 28 April 2007. On 4 May, he issued a press statement noting that while the Government and State institutions have expressed a willingness to conduct a more open dialogue with media representatives and international organizations, the media environment is marked by various deficiencies. In particular, he highlighted that the present legislation concerning defa-

mation offences in not in line with the increasing trend towards decriminalization of related offences, and courts tend to be particularly severe in judging media professionals. Journalists and other media professionals have sometimes been victims of repression, including violence and persecution by some law enforcement officials. He also drew attention to the need for adequate resources to develop the professional capacities and job ethics of media representatives, combined with an effort to create favorable economic conditions in which the rights to freedom of expression and information can be fully enjoyed.

VISIT TO THE UKRAINE BY SPECIAL RAPPORTEUR

The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Mr. Ambeyi Ligabo, visited the Ukraine from 14 to 18 May 2007. On 23 May, he issued a press release noting that since the country's independence in 1991, the Ukraine has taken significant steps towards consolidation of democracy. He also recognized that since 2004, the overall situation with regard to the exercise of the right to freedom of opinion and expression has improved. However, he expressed concern that the current political situation, marked by a strong polarization of opinions, does not contribute to the full enjoyment of the right to freedom of opinion and expression, especially for foreigners residing in the country, ethnic groups and migrants, who are often victims of discrimination. He urged the Government to take coordinated and expeditious action to address the advocacy of racial and ethnic hatred, which is aggravated by beatings, physical assaults and murders perpetrated against immigrants and other foreigners, including accredited diplomats and foreign students.

He also expressed concern that many journalists, especially from regions outside the capital, are under severe pressure and intimidation from local authorities. There is undue delay in the determination of cases of violence against journalists and many of the perpetrators have not been brought to justice. He welcomed the willingness of the authorities, institutions, media and individuals to openly discuss issues related to violations of the right to freedom of opinion and expression. At the same time, he stated that all sides, particularly the Government, need to make more concerted efforts to protect and promote human rights of all individuals residing in the country. He also commented on the need for training, particularly in media ethics, the right to privacy and human rights. He expressed his belief that the quality of journalism, and its impact on a reduction of the polarization, could be improved if members of the Union of journalists and of the various institutional organs, entrusted with the responsibility over matters related to broadcasting and dissemination of information, were appointed or elected in a democratic and transparent way, with the ability to run their mandates independently, without political interference.

FREEDOM OF RELIGION

VISIT TO THE UNITED KINGDOM AND NORTHERN IRELAND BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on freedom of religion or belief, Ms. Asma Jahangir, visited the United Kingdom and Northern Ireland from 4 to 15 June 2007. On 15 June, she

issued a press release explaining that the focus of her mission was to examine the exercise of freedom of religion or belief in the context of immigration policies, the aftermath of the terrorist attacks which took place on 7 July 2005, and the recent developments in Northern Ireland. She expressed concern that despite overall respect for human rights in the country, recently introduced counter terrorism laws undermine all peoples' human rights, and appear to target the Muslim population.

Commenting on her stay in Northern Ireland, she recognized the great strides towards bridging the sectarian divide, but also drew attention to continuing inequalities in the labour market, housing, education, policing and criminal justice agencies. She noted that the situation of religious minorities in Northern Ireland should be given greater consideration.

On a general level, the Special Rapporteur expressed concern about the situation in schools, including religious education and collective worship, religious symbols, blasphemy laws and interfaith dialogue. She recognized that balancing competing rights can be challenging and controversial. She also drew attention to the difficult situation sometimes faced by the Jewish community in the United Kingdom, as well as the very strict criteria for asylum-seekers, including those seeking asylum because of religious persecution. She highlighted the situation of converts who can face hostility from their ex-religious community and she reiterated that theistic, non-theistic and atheistic beliefs as well as the right not to profess any religion or belief are protected.

HAITI

VISIT BY INDEPENDENT EXPERT

The Independent Expert on the situation of human rights in Haiti, Mr. Louis Joinet, visited Haiti from 20 May to 1 June 2007, shortly before presenting his report to the Human Rights Council, on 12 June. During his visit, Mr. Joinet met with Haitian President René Préval, Prime Minister Jacques-Edouard Alexis and several members of his Cabinet, as well as parliamentarians, UN officials and representatives from the civil society. In his concluding press conference in Port-au-Prince, as well as his presentation before the Human Rights Council, the Independent Expert highlighted the progress and positive changes he noticed during his visit, including the installation of a new Government and Parliament, the reorganization of the Haitian National Police with the current vetting process, the reorganization of the Attorney General's Office with better attention devoted to victims, the medical obligation to deliver a certificate for victims of violence and the newly established commission on prolonged pre-trial detentions. President Préval requested the Indepen-



Special Rapporteur on freedom of religion or belief, Ms. Asma Jahangir, at a meeting during her mission to the United Kingdom and Northern Ireland.

dent Expert's advisory services in the domain of rule of law, particularly justice reform. The President organized three meetings, attended by the Independent Expert, on justice reform and the fight against corruption. In order to achieve progress in the area of justice reform, *ad hoc* working groups have been created, composed of ministers and parliamentarians as well as representatives from civil society.

HEALTH

VISIT TO ECUADOR BY 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, conducted a visit to Ecuador from 14 to 18 May 2007. On 18 May, he issued a press release explaining that the focus of the mission was aerial spraying of glyphosate, combined with additional components, along the Colombia-Ecuador border. He expressed deep concern about the situation in the northern zone, which is suffering from many years of profound, systemic neglect, exacerbated by environmental degradation. He welcomed the adoption of Plan Ecuador to address this situation and called on the Government to ensure that a human rights based approach is adopted in the implementation of this Plan. He expressed alarm about the inadequate health system available to individuals and communities in the north. For example, the system has failed to respond to the health needs arising from the aerial spraying of glyphosate and highlighted that Plan Ecuador must address the condition of the health system as swiftly as possible. In particular, he suggested as a first step, the establishment of an integrated primary health care system in the northern border area of Sucumbios, noting that, in the neighbouring province of Napo, a comparable system has already been introduced in coordination with the Pan American Health Organization, showing good results.

He explained that Colombia has a human rights responsibility of international assistance and cooperation, including in health. Consequently, as a minimum, Colombia must not jeopardise the enjoyment of the right to health in Ecuador. He noted that there is credible, reliable evidence that the aerial spraying of glyphosate along the Colombia-Ecuador border damages the physical and mental health of people living in Ecuador. He asserted that this evidence is sufficient to trigger the precautionary principle, according to which, the spraying should cease until it is clear that it does not damage human health. In this regard, he called on Colombia to respect a ten-kilometre no-spray zone along the border. He called for the completion of studies on the effects of the spraying, in order to address multiple needs, including compensation of victims.

HUMAN RIGHTS DEFENDERS

VISIT TO INDONESIA BY THE SPECIAL REPRESENTATIVE

The Special Representative of the Secretary-General on the situation of human rights defenders, Ms. Hina Jilani, visited Indonesia from 5 to 12 June 2007. On 12 June, she issued a press release in which she noted several positive developments and improvements in the prospects for the

defense of human rights, including the establishment of *ad hoc* Human Rights Courts, the National Human Rights Commission, the National Commission on Violence against Women as well as the adoption of the National Plan of Action. However, she noted a lack of coordination and cooperation amongst these mechanisms, resulting in a limited impact on human rights in reality. She also expressed concern that no concrete initiatives have yet been taken to enact laws, to create institutions and to institute procedures that deal directly with the protection of human rights defenders or with accountability for any harm or arbitrary action against them. In this regard, she strongly recommended the establishment of mechanisms to investigate complaints of violations committed against human rights defenders when they are carrying out their work. She also urged the Government to review administrative procedures in order to remove restrictive regulations that impede the right of defenders to freedom of assembly and of association. She further recommended protection of human rights defenders from prosecution for carrying out their work and highlighted the importance of sensitizing judicial and prosecutorial officials as well as the police so that human rights activities are not criminalized.

The Special Representative expressed particular concern about human rights defenders working on socially sensitive issues, such as the rights of lesbian, gay, transgender, bisexual, or intersex persons, or raising awareness about HIV/AIDS. She also commented on progress to bring the persons responsible for the killing of Munir, a prominent human rights defender, to justice and noted the concerns of some human rights defenders that the perpetrators may be protected from punishment. She expressed concern about the trend of police harassment and intimidation of human rights defenders, especially in the province of West Papua. She noted that while there were improvements in the situation for human rights defenders in Aceh, she heard testimony of unwarranted interference by the police in the activities of human rights defenders.

INDEPENDENCE OF JUDGES AND LAWYERS

VISIT TO THE DEMOCRATIC REPUBLIC OF THE CONGO BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on the independence of judges and lawyers, Mr. Leandro Despouy, visited the Democratic Republic of the Congo from 15 to 21 April 2007. On 24 April, he issued a press release, recognizing that the country had successfully adopted a new Constitutional framework and organized its first democratic elections. He noted that now the country faces the difficulties of establishing a democratic state and confronting the crimes of the past--in both cases, the judicial sector will play a key role. The Special Rapporteur drew attention to the insufficient number of judges and the inadequate resources and salary they receive. These structural weaknesses engender corruption and make the judicial branch vulnerable to interference by the executive branch or the army.

The Special Rapporteur expressed concern that the major-

ity of the population are not able to access justice because they do not have the financial means, they live too far away, or they lack awareness of their rights. He highlighted that where a person is able to have their case heard, the verdict of the court is rarely upheld. In this context, the justice system is not functioning properly, and many human rights violations remain unpunished. He made a number of recommendations, related to the Constitutional framework, the importance of an independent judiciary, the right to a defence, the reinforcement of the civil justice system, and the need to address the crimes of the past.

MERCENARIES

VISIT TO FIJI BY THE WORKING GROUP

The Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination, represented by its Chairperson-Rapporteur, Mr. José Luis Gomez del Prado, and its member, Mr. Alexander Nikitin, visited Fiji from 14 to 18 May 2007. On 18 May, the Working Group issued a press release noting that Fiji had an established tradition of well trained, disciplined and highly skilled military and security personnel, who perform security functions in various capacities worldwide. However, the Working Group expressed concern that in a number of instances the activities carried out by Fijians abroad may qualify as mercenary-related activities. In particular, the Working Group raised concern about some aspects of activities carried out by Fijians hired by private security companies to work in situations of violence and armed conflict. The Working Group also drew attention to exploitation of Fijians working for these companies, including contract irregularities and poor working conditions, as well as the lack of reintegration measures for Fijians returning home after working for such companies. The Working Group also highlighted that there was a lack of national legislation and other measures to effectively address the issues related to mercenaries, mercenary-related activities and the effects of private security companies.

The Working Group recommended that Fiji accede to the 1989 International Convention Against the Recruitment, Use, Financing and Training of Mercenaries, develop national legislation to address mercenary-related activities, establish a system of regulation, licensing, control and monitoring of the activities of private security companies, and adopt reintegration measures for Fijians returning from security work abroad.

MIGRANTS

VISIT TO THE UNITED STATES BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on the human rights of migrants, Mr. Jorge Bustamante, visited the United States from 30 April to 17 May 2007. On 17 May, he issued a press release, explaining that his visit had shed light on a range of concerns regarding the rights of migrants, including arbitrary detention; separation of families; substandard conditions of detention; procedural violations in criminal and administrative law proceedings, racial and ethnic dis-

crimination; and arbitrary and collective expulsions and violations of children's and women's rights. He particularly expressed concern about detention of immigrants, noting that there is no centralized system for information on who has been detained. Families are frequently left without any knowledge of where their relatives may be held, and transfers sometimes occur without notification of the family. He also expressed concern about mandatory detention of persons who are neither a flight risk nor a danger to the community, detention of minors in adult facilities, and the lack of a right to legal counsel for migrants undergoing removal proceedings. He drew attention to the particular situation of migrant workers affected by Hurricane Katrina.

The Special Rapporteur called upon the United States government to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. He also urged the authorities to promote and enforce national policies and practices that protect human rights and public welfare of migrants.

SALE OF CHILDREN

VISIT TO MEXICO BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on the sale of children, child prostitution and child pornography, Mr. Juan Miguel Petit, visited Mexico from 4 to 15 May 2007. In a press release issued on 15 May, the Special Rapporteur stressed that both at the Governmental level and at the civil society level, there is agreement that child sexual exploitation represents a serious problem, which is increasing in some parts of the country. While recognition of this problem is an important first step, new public policies, intervention programs and social, creative and innovative assistance are necessary.

The Special Rapporteur highlighted that the exploitation of minors is related to organized crime, sometimes linked to drug trafficking and other serious crimes. The Special Rapporteur noted the work of very active sectors determined to challenge these problems and to work together in order to guarantee that the future and dignity of children are not destroyed by mafia organizations or criminal gangs. He insisted on the need to work together in order to identify crimes against children, to develop new programs to protect the victims, and to strengthen the role of the public prosecutors and the judiciary to ensure justice and punish impunity. He also raised the possibility of creating specialized programs to protect potential victims against this new form of slavery, which, on occasion, has led to death.

TORTURE

VISIT TO TOGO BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment visited Togo from 10 to 17 April 2007. On 18 April, he issued a press release expressing concern about conditions of detention as well as torture and ill treatment in prisons. He noted that two of the three prisons he visited are seriously overcrowded and access to food and medical care is not ad-

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equate. He observed that pre-trial and convicted prisoners are not separated and that pre-trial detention is often lengthy, in contradiction to international standards. He expressed concern about the conditions in gendarmerie and police facilities, noting that, to prevent suicide attempts, some inmates are forced to be naked all day, a form of degrading treatment. He noted that the conditions in the army camp in Kara were better, although he was concerned that the size of some of the cells was contrary to standards prohibiting degrading treatment.

The Special Rapporteur recognized that there had been improvements in addressing torture and ill-treatment in prisons, but he explained that allegations of beatings of prisoners were still received. The system whereby authority is delegated to certain prisoners, creating a hierarchy amongst prisoners, perpetuates violence amongst them. Concerning ill-treatment by the police or gendarmerie, the Special Rapporteur found that prisoners had been beaten with wooden sticks, or otherwise abused, and that some detainees had been threatened. The Special Rapporteur also noted the lack of female guards for female

prisoners, and expressed concern about the continued practice of female genital mutilation in the larger society, despite legislation prohibiting it. He drew attention to corporal punishment of children in detention centers as well as the failure in some instances to separate children from adults. The Special Rapporteur concluded that continuing ill-treatment in places of detention in Togo can be attributed to impunity, deficiencies in the judicial system, the lack of independent monitoring of detention facilities, and lack of resources to ensure appropriate functioning of institutions.



Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Manfred Nowak, in a meeting with NGOs in Togo.

FORTHCOMING VISITS

Angola (WG arbitrary detention) *September 2007*

Bolivia (SR indigenous people) *September 2007*

Chile (WG use of mercenaries) *July 2007*

Democratic Republic of the Congo (SR violence against women) *July 2007*

Equatorial Guinea (WG arbitrary detention) *July 2007*

Estonia (SR racism) *September 2007*

Ghana (SR violence against women) *July 2007*

Israel (SR human rights and counter terrorism) *July 2007*

Latvia (SR racism) *September 2007*

Liberia (IE on Liberia) *August 2007*

Lithuania (SR racism) *September 2007*

REQUESTED AND ACCEPTED VISITS

REQUESTS INITIATED

between April and June 2007

Chad (SR right to education)

Chile (SR right to education; SR sale of children)

Estonia (SR sale of children)

Fiji (SR independence of judges and lawyers)

Guyana (IE minority issues)

Kyrgyzstan (SR violence against women)

Latvia (SR sale of children)

Nicaragua (IE minority issues)

Panama (IE minority issues)

Paraguay (SR right to education)

Senegal (SR right to education)

Sri Lanka (IE minority issues)

Sudan (SR on Sudan)

Suriname (IE minority issues)

Tajikistan (SR violence against women)

Turkmenistan (SR violence against women)

Uzbekistan (SR violence against women)

REQUESTS ACCEPTED / INVITATIONS EXTENDED

between April and June 2007

Angola (SR freedom of expression)

Domincan Republic (joint visit: SR racism and IE minority issues)

Guinea (SR summary executions)

Iraq (SR torture)

Mauritania (SR freedom of religion or belief; WG arbitrary detention)

Saudi Arabia (SR violence against women)

Spain (SR human rights and counter terrorism)

United States of America (SR racism, SR adequate housing)

Click [here](#) for a list of all country visits by special procedures mandate holders at various stages (undertaken, forthcoming, accepted by the Government or requested by the mandate holder).

HIGHLIGHTS

Annual meeting continued from page 1...

They also discussed protection gaps and overlaps; cooperation with regional mechanisms; system-wide coherence and engagement with UN country teams; and strengthening the relationship between mandate holders and civil society organizations. Participants met with the Chairpersons of treaty bodies to discuss the universal periodic review mechanism and coordination of their respective work. An open discussion was also held with representatives of non-governmental organizations and national human rights institutions. A number of parallel events took place during the week.

Conclusion of Year of Institution Building at the Human Rights Council

On 18 June 2007, the Human Rights Council adopted a resolution concerning the institution building process, which began one year ago. The final agreement includes a process for the selection of special procedures mandate holders, as well as a procedure for reviewing all mandates. The text also included provisions for the establishment of a universal periodic review mechanism (UPR), the transformation of the Sub-Commission on the Protection and Promotion of Human Rights into the Human Rights Council Advisory Committee, and a complaints procedure replacing the 1503 procedure. A Code of Conduct for special procedures was also adopted.

On 15 March 2006, the General Assembly adopted resolution 60/251, which established the Human Rights Council, "responsible for universal respect for the protection of all human rights and fundamental freedoms for all." This resolution provided a mandate to the Council to establish a universal periodic review, and review, rationalize and improve "all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights in order to maintain a system of special procedures, expert advice and complaint mechanism." At its first session, held in June 2006, the Council started the work of implementing GA resolution 60/251, establishing two open-ended inter-governmental intersessional working groups--one on the UPR (facilitated by the Ambassador of Morocco), and one on review of mandates (special procedures, expert advice and complaint mechanism). The latter was broken down into three separate working groups on special procedures (facilitated by the Ambassador of the Czech



Adoption of the resolution on institution building of the Human Rights Council, at midnight on 18 June 2007.

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

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

[11 June 2007](#)

[11 June 2007](#)

Special Rapporteur on racism, racial discrimination, xenophobia and related intolerance, Mr. Doudou Diène

[11 June 2007](#)

[11 June 2007](#)

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

[11 June 2007](#)

[12 June 2007](#)

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

[11 June 2007](#)

[12 June 2007](#)

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

[11 June 2007](#)

[12 June 2007](#)

Independent Expert on the question of human rights and extreme poverty, Mr. Arjun Sengupta

[11 June 2007](#)

[12 June 2007](#)

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

[12 June 2007](#)

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

[12 June 2007](#)

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

[12 June 2007](#)

Independent Expert appointed by the Secretary-General on the situation of human rights in Haiti, Mr. Louis Joinet

[12 June 2007](#)

Independent Expert on the situation of human rights in Somalia, Mr. Ghanim Alnajjar

[12 June 2007](#)

Institution Building continued ...

Republic), expert advice (facilitated by the Ambassador of Jordan) and complaint mechanism (facilitated by the Ambassador of Switzerland). Later, at its third session, the Human Rights Council also decided to establish an open-ended inter-governmental intersessional working group on the agenda, annual programme of work, working methods and rules of procedure. This working group was broken down into two separate working groups, one

on the agenda and programme of work (facilitated by the Ambassador of Guatemala) and one on working methods and rules of procedure (facilitated by the Ambassador of the Philippines).

The Working Groups on the UPR and on the review of mandates, held three formal sessions in November 2006, February 2007 and April 2007. The Working Group on the agenda, programme of work, working methods and rules of procedure also met in February and April 2007. After the final meetings in April, the President carried out consultations, and presented a paper on the institution building process on 4 June 2007. There was further negotiation on this paper, and it was further amended, throughout the fifth session of the Council, which began on 11 June. The final text was agreed on 18 June, just before midnight. The adopted text, including the Code of Conduct, is available at: http://www.ohchr.org/english/bodies/hrcouncil/docs/5session/a_hrc_5_111.doc

Review of Special Procedures

The text lays out several elements related to special procedures. It provides details about a process for selecting mandate holders, including the establishment of a Public List, from which candidates are to be chosen. It establishes a Consultative Group, consisting of persons appointed by the Regional Groups to serve in their personal capacities, which will propose candidates to the President. The Consultative Group should take into account the views of stakeholders, including mandate holders. Mandate holders will be appointed once the Council has approved the selection proposed by the President. The text also provides for the review of all mandates, focused on the "relevance, scope and contents of the mandates" and noting that the review should "be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation, with a view to enhancing the promotion and protection of all human rights." The review will take place in the context of negotiation of relevant resolutions. Most mandates were renewed until their consideration by the Council according to its programme of work. The mandates on Cuba and Belarus were not renewed. The programme of work for the next year, including the calendar for the review of mandates, is currently under consideration.

The Council also adopted a Code of Conduct, the purpose of which is to "enhance the effectiveness of the system of special procedures by defining the standards of ethical behaviour and professional conduct that [mandate holders] shall observe whilst discharging their mandates." The Code emphasizes that mandate holders should act independently, and contains provisions related to the various activities of mandate holders, specifically on sources of information, letters of allegation, urgent appeals, field visits, and public statements. The resolution adopting the Code also urges Member States to cooperate with special procedures.

Universal Periodic Review

The agreed text also establishes a mechanism for universal periodic review of all States. Over a period of four years, each State will appear before the Council to be reviewed.

Information will be provided by the State for this purpose. A compilation of UN human rights reports and recommendations, including treaty bodies and special procedures, prepared by OHCHR, as well as a summary of information provided by other stakeholders will also be available. A group of three rapporteurs, selected from Council members, known as the troika, will be established to facilitate the review of each State. The mechanism will produce an outcome, which could include an assessment of the human rights situation in the country, sharing of good practices, emphasis on enhancement of cooperation, provision of technical assistance, and/or voluntary commitments made by the State concerned. It is emphasized that the process should be cooperative in nature, and all recommendations will be included in the report to be adopted by the Council, with those enjoying the support of the State concerned being identified as such.

Advisory Committee

The institution building process also reviewed the Sub-Commission on the Promotion and Protection of Human Rights and established the Human Rights Council Advisory Committee. The Advisory Committee will be "composed of 18 experts acting in their personal capacity [and] will function as a think-tank to the Council." The text provides the process by which the experts will be nominated and elected. It also specifies that the work of the Advisory Committee will focus mainly on studies and research based advice, in response to requests emanating from the Council. The most appropriate mechanisms for continuing the work of the Working Groups on Indigenous Populations, Contemporary Forms of Slavery, Minorities and the Social Forum will be determined at the sixth session of the Council.

Complaint Procedure

A complaint procedure is also envisaged to address "consistent patterns of gross and reliably attested violations of all human rights and all fundamental freedoms occurring in any part of the world and under any circumstance," based on the earlier 1503 procedure. The text lays out the admissibility criteria and provides for the establishment of a Working Group on Communications and a Working Group on Situations. A variety of measures that could be taken by the Council are detailed in the text. The procedure remains confidential, but it specifies that the complainant should be informed when the admissibility of the communication is determined and when the final outcome is decided.

Agenda, Programme of Work, Methods of Work and Rules of Procedure

The text also provides the Agenda and a framework for the Programme of Work, which is currently under negotiation. The Methods of Work and the Rules of Procedure are also elaborated, based on the rules of procedure of the General Assembly.

[UN Group of Experts make proposals on the situation in Darfur](#)

On 27 April 2007, the United Nations Group of Experts on Darfur, established following a resolution of the fourth session of the Human Rights Council, issued a press release marking the conclusion of its first consultative meeting from 24 to 27 April 2007. The Group, in accordance with resolution



Special Rapporteur on the situation of human rights in Sudan, Ms. Sima Samar, presenting the report of the Group of Experts to the fifth session of the Human Rights Council

A/HRC/4/8 of the Human Rights Council on 30 March 2007, is tasked to ensure the effective follow-up and to foster the implementation of resolutions and recommendations on Darfur, as adopted by the Human Rights Council, the Commission on Human Rights and other United Nations human rights institutions, as well as to promote the implementation of relevant recommendations of other United Nations human rights mechanisms.

During its [first meeting](#), the Group conducted a series of consultations and bilateral meetings with the African Union, as specified by the Human Rights Council recommendation, the President of the Human Rights Council and other members of the diplomatic community. The Group also held preliminary consultations with the Government of Sudan.

The Group concluded its [second consultative meeting](#) in Geneva from 23 to 25 May 2007. In a press release issued on 24 May, the Group announced that it had held high level consultations with the Government of Sudan and welcomed the positive approach taken by the Government of Sudan and specific proposals made by the Government. While there was common understanding on several important steps to improve the human rights situation in Darfur that could be implemented in the future, further dialogue would be pursued on other issues.

The Group is chaired by the **Special Rapporteur on the situation of human rights in Sudan**, Ms. Sima Samar, and includes the **Special Representative of the Secretary-**

General on children and armed conflict, Ms. Radhika Coomaraswamy; the **Special Rapporteur on extra-judicial, summary or arbitrary executions**, Mr. Philip Alston; the **Special Representative of the Secretary-General on the situation of human rights defenders**, Ms. Hina Jilani; the **Representative of the Secretary-General on the human rights of internally displaced persons**, Mr. Walter Kalin; the **Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment**, Mr. Manfred Nowak; and the **Special Rapporteur on violence against women, its causes and consequences**, Ms. Yakin Ertürk.

The Group of Experts on Darfur, represented by Ms. Sima Samar and Mr. Walter Kalin, presented its [report](#) (A/HRC/5/6) to the 5th session of the Human Rights Council in June 2007. They noted that the Group had reviewed all pre-existing United Nations human rights recommendations and identified priority areas, in order for the Government of Sudan to take practical steps to improve the human rights situation. The Group also identified indicators to measure the status of implementation. It was observed that serious human rights violations continue in Darfur. The Group recommended that the Government of Sudan take urgent action to prevent further violations, and that the Council should continue to devote attention to the matter. In particular, the Group asked that the Council continue to monitor the human rights situation, review the implementation of the compilation of recommendations, and evaluate progress made at its forthcoming sessions. The Group also stated its willingness to continue its work with a view to ending human rights violations in Darfur.

In the resolution adopted by the Council (A/HRC/OM/1/3), the Council requested “the group of experts to continue its work for six months and to submit an update to the session of the Council in September 2007 and a final report to the following session of the Council.”

PRESS RELEASES

[UN EXPERTS CALL ON MYANMAR TO ADDRESS DISCRIMINATION AGAINST MUSLIM MINORITY IN NORTH RAKINE STATE](#)

On 2 April 2007, the **Special Rapporteur on adequate housing as a component of the right to an adequate standard of living**, Mr. Miloon Kothari; the **Special Rapporteur on the right to food**, Mr. Jean Ziegler; 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 **Independent Expert on minority issues**, Ms. Gay McDougall; the **Special Rapporteur on the situation of human rights in Myanmar**, Mr. Paulo Sergio Pinheiro; and the **Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance**, Mr. Doudou Diène, issued a press release calling on the Government of Myanmar to take urgent measures to eliminate discriminatory practices against the Muslim minority in the north Rakhine State. They highlighted that the 1982 Citizenship law

denies citizenship to members of the Muslim minority, also known as Rohingyas, and has seriously curtailed the full exercise of their rights. This includes severe restrictions on freedom of movement; various forms of extortion and arbitrary taxation; land confiscation and forced evictions; restricted access to medical care, food and adequate housing; forced labor; and restrictions on marriages. As a consequence, thousands have fled to neighbouring countries, in turn creating complex humanitarian situations in the region.

[ZIMBABWE MUST IMMEDIATELY HALT USE OF LETHAL FORCE AGAINST UNARMED POLITICAL ACTIVISTS](#)

On 2 April 2007, the **Special Rapporteur on extrajudicial, summary or arbitrary executions**, Mr. Philip Alston, issued a press statement calling on the Government of Zimbabwe to immediately cease its use of lethal force against unarmed political activists. He stated that the Government’s approach reflected no attempt to balance the rights to political participation and to freedom of expression and association with any legitimate notion of the need to maintain public order. The Special Rapporteur was particularly troubled by the killing of Gift Tandare,

the shooting of Nickson Magondo and Naison Mashambanhaka at point blank range and the deaths of eight to ten persons at Harare hospitals from injuries consistent with being beaten by state security agents with blunt instruments. He recalled that military and police officers may use lethal force only when doing so is strictly necessary for self-defence or the defence of another's life.

UN EXPERTS DEEPLY CONCERNED ABOUT ARREST OF WOMEN ACTIVISTS IN IRAN

On 5 April 2007, the **Special Rapporteur on the promotion and protection of the right to freedom of expression**, Mr. Ambeyi Ligabo; the **Special Representative of the Secretary-General on the situation of human rights defenders**, Ms. Hina Jilani; and the **Special Rapporteur on violence against women, its causes and consequences**, Ms. Yakin Ertürk, issued a press release expressing concern about the arrest of four women and one man on 3 April 2007 by Iranian security agents in Tehran, while the five were collecting signatures for a campaign to change laws that discriminate against women. They noted that the man and two of the women had been released on bail, and called for the unconditional and immediate release of the two other women. They also remarked that this incident forms part of a worrying trend of harassment and intimidation against human rights defenders working for women's rights and gender equality in Iran.

SPECIAL RAPPOREUR WELCOMES SIGNATURES OF THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

On 11 April 2007, the **Special Rapporteur on the right to education**, Mr. Vernor Muñoz Villalobos, issued a press release congratulating those States that have signed the Convention on the Rights of Persons with Disabilities, and its Optional Protocol, which were opened for signature on 30 March 2007 and encouraging all States to sign and ratify the instruments. The Special Rapporteur considered that these international instruments constitute a fundamental mechanism for the realization of the right to education of persons with disabilities, since they crystallize the commitment of States to protect their rights, recognize the link between inclusive education and the right to education of persons with disabilities and lay down the legal basis for its implementation. He welcomed the large number of signatories to the Convention and its Optional Protocol as a positive sign of shifting attitudes towards persons with disabilities. He also expressed the hope that the entry into force of this instrument will help to raise awareness and surmount the barriers of prejudice and stigma still existing regarding persons with disabilities.

SPECIAL REPRESENTATIVE EXPRESSES REGRET AT UPHOLDING OF SENTENCES IN CASE OF MURDERED UNION LEADER IN CAMBODIA

On 12 April 2007, the **Special Representative of the Secretary-General for human rights in Cambodia**, Mr. Yash Gai, issued a press release to express deep regret over the Appeal Court decision on 12 April 2007 to uphold the conviction of Born Samnang and Sok Sam Ouen. Both

men had been sentenced by a lower court, on 1 August 2005, to 20 years of imprisonment for the murder of trade union leader Chea Vichea on 22 January 2004. The Special Representative noted that the trial failed to meet international standards for fair trial, including the impartiality of the court and the presumption of innocence. The Special Representative called on the Government to undertake a thorough, impartial and credible investigation into Chea Vichea's murder.

SPECIAL RAPPOREUR DEPLORES VIRGINIA TECH SHOOTINGS

On 24 April 2007, the **Special Rapporteur on the right to education**, Mr. Vernor Muñoz Villalobos, issued a press release to express his profound sadness about the shootings at Virginia Tech, a university in the United States. He reiterated that the right to education can only be realized in a secure environment and called on the Government to fully investigate the incident. He also called for renewed debate on gun control laws, given this and previous similar incidents of shootings in schools.

UN EXPERTS EXPRESS CONCERN ABOUT CAMPAIGN AGAINST HUMAN RIGHTS DEFENDERS IN MYANMAR

On 25 April 2007, the **Special Rapporteur on the situation of human rights in Myanmar**, Mr. Paulo Sergio Pinheiro, and the **Special Representative of the Secretary-General on the situation of human rights defenders**, Ms. Hina Jilani, issued a press statement expressing deep concern about an attack on human rights defenders in Oakpon village, Hinthada Township, Myanmar, on 18 April 2007. They noted that the level of violence and the failure of the police to intervene were reminiscent of the events at Depayin in 2003. They called on the Government of Myanmar to take all necessary measures to protect human rights defenders and guarantee the peaceful exercise of their human rights. They also called for an independent and thorough investigation into this event.

UN EXPERTS DEEPLY TROUBLED BY ON-GOING HOSTILITIES IN MOGADISHU

On 1 May 2007, the **Independent Expert on the situation of human rights in Somalia**, Mr. Ghanim Alnajjar; 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; the **Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967**, Mr. John Dugard; the **Special Rapporteur on violence against women, its causes and consequences**, Ms. Yakin Ertürk; the **Special Representative of the Secretary-General for human rights in Cambodia**, Mr. Yash Gai; the **Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes**, Mr. Okechukwu Ibeanu; 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 **Representative of the Secretary-General on the human rights of internally displaced persons**, Mr. Walter Kälin; the **Special Rapporteur on adequate housing as a component of the right to**

an adequate standard of living, Mr. Miloon Kothari; the **Special Rapporteur on the right to education**, Mr. Ver-nor Muñoz Villalobos, and the **Special Rapporteur on the right to food**, Mr. Jean Ziegler, issued a joint press release concerning the severe hostilities and violence between Ethiopian and Somali forces in Mogadishu, Somalia. They observed that up to 400 people have been killed in this fighting, and over 700 have been injured, particularly the elderly, women and children. They also highlighted the situation of internally displaced persons who have fled the city and now live in crowded camps where basic services are not available and diseases are rampant. They expressed concern about indiscriminate artillery firing and bombing against civilian targets, including hospitals and schools. They urged all parties to respect international human rights and humanitarian law, and to ensure access for humanitarian actors, as well as safe passage for civilians fleeing the violence.

UN EXPERTS CALL FOR UNCONDITIONAL RELEASE OF DAW AUNG SAN SUU KYI

On 10 May 2007, the **Special Rapporteur on the situation of human rights in Myanmar**, Mr. Paulo Sergio Pinheiro; the **Special Representative of the Secretary-General on the situation of human rights defenders**, Ms. Hina Jilani; the **Working Group on arbitrary detention**; the **Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression**, Mr. Ambeyi Ligabo; the **Special Rapporteur on the independence of judges and lawyers**, Mr. Leandro Despouy; the **Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment**, Mr. Manfred Nowak; the **Special Rapporteur on violence against women, its causes and consequences**, Ms. Yakin Ertürk; the **Special Rapporteur on freedom of religion or belief**, Ms. Asma Jahangir; the **Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people**, Mr. Rodolfo Stavenhagen; the **Special Rapporteur on adequate housing as a component of the right to an adequate standard of living**, Mr. Miloon Kothari; 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 Rapporteur on the right to food**, Mr. Jean Ziegler; the **Special Rapporteur on trafficking in persons, especially in women and children**, Ms. Sigma Huda and the **Special Rapporteur on the sale of children, child prostitution and child pornography**, Mr. Juan Miguel Petit, issued a press release drawing attention to the fact that the current term of detention for Daw Aung San Suu Kyi, the General-Secretary of the National League for Democracy, should come to an end on 27 May. She has been detained for 11 of the last 17 years without charge or trial, since her party and its allies won the 1990 election with over eighty percent of the Parliamentary seats. The experts called on the Government of Myanmar to release Daw Aung San Suu Kyi unconditionally and to free all the remaining political prisoners. They asserted that the stability of Myanmar is not well served by the arrest and detention of several political leaders or by the severe and sustained restrictions on the exercise of civil, cultural, economic, political and social rights.

SPECIAL RAPPOREUR CALLS FOR EVEN-HANDED APPROACH TO CONFLICT IN OPT

On 29 May 2007, the **Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967**, Mr. John Dugard, issued a press release on the occasion of a meeting of the Quartet (comprising the United Nations, the United States of America, the European Union and the Russian Federation), calling on it to approach the OPT conflict in an even-handed manner. He drew attention to recent events whereby Palestinian militants fired rockets into the Israeli town of Sderot and its surrounding areas. In response, Israel carried out air strikes in Gaza killing over 50 people and arrested over 30 Palestinian members of Hamas, including two Palestinian Authority Cabinet Ministers. While he noted that the actions of the Palestinian militants violated international humanitarian law, he also observed that Israel's reaction was not in compliance with its human rights obligations. He characterized the arrests of the Palestinian members of Hamas as collective punishment in violation of the Geneva Conventions. He also drew attention to the larger human rights context with the continued expansion of Israeli settlements and the continued construction of the Wall. He called on the Quartet to accord equal recognition and standing to both parties of the conflict in an effort to address the obstacles to the establishment of an independent Palestinian state.

UN EXPERTS CONDEMN ABDUCTION AND MURDER OF RED CROSS WORKERS IN SRI LANKA

On 7 June 2007, the **Special Representative of the Secretary-General on the situation of human rights defenders**, Ms. Hina Jilani, and the **Special Rapporteur on extrajudicial, summary or arbitrary executions**, Mr. Philip Alston, issued a press release condemning the abduction and murder of two workers of the Sri Lanka Red Cross Society in Colombo on 1 June 2007 and offering their sincere condolences to their families. They expressed concern that this reflects a trend of deliberate targeting of aid workers, which severely jeopardizes and impedes their ability to deliver humanitarian assistance in a secure environment. While they noted the Government's public commitment to investigate these killings, they urged that the process be expedited, with international assistance, as appropriate. They highlighted their continuing concern that the killings of humanitarian workers, including the 17 workers of Action contre la Faim, in August 2006, remain unsolved.

SPECIAL RAPPOREUR REITERATES CONCERN ABOUT APPLICATION OF THE DEATH PENALTY IN IRAQ

On 19 June 2007, the **Special Rapporteur on the independence of judges and lawyers**, Mr. Leandro Despouy, issued a press release drawing attention to the continued application of the death penalty in Iraq following procedurally flawed judicial processes. He reiterated his concerns about the lack of observance of the right to be tried by an independent and impartial tribunal and of the right to adequate defense, as well as the violence, threats and intimidation to which judges and lawyers are subjected in the country. In this context, the Special Rapporteur urged

the Iraqi government to cease carrying out death sentences following trials conducted in violation of international human rights standards and principles, including the death sentence against Mahmoud Sa'eed who confessed to having participated to the deadly attack against the headquarters of the United Nations in Baghdad in August 2003. He also noted the implications of the death penalty on the right to the truth, notably of the victims and the families of the victims of the Saddam Hussein regime and of the attack to the UN headquarters in Baghdad.

UNITED NATIONS INTERNATIONAL DAY IN SUPPORT OF VICTIMS OF TORTURE

The **Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment**, Mr. Manfred Nowak, joined the United Nations Committee against Torture, the Subcommittee on Prevention of Torture, the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture and the United Nations High Commissioner for Human Rights in a joint statement, issued on 26 June 2007, on the occasion of the United Nations International Day in Support of Victims of Torture. They welcomed the entry into force of the Optional Protocol to the Convention against Torture and the adoption by the General Assembly of the International Convention for the Protection of All Persons from Enforced Disappearance. They also observed that the Convention against Torture has been in force for 20 years, and has strengthened efforts to prevent torture and support victims. They called for universal ratification of the Convention against Torture

and for all States to make the declarations on inter-state and individual complaints, in order to maximize transparency and accountability in their fight against torture. They expressed particular concern about the application of the death penalty in many parts of the world, observing that many issues regarding its application may be contrary to international norms against torture and other cruel, inhuman or degrading treatment or punishment. They paid tribute to all Governments, civil society organizations and individuals engaged in activities aimed at preventing torture, punishing it and ensuring that all victims obtain redress and have an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible.

SPECIAL RAPPORTEUR CALLS FOR IMMEDIATE RELEASE OF BBC REPORTER IN OPT

On 27 June 2007, the **Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression**, Mr. Ambeyi Ligabo, issued a press release drawing attention to the prolonged abduction of British journalist Alan Johnston, who was kidnapped in Gaza City on 12 March. He noted that this is a worrying reminder of the precarious work conditions of journalists in conflict areas and reiterated that the safety of journalists is an indispensable condition for the enjoyment of the right to freedom of expression, especially the right to impart and seek information. The role of the media in publicly denouncing violence and conflict is essential in promoting human rights worldwide. He called for the immediate release of Mr. Johnston.

“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 38 special procedures, 28 thematic mandates and 10 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>

