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**Human Rights Council**

**Thirty-seventh session**

26 February-23 March 2018

Agenda items 2 and 5

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

**Human rights bodies and mechanisms**

 Report on the twenty-fourth annual meeting of special rapporteurs/representatives, independent experts and chairpersons of working groups of the special procedures of the Human Rights Council (Geneva, 27 to 30 June 2017), including updated information on special procedures[[1]](#footnote-2)\*

 Note by the Secretariat

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 I. Introduction

1. The present report contains an overview of the system of special procedures, highlighting activities undertaken by mandate holders in 2017. It also provides information on the work of the Coordination Committee of Special Procedures, and elaborates on the main points of discussions held and conclusions reached during the twenty-fourth annual meeting of special procedures.

 II. Facts and figures

 A. New mandates

2. In 2017, the Human Rights Council established one new mandate: the Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members (resolution 35/9). The Council also terminated the mandates of the Independent Experts on the situation of human rights in Haiti and in Côte d’Ivoire. The total number of mandates now stands at 56, of which 44 are thematic and 12 country-specific (see A/HRC/37/37/Add.1, chap. XI). The title of the mandate of the Special Rapporteur on the sale of children, child prostitution and child pornography was modified to become Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material.

 B. Mandate holders

3. The system of special procedures currently includes 80 mandate holder positions. The Human Rights Council appointed 15 new mandate holders in 2017. The gender balance has improved; 44 per cent of current mandate holders are female, and 56 per cent male.

4. As at 31 December 2017, 22.5 per cent of mandate holders came from States Members of the United Nations belonging to the African Group, 15 per cent from the Asia-Pacific Group, 11,25 per cent from the Eastern European Group, 18,75 per cent from the Latin American and Caribbean Group and 32,50 per cent from the Western European and Others Group (see A/HRC/37/37/Add.1, chap. II).

 C. Country visits

5. Mandate holders conducted 87 in situ visits to 67 States and territories (see A/HRC/37/37/Add.1, chap. IV). One more Member State extended a standing invitation to special procedures, resulting in 118 Member States and one non-member Observer State having formally indicated that they would always accept requests for country visits (see A/HRC/37/37/Add.1, chap. III).

6. As at 31 December 2017, the large majority of Member States, namely 169, had received at least one visit by a mandate holder. However, 24 Member States have not yet been visited by any mandate holder, of which nine have not yet received a request for a visit and 12 have either not yet accepted a visit or the visit has yet to take place (see A/HRC/37/37/Add.1, chap. V).[[2]](#footnote-3)

7. Mandate holders also conducted several academic and working visits to, inter alia, inform their reports and studies or provide Governments or other stakeholders with advice.

 D. Communications

8. Mandate holders transmitted 534 communications in 2017 to 117 States and 25 non-State actors; 423 of these communications were sent jointly. Communications sent covered 1,843 individuals, 655 of whom were identified as female. A total of 484 replies were received in 2017, of which 365 to communications transmitted during the year, averaging a reply rate of 68 per cent, an increase of 13 per cent over 2016. Replies received varied from acknowledgements of receipt to substantive responses (see A/HRC/37/37/Add.1, chap. VI).

9. Three communications reports were issued in 2017 (A/HRC/34/75, A/HRC/35/44 and A/HRC/36/25). The communications procedure has been strengthened through a revamped database and better information management including through the creation of a dedicated online platform to receive submissions to mandate holders. In addition all communications sent and replies received are being made available through a dedicated website on communications. The website provides access to all communications sent and replies received since HRC 19 through hyperlinks. For all cases before that period, the hyperlinks will be made available in a staggered manner. The website allows communications and associated replies from governments and others to be searched by mandate, country, geographic region, period, as well as by the communications reports submitted to different sessions of the HRC council since 2011.

10. In 2017, the Working Group on Enforced or Involuntary Disappearances transmitted 990 new alleged cases of enforced disappearance to States, of which 154 under its urgent action procedure. The Working Group was able to clarify 111 cases.

11. The Working Group on Arbitrary Detention issued 94 opinions in 2017, which constitutes a one third increase from the previous year. During 2017, the Working Group received information regarding the release of at least 25 individuals as a result of its opinions in which it qualified the detention of the complainants as arbitrary.

 E. Media outreach and public awareness

12. Mandate holders issued 387 media products, either individually or jointly, of which 283 press releases, 80 media advisories and 24 media statements, raising awareness and voicing concerns over a range of human rights issues, including individual cases. The number of media products issued was roughly the same as in 2016.

13. The Coordination Committee of Special Procedures issued an additional three press releases and public statements in which they, inter alia, stressed the inseparability of peace, security, development and human rights on the occasion of Human Rights Day 2017 (see A/HRC/37/37/Add.1, chap. VIII).

 F. Thematic reports and studies

14. Mandate holders issued 170 reports; 131 reports were submitted to the Human Rights Council, including 65 country visit reports, and 39 to the General Assembly (see A/HRC/37/37/Add.1, chap. VII for the list of reports and the themes addressed). Two mandate holders, while not submitting reports to the General Assembly, engaged in an interactive dialogue with it.

15. The Special Rapporteur on the right to development, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on the human rights of internally displaced persons, the Special Rapporteur on freedom of religion or belief and the Special Rapporteur on promotion and protection of human rights while countering terrorism presented their first reports to the Human Rights Council or the General Assembly, outlining their vision, priority areas and working methods.

16. The Independent Expert on human rights and international solidarity, the Special Rapporteur on minority issues, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur on promotion and protection of human rights while countering terrorism and the Independent Experts on Cote d’Ivoire and on Haiti presented their final reports, containing an overview of activities undertaken during their tenure, including the progress made and the challenges remaining.

17. Thematic reports published in 2017 concerned a range of human rights issues, including deprivation of liberty on discriminatory grounds (A/HRC/36/37), sexual and reproductive health and rights of girls and young women with disabilities (A/72/133), successes and achievements of civil society (A/HRC/35/28), the impact of climate change on the rights of indigenous peoples (A/HRC36/36), law enforcement on the issue of business and human rights (A/HRC/35/33) or the adverse impact of the World Bank policies on human rights and the realisation of an international democratic order (A/HRC/36/40).

18. Several mandate holders in their reports focused on migration related issues, including in relation to enforced disappearances in the context of migration (A/HRC/36/39), the unlawful death of refugees and migrants (A/72/335) or the proposal for a 2035 agenda for facilitating human mobility (A/HRC/35/25). The impact of new technologies has also been addressed, including in relation to the role of digital access providers (A/HRC/35/22), robots and human rights: the impact of automation on the human rights of older persons (A/HRC/36/48) or the governance surveillance activities (A/HRC34/60).

19. Other mandate holders focused on prevention, early warning, (post-) conflict or humanitarian crises, including in relation to the impact of fundamentalism and extremism on cultural rights, the right to food in conflict situation (A/72/188), private military and security companies (A/HRC/36/47), the vulnerabilities of children to sale, trafficking, and other forms of exploitation in situations of conflict and humanitarian crisis (A/72/164), transitional justice in weakly institutionalized in post-conflict settings (A/HRC36/50).

20. The Sustainable Development Goals were also the focus of reports issued by several mandate holders, including people of African descent and the Sustainable Development Goals (A/HRC/36/60), the role of equity and inclusion in strengthening the right to education, in particular in the context of thee Sustainable Development Goals (A/72/496), slavery and the 2030 Agenda for Sustainable Development (A/72/139) and ten recommendations to States and businesses on the business and human rights dimension of sustainable development: embedding “protect, respect and remedy” in SDGs implementation (information note of 30 June 2017).

21. For the first time, the Special Rapporteur on trafficking in persons and the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material presented a joint report to the General Assembly (A/72/164).

 G. Contributions to standard-setting, and human rights protection
and promotion

22. The following mandate holders have, among others, contributed to clarifying human rights norms and standards in relation to their mandates. The Independent Expert on the human rights of persons with albinism focused her report on the applicable international human rights standards and related obligations addressing the issues faced by persons with albinism (A/72/131).

23. The Independent Expert on international solidarity presented a draft declaration on the right to international solidarity (A/72/171).

24. The Special Rapporteur on violence against women addressed the adequacy of the international legal framework on violence against women (A/72/134).

25. Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes presented guidelines for good practices in relation to the human rights obligations related to the environmentally sound management and disposal of hazardous substances and wastes (A/HRC/36/41).

26. The Working Group on the issue of discrimination against women in law and in practice presented a compendium of good practices in the elimination of discrimination against women (A/HRC/35/29).

27. The Working Group on the issue of human rights and transnational corporations and other business enterprises **presented a study on best practices and how to improve on the effectiveness of cross-border cooperation between States with respect to law enforcement** on the issue of business and human rights (A/HRC/35/33).

28. The Independent Expert on foreign debt and human rights started the process to develop of Guiding Principles for assessing structural adjustment and austerity measures against human rights. A mapping of existing tools used by States, international financial institutions was undertaken to identify existing practices and gaps.

29. The Working Group on mercenaries completed a four year global study on the national legislation of PMSCs in around 60 States from all regions of the United Nations in 2017, highlighting the necessity to strengthen accountability in the private security industry, including the call for an international binding instrument to this effect.

30. The Special Rapporteur on the sale and sexual exploitation of children has contributed to clarifying concepts and terminology in relation to the crimes of sexual abuse, exploitation and sale of children, through her participation in the elaboration of the Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse.

**31. Special procedures** also engaged in various legal processes in various ways such as amicus curiae or providing expert opinion. This is for example the case for the Special Rapporteur on torture and other cruel and inhuman treatment and punishment, the Special Rapporteur on freedom of opinion and expression, the Special Rapporteur on cultural rights and the Special Rapporteur on the sale and sexual exploitation of children. Their interventions were related to the European Court of Human Rights, the Inter-American Court of Human Rights, the International Criminal Court. The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context was the first mandate holder to provide a third party contribution to a Treaty Body in the context of the petition system. Details are available on the respective webpages of the mandates.

 H. Forums, consultations, workshops and other meetings

32. In 2017, mandate holders organized or attended more than 90 forums, consultations, expert meetings, workshops or events in all regions in collaboration with and/or engaging Government, the United Nations system, civil society and the private sector (see A/HRC/37/37/Add.1, chap. XIV).

33. The Forum on Minority Issues held its tenth session on 30 November and 1 December 2017 in Geneva under the guidance of the Special Rapporteur on minority issues, with a special focus on the role of young people from minorities in promoting inclusive and diverse societies. The Forum attracted more than 400 participants. Many young men and women from minority communities participated for the first time at a UN event and young delegates represented their governments. As 2017 marks the 25th anniversary of the UN Declaration for the protection of persons belonging to minorities, it was also a key moment to reflect on how the Declaration can also guide governments in their actions. The report of the Forum will be presented to the Council at its thirty-seventh session (A/HRC/37/73).

34. The sixth annual Forum on Business and Human Rights, the world’s largest gathering on the topic of business and human rights, was held from 27 to 29 November 2017 in Geneva under the guidance of the Working Group on the issue of human rights and transnational corporations and other business enterprises. With an unprecedented number of participants (over 2,500), the Forum allowed for a rich dialogue between governments, business, civil society, affected individuals and communities and international organizations on major human rights issues in the global economy. The central theme of the session was “Realizing Access to Effective Remedy”. Over two plenary sessions and more that 60 “parallel” sessions organized in simultaneous tracks throughout the three days, the Forum addressed the critical issue of access to remedy by examining systemic flaws and shortcomings in existing efforts and reviewing emerging good practices and innovations, with a view to achieving greater coherence and committed action in the service of human rights and rights-holders. The report of the Forum will be presented to the Human Rights Council at its thirty-eight session.

 I. Engagement with other parts of the United Nations system
and regional mechanisms

35. Throughout the year, mandate holders sought closer cooperation with the wider United Nations system and agencies, programmes and funds, as well as with regional mechanisms (see A/HRC/37/37/Add.1, chap. I), including by raising awareness on their mandates and conducting joint activities.

36. Efforts have been made to enhance the prevention and early warning capacity of special procedures, in particular by the Coordination Committee of Special Procedures, including by participating in various reflections and meetings on the role of human rights and human rights bodies in the early warning and prevention role of the UN and by ensuring that this role is recognized in various key documents in this regard. Meetings were also organised in Geneva and New-York with delegations on these specific issues and channels of communications have been established with various parts of the UN system. Special procedures took early action in relation to several country situations including through communications, reports to States, statements or press releases. The visit of mandate holders to countries in post-conflict, conflict or crisis situation such as the Central African Republic, Côte d’Ivoire, Iraq, Mali, Myanmar or Sri Lanka played also an important role in this context. Aside country situations, special procedures also raised alarm about worrying developments on thematic issues such as climate change or migration.

37. Particular attention was put this year in working with other parts of OHCHR and the United Nations in general to ensure that the work of special procedures is integrated into the work of the United Nations and their recommendations followed-up including in the field. In this context attention was given to enhance human rights mainstreaming, including in the context of development as well as peace and security, in particular in light of the ongoing reforms initiated by the Secretary General, and an increased visibility of the work of special procedures in this context.

38. In March 2017, the Special Rapporteur on slavery gave a presentation at the Security Council ministerial open debate on trafficking in persons in conflict situations, forced labour, slavery and other similar practices. She called for greater coordination and leadership against slavery and related phenomena and for Council members to ratify and implement international standards, as well as discussing the need to strengthen humanitarian responses to conflict situations and to increase national and international accountability for slavery-related human rights abuses in conflict. The Special Rapporteur on trafficking in human beings raised awareness, shared her experience and made concrete recommendations on addressing trafficking in persons in conflict situations in the context of maintaining international peace and security, during the United Nations Security Council Open Debate convened the by Italian Presidency on 21 November 2017. Her views were considered in the unanimously adopted Resolution 2388 (2017) through which the Security Council reiterates its condemnation of trafficking in persons.

39. Special procedures also contributed to bringing a human rights perspective in various processes, for example in the Global Compact on migration. Coordinated efforts between various human rights mechanisms (Special Rapporteur on migrants, Special Rapporteur on racism, Special Rapporteur on trafficking, Special Rapporteur on slavery, Independent Expert on solidarity, Committee on migrant workers, Committee on Economic, Social and Cultural Rights, Committee on the Elimination of Racial Discrimination) allowed for the participation of human rights mechanism experts as panellists in five out of six thematic consultations of the global compact migration process. Their participation, written input as well as the contribution of the Special Rapporteur on the human rights of migrants through his report on the development of the global compact on migration, aim at contributing to ensure that human rights are effectively included and mainstreamed in the global compact on migration. As such, the concept note for the stocktaking conference of the global compact highlights the importance of a human rights based, migrants-centered and whole-of government approach to the global compact.

40. Special procedures have also contributed to the implementation of the Sustainable Development Goals by addressing this issue in their thematic reports, issuing open letters, participating in meetings, or raising matters related to the Sustainable Development Goals during country visits.

41. In relation to cooperation with regional organisations (see also section V.B.8), special procedures have consolidated their joint activities with them as demonstrated by the joint visit to Mexico with the Special Rapporteur on freedom of expression and the Special Rapporteur on freedom of expression of the Inter-American Commission for Human Rights from 27 November to 4 December 2017. On 3 March 2017, together with his counterparts in the Inter-American Commission on Human Rights; the OSCE and the African Commission on Humans and Peoples' Rights, the same Rapporteur issued the Joint Statement on Fake News and the role of government and media outlets. In May 2017, the African Commission on Human and People Rights adopted, Resolution 373 endorsing the Regional Action Plan on Albinism to address attacks against Persons with Albinism in Africa developed by the Independent Expert on the enjoyment of human rights by persons with albinism.

 J. Follow-up activities

42. Recommendations from the SP system especially following country visits continue to be used by OHCHR Field presences and United Nations Country Teams. The Annual Meeting of field presences was also used to discuss on this issue and explore ideas with field colleagues on how to further enhance this integration.

43. Mandate holders continued to prioritize follow-up to their previous actions by, inter alia, issuing follow-up communications to cases previously transmitted to States and non-State actors, and observations on communications reports, issuing follow-up press releases, undertaking follow-up visits, sending questionnaires and presenting reports to follow up on the implementation of recommendations made after country visits, and convening expert meetings and consultations (see A/HRC/37/37/Add.1, chap. IX).

44. Following the decision of the Working Group on Arbitrary Detention in 2016 to introduce a systematic follow-up procedure in the context of its opinions, all opinions adopted by the Working Group in which it concludes that the deprivation of liberty is arbitrary now contain the follow-up procedure in the concluding paragraphs, including a request for the concerned Government and the source to provide the Working Group, within six months of the date of the transmission of the opinion, with information on implementation of the recommendations. Reports of the Working Group now contain a table showing information received pursuant to the new procedure.

45. The Coordination Committee used the opportunity of its meetings with various representatives of the United Nations and States to stress the importance of follow-up.

 K. Cooperation with special procedures

46. The issue of cooperation by States and how to assess it is a longstanding priority for special procedures. The Coordination Committee dedicated part of its meetings to this issue, exploring options to move forward in this area. The present report is already an improvement in this regard. It contains a lot of information about the status of States' cooperation (number of standing invitations, number of visits, States never visited). It also reflects some positive developments such as the fact that the response rate to communications has increased to reach 68%, one more State has issued a standing invitation, more country visits were conducted in 2017 than in the previous years and two States were visited for the first time on 2017.

47. However non-cooperation or selective cooperation by States is still a serious challenge. Some States don’t cooperate at all while others choose to cooperate only with a selected few or are openly boycotting some mandates. Such lack of cooperation does not necessarily come with consequences for the States concerned. In this context, more information on the pending requests for visits or negative responses to such request will be included in the next report keeping in mind the need to give a comprehensive picture of cooperation.

48. The fact that a number of mandate holders have again become the subject of public and ad hominem attacks for carrying out their work is of serious concern. While mandate holders accept criticism, a threshold is reached when criticism is no longer directed at the work of the mandate holder but rather at the person.

49. The Committee addressed cases of ad hominem attacks against mandate holders and of persistent non-cooperation by States by raising the issue consistently with the President of the Human Rights Council, the High Commissioner and representatives of States concerned. Attention is drawn in this context to the statement of the High Commissioner for Human Rights at the 35th Session of the Human Rights Council which focused on how States engage with human rights mechanisms.

 III. Coordination Committee of Special Procedures

50. In 2017, the Coordination Committee of Special Procedures continued to facilitate coordination among mandate holders and interaction with a range of stakeholders. It pursued efforts to enhance its capacities to respond to requests from mandate holders and other stakeholders, and to act as the main body representing special procedures, including by strengthening the visibility of the system of special procedures and organizing face-to-face meetings three times a year.

51. The Committee held consultations with a wide range of stakeholders, including the Secretary-General, the Deputy Secretary-General, the Under Secretary General of DGACM, the Senior Advisor on Policy of the Secretary-General, the High Commissioner for Human Rights, various senior representatives of the Department of Peacekeeping Operations, the Department of Political Affairs, the Peace-building Support Unit, UNDP, Members of the Security Council, States Members of the United Nations and civil society.

52. Regular meetings were held with the President of the Human Rights Council, the Chair of the Third Committee and the Office of the President of the General Assembly to raise awareness about issues related to special procedures and their inputs to intergovernmental processes. In this context, the Coordination Committee also sent a letters to the President of the Human Rights Council, the Chair of the Third Committee, the Director General of UNOG and the Under Secretary-General of DGACM expressing concerns with regard to, inter alia, the management of interactive dialogues. In addition, it engaged with the Consultative Group on the selection process of mandate holders. In this context it has been decided at the 24th Annual Meeting that all letters sent by the Coordination Committee to the Consultative Group will be made public.

53. The Committee also participated in various meetings related to the Human Rights Council and the UN in general stressing the relevance of special procedures. Regular meetings with States in Geneva and New-York were organised in various formats in a constant effort to maintain communication channels open and facilitate dialogue. Similar meetings were held regularly with civil society.

54. In April and December 2017, the Committee met in Geneva to discuss issues related to the special procedures system as a whole. At its meetings, the Committee focused in particular on questions relating to the functioning of the special procedures system and related issues, in particular conflicts of interest, the independence of the special procedures, communications, acts of intimidation and reprisal, ad hominem attacks against mandate holders, cooperation with Member States and the status and visibility of the special procedures system within the United Nations. The Committee also discussed ways to strengthen its impact and visibility. In addition, it continued to provide guidance on issues relating to the independence of special procedures and the Code of Conduct in accordance with the internal advisory procedure.

55. In November 2017, the Committee met in New York to strengthen its outreach to United Nations counterparts and to address issues relating to prevention, sustaining peace, early warning, human rights mainstreaming and the role of special procedures, with a focus on the recent reforms of the Secretary-General. During the meetings, various ways to deepen cooperation and engagement with special procedures in New York and to ensure that their contributions were more systematically integrated into the work of the United Nations were explored.

56. The Committee also worked on the coordination of joint activities and statements on country-specific and thematic issues. In accordance with established practice, the Chair participated in the twenty-seventh Special Session of the Human Rights Council on the human rights situation of the minority Rohingya Muslim population and other minorities in the Rakhine State of Myanmar.

57. The Chair of the Committee presented the annual report of special procedures to the Human Rights Council (A/HRC/34/34), which included facts and figures on special procedures and information on the achievements of the system (A/HRC34/34/Add.1). It also illustrated that special procedures increasingly worked as a system alongside their work as individual mandate holders.

58. The Committee also implemented the modalities for disclosure of external support received through and outside of the Office of the High Commissioner for Human Rights. In this context, the Committee requested mandate holders once again to provide information on external support received in 2017. Of the 63 mandate holders who responded, 26 indicated that they had received external support, while 37 had not received any external support. Of those replying in the positive, support consisted mostly of in-kind support, such as research assistance and the use of facilities by their home institution, and/or cash support, for instance, for earmarked events or research and administrative assistance. Cash support was in most cases provided by Governments, foundations or the home institutions of mandate holders (see A/HRC/37/37/Add.1, chap. X).

 IV. Acts of intimidation and reprisal

59. Special procedures continued to take up cases concerning acts of intimidation and reprisal not only in relation to their work but also to the wider United Nations system in the field of human rights. Mandate holders have used communications, public statements, press releases, reports and meetings with various stakeholders to express their grave concern at all such acts. Special procedures addressed cases through communications, press releases or by including their concerns in their reports.

60. In this context, the most recent report of the Secretary-General on acts of intimidation and reprisal, presented to the Human Rights Council at its thirty-sixth session (A/HRC/36/31), included 19 States and 27 new cases taken up by special procedures and follow-up on four cases included in his previous reports based on the continued work of special procedures. These cases not only refer to engagement with special procedures but also with other United Nations human rights mechanisms. Special procedures also addressed issues related to ensuring access to the United Nations, and raised concerns about the role played by the Committee on Non-Governmental Organizations in this context.

 V. Twenty-fourth annual meeting of special procedures

61.The twenty-fourth annual meeting of the Special Procedures was held in Geneva from 27 to 30 June 2017. On this occasion, mandate holders sought to enhance working methods on a number of mandate-transcending issues and held discussions on several cross-cutting topics, including on the communications procedure, the Sustainable Development Goals, the issue of conflict of interest, media related issues, recent achievements, acts of intimidation and reprisal for cooperation with the UN on human rights as well as prevention, early warning and implementation of recommendations. Mandate holders also held consultations with the High Commissioner for Human Rights, the President of the Human Rights Council, Member States and representatives of civil society, non-governmental organizations and National Human Rights Institutions.

 A. Coordination Committee

 1. Election of the Coordination Committee for 2017-2018

62. The Special Rapporteur on the rights of persons with disabilities, Catalina Devandas Aguilar, was elected Chair of the Coordination Committee. The Chair of 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, Gabor Rona, was elected Rapporteur of the annual meeting and member of the Coordination Committee. The other members elected were the Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances, Houria Es-Slami; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, David Kaye and the , Independent Expert on the situation of human rights in Central African Republic, Marie-Thérèse Keita Bocoum. The outgoing Chair of the Coordination Committee, Yanghee Lee, Special Rapporteur on the situation of human rights in Myanmar, will remain as ex officio member for the coming year.

 2. Reflection and strategies for the Coordination Committee for 2017-2018

63. In addition to continuing work on strengthening the relationship between special procedures and New York-based entities, following the developments relating to human rights mainstreaming within the United Nations in particular in the context of the ongoing reforms of the Secretary-General, enhancing strategies for preventing and responding to acts of intimidation and reprisal against those cooperating with special procedures, as well as to ad hominem attacks against mandate holders, mandate holders highlighted a number of additional focus areas for the Committee to reflect on in 2017-2018. These included cooperation within special procedures and of member States with special procedures, the independence of mandate holders, the need to engage with the General Assembly, the link between human rights and the Sustainable Development Goals, cooperation with Treaty Bodies, cooperation with OHCHR, continuing dialogue with senior United Nations officials, including the Secretary-General and the High Commissioner for Human Rights, and following closely issues relating to their independence. The importance of cohesion between mandate holders when engaging in a joint initiative was also underlined.

 B. Thematic issues and working methods

 1. Communications

64. Following the discussion held at the last annual meeting, one member of the 2016- 2017 Coordination Committee, Maud de Boer-Buquicchio, was asked to revise the paper on the communications procedure. This document provided mandate holders with the basis for discussions on criteria for prioritization of cases, communication to victims and the publication of some communications before formal reporting to the Human Rights Council. During the discussion, mandate holders raised a number of points including how to respond when states submitted complaints about other member states, the response rate to communications, the need to respond to victims and sources who submit information, the timeliness of the process, coordination with other human rights mechanisms and issues relating to the issuance of press releases. The paper should be further revised based on comments made for approval by mandate holders.

65. The mandate holders also received an update on the new searchable communications database. This presentation gave an overview of the functionality of the database and its uses by the special procedures and external stakeholders. This development was welcomed by mandate holders.

 2. Acts of intimidation and reprisal for cooperation with the United Nations in the field of human rights

66. Mandate holders received an overview from the focal point of the 2016-2017 Coordination Committee, Catalina Devandas Aguilar, on the implementation of the modalities for an enhanced response to reprisals. They included a section on reprisals in the annual report of special procedures, the maintenance of a dedicated webpage on the Special Procedures website,[[3]](#footnote-4) receiving and transmitting information to Member States concerned and cooperating with the Assistant Secretary General for Human Rights in his capacity as senior official leading the UN efforts to put an end to reprisals for cooperation with the UN on human rights. The Committee, in consultation with the mandate holders concerned, also raised this issue with various stakeholders, including the Secretary-General, the High Commissioner, the President of the Human Rights Council and civil society.

67. Mandate holders stressed the need for a trends analysis and comprehensive assessment of the phenomenon and for a strengthened coordination with the other parts of the UN system in this context. It was underlined that the special procedures are the most agile mechanisms with regard to providing a response to potential reprisals and intimidation for cooperation with the United Nations on human rights. The mandate holders also suggested to engage further with States on this issue to ensure that no reprisal will take place for cooperating with the UN on human rights.

68. As of 1 July 2017, the focal point of the Coordination Committee on this issue is Gabor Rona, Chair of the Working Group on mercenaries.

 3. Sustainable Development Goals

69. Mandate holders held a discussion on the Sustainable Development Goals based on a discussion paper prepared by a member of the 2016-2017 Coordination Committee, Juan-Pablo Bohoslavsky on “human rights, SDGs and resource mobilization: better understanding and more coordination are needed.” The paper focusses on States’ obligation to mobilize resources in order to achieve SDGs and realize human rights. It stresses the need to compile relevant recommendations, concluding observations, and general comments by special procedures and treaty bodies as a basis for further discussion, such as done by the International Bar Association’s Human Rights Institute (IBAHRI). Such an analysis would help increase collaboration amongst mandate holders in this area. Following this introduction, IBAHRI presented their upcoming report entitled, ‘The Obligation to Mobilise Resources: Bridging Human Rights, Sustainable Development Goals and Economic and Fiscal Policies’ to the meeting.”

 4. Conflict of interest

70. This question was revisited briefly during the meeting based on the guidelines for mandate holders developed for that purpose during last year’s annual meeting. Mandate holders discussed in particular whether being the head of an NGO would be compatible with being a mandate holder. It was recalled that the guidelines were developed to guide mandate holder in their decisions on this matter. Mandate holders agreed that this assessment should be made on a case by case basis as it will depend on the mandate, the work of the NGO and other parameters. The Coordination Committee could advise on potential conflict of interests.

 5. Media related issues

71. A new logo designed with the aim of establishing special procedures’ visual identity and independence was presented to and approved by mandate holders. The logo has been launched in December 2017 and is used in all communications issued by special procedures mandate holders.

72. Mandate holders had an exchange with the Media Unit of the Office of the High Commissioner on the use of social media. The outreach potential and importance of such tools were underscored. Issues discussed in this connection included caution in using social media, protocol issues, the possibility for mandate holders to create social media accounts and the need to respect the Code of Conduct in this context. Given the number of media products issued by special procedures, a mix of products could be developed to maximise the impact of the work of special procedures.

 6. Discussion on Special Procedures’ achievements

73. Following the discussion held at the previous annual meeting, a call for inputs on such achievements was sent to mandate holders and 22 submissions were received. On that basis, the Coordination Committee was able to identify common achievements. Such achievements included contribution to standard setting on issues related to their mandates, the development of guiding principles and tools and the ability to raise awareness about emerging human rights issues. The consolidation of special procedures into a system was also considered as an achievement. The special procedures have now become a human rights accountability mechanism and an early-warning system, through communications, cases’ follow up and country visits. Several mandate holders have also contributed to policy and legislative reforms and have succeeded in mainstreaming human rights. Some remaining challenges regarding internal communication and visibility of the special procedures’ work were also discussed. The process of identification of achievements and impact of the work of special procedures will continue and a dedicated webpage is expected for 2018.

 7. Prevention, early warnings and implementation of Special Procedures recommendations

74. Mandate holders invited various representatives of OHCHR, including the Director of FOTCD, the head of the Emergency Response Section, the head of the Prevention and Sustaining Peace Section of the New-York Office and the human rights adviser in the Philippines to have a discussion on prevention, early warning and implementation of their recommendations. The objective of the discussion was to gather various perspectives on the prevention and early warning role of special procedures in the global context of the UN and explore how they can be part of the solution in contributing to improving the situation of human rights on the ground. In this context, the special procedures’ work, its assessment as well as the consideration and implementation of the recommendations were among the themes explored during the exchange.

75. The fact that the Secretary General has decided to elevate prevention as the core priority of the UN was highlighted, thus opening the door for a greater linkage between the UN bodies and special procedures. The importance of special procedures and their role as a key tool in terms of prevention and early mechanisms was put up front. Issues addressed included new channels for the mandate holders to inform UN bodies, the Swiss Appeal of June 13th to put human rights at the heart of conflict prevention, including by enhancing cooperation between the Human Rights Council and the Security Council, and strengthening conflict prevention through a better and timely use of available information.

76. Exchange of confidential information with States, the role of New-York based bodies as well as the language used in both recommendations and reports were also discussed on this occasion. In addition, it was underlined that the information on human rights to be shared with UN bodies in terms of prevention and early warnings is not limited to civil and political rights but extended, as interdependent, to economic, social and cultural rights, as the non-observance of these rights fuel conflicts.

77. Mandate holders expressed some concerns regarding channels currently used to inform other UN bodies on the situation and issues they are mandated to observe. Some also welcomed the excellent coordination they have with field presences. At the country level, mandate holders stressed the importance of building capacities among national and local authorities on special procedures.

 8. Cooperation with Regional Mechanisms

78. Mandate holders invited representatives of regional mechanisms for an exchange of views on democratic space. The Chairman of the ASEAN Inter-Governmental Commission on Human Rights, the Special Rapporteur on Human Rights Defenders of the African Commission on Human and Peoples’ Rights and the Senior Policy Manager of the European Union Agency for Fundamental Rights participated in the debate.

79. The discussion focussed on democratic space with the aim of exploring and identifying potential areas of cooperation between the special procedures and regional organisations. Mandate holders were briefed on the latest developments in relation to cooperation with the three regional mechanisms present. The Addis Ababa roadmap, established in partnership with the ACHPR, was regarded as a great success for cooperation between special procedures and regional human rights mechanism. However, it was mentioned that communication needs to be strengthened and cooperation could be improved through common actions, coordination of schedule and participation in each other’s events.

80. The high value of cooperation with regional mechanisms was put forward by the mandate holders. In this connection, some experts expressed their willingness to enhance such engagement in working on joint missions, statements and communications.

 9. Discussion with Conference Management of the United Nations Office at Geneva

81. Mandate holders held a discussion with representatives of Conference Management of the United Nations Office at Geneva. Mandate holders highlighted the challenges encountered in the execution of their mandates in relation to the editing, translating and processing of reports to be submitted to the Human Rights Council and the General Assembly. Particular concerns were raised over the balance between linguistic editing and changing the substance of reports, the use of the first person in reports or the impact of translations on the substance of the report. The Coordination Committee has engaged with those concerned over the year and this continuing dialogue has helped solving several of the issues raised.

 10. Discussion with representatives of the Office of the High Commissioner on administrative and travel-related issues

82. Representatives of travel and finance sections provided mandate holders with information on applicable rules and procedures in relation to administrative and travel issues connected to their mandates. Mandate holders shared recent experience and concerns in this context. They also called for specific measures to adapt office’s facilities for persons with disabilities, including designing and providing them with business cards in braille language.

 C. Consultations with stakeholders

 1. United Nations High Commissioner for Human Rights

83. The High Commissioner shared his preoccupation over the lack of cooperation from Member States with the UN human rights system and the ignorance towards international human rights law and international institutions. He underlined the difficulties his Office and human rights mechanisms are facing in the current political and social climate, also implying possible finance cuts. At the same time, the High Commissioner thanked the mandate holders for their advice, direct speech and earnestness and repeatedly underlined their added value as independent experts. He reassured mandate holders that even under financial pressure, he would be committed to maintain and support Special Procedures’ operations.

84. Mandate holders thanked the High Commissioner for the opportunity to exchange views with him and congratulated him on his recent speech to the Human Rights Council and the leadership he provided by calling out those Member States who were committing serious human rights violations or lacked willingness to cooperate with the United Nations human rights system.

85. Mandate holders also raised questions and made suggestions regarding the future of the human rights system, calling for strong leadership, cooperation and the strengthening of regional bodies. They asked the High Commissioner for sharing his experience concerning the effectiveness of fruitful diplomacy. At the same time, they invited him to share his advice on a forward-looking strategy to strengthen the human rights system.

86. Furthermore, mandate holders voiced concern about the difficulty of mainstreaming human rights in the entire United Nations system, especially about the lack of accountability towards perpetrators of serious human rights violations. Furthermore, concern was raise over the lack of engagement on human rights issues in some United Nations country teams given the perceived sensitivity of human rights. In that regard, several mandate holders stressed the need for capacity building for Member States and suggested an increased country presence of the Office of the High Commissioner.

 2. President of the Human Rights Council

87. The President of the Council highlighted in particular the importance of cooperation and dialogue; the value and importance of the work of special procedures and its impact on the field; the potential to improve some of the reports of the special procedures; and challenges faced by the Council. The President seized this opportunity to clarify the rationale behind some of the most recent arrangements taken during the Council’s last session including on the matter of speaking time during interactive dialogue underlining the importance to ensure the participation of all states and stakeholders.

88. The Chair of the Coordination Committee welcomed regular previous meetings between the Committee and the Bureau of the Council, as well as expressing regret that a letter sent by the Committee to the President raising concerns on the evolution of the Council and the interaction with special procedures had not yet received a response. As of 31 December 2017, no response has been received.

89. Mandate holders highlighted a number of issues of concern and posed questions, including recent appointment of new mandate holders; how to protect mandate holders against personal attacks including at the Council; the issue of time allocated for interactive dialogues; the role of the Council in New York; how to address the issue of reprisals for cooperation with the UN on human rights and coordination with the Universal Periodic Review.

 3. Member States

90. The mandate holders had an exchange of views with Member States on three specific themes namely; States cooperation with special procedures; issues relating to reporting to the Council; and the creation and termination of mandates by the Council. Member States reiterated their support to and appreciation of the work done by the special procedures as well as that of the Coordination Committee. They also underlined the very important role of the special procedures in examining situations in the field.

91. Expressing their will to engage in an open and constructive dialogue with mandate holders several delegations also raised the issue of country visits’ frequency and the numbers of questionnaires being circulated in this context. The impact of such issues on the quality and depth of discussions was also mentioned. In this connection, some States referred to the potential duplication of communications and challenges faced with respect to their capacity to provide a reply. Some States also asked clarifications on the issuance of press releases by mandate holders. Regretting the reluctance and the lack of cooperation by some, several delegations called for an enhanced cooperation with special procedures. Additional topics such as the total number of mandates, challenges in organising country visits as well as the information accuracy and sources were also discussed.

92. A repeated issue raised was the personal attacks against mandate holders which several States strongly condemned. The principles of neutrality and independence of mandate holders was also discussed on this occasion.

93. Mandate holders expressed their gratitude for the interest shown in their work and underlined the essential role of cooperation for the effective fulfilment of their mandates. In this connection, they highlighted the low response rate with regard to communications. Issues related to follow-up and recommendations were also discussed. Some questions regarding the coordination, planning and conduct of country visits were also brought to the attention of the Sates, and some noted that, besides official missions, there was also space for unofficial meetings and discussions. In addition, the importance of a holistic approach was underscored and the possibility for mandate holders to participate more actively in the Universal Periodic Review was evoked.

 4. Civil society, non-governmental organizations and national human rights institutions

94. In opening the meeting with more than 80 representatives of civil society, the Chair of the Coordination Committee, on behalf of the mandate holders, expressed appreciation for the number of civil society representatives present, and for their work and collaboration with special procedures, which special procedures have sought to deepen through meetings in Geneva and New York and with the annual report to the Human Rights Council. Three specific themes were discussed on this occasion, namely; States cooperation with special procedures; issues relating to reporting to the Human Rights Council; and the creation and termination of mandates by Human Rights Council.

95. Civil society representatives made number of comments and proposals regarding these topics, calling for wider publicizing of communications, greater follow-up to communications including the possibility of an interactive dialogue with the Human Rights Council on communications and cooperation, disaggregating data on communications by gender, the possible creation of new mandates, the use of national mechanisms for follow-up and reporting when mandates are discontinued. Mandate holders expressed appreciation for these proposals and for the great assistance of civil society organizations in their work, and urged civil society organizations to continue to submit information related to their mandates.

96. Other issues discussed included acts of intimidation and reprisal for cooperation with the United Nations on human rights, coordination among mandates, in particular between those addressing country and thematic issues, communications and other efforts regarding human rights abuses by non-State actors, and the importance of regional consultations and collaboration with regional mechanisms. A number of thematic and country specific issues were also discussed.

1. \* The present report was submitted after the deadline in order to reflect the latest developments. [↑](#footnote-ref-2)
2. Information on the status of all country visits requested by mandate holders, and forthcoming visits, is available on the webpages http://spinternet.ohchr.org/\_Layouts/SpecialProceduresInternet/
ViewCountryVisits.aspx?Lang=en and http://spinternet.ohchr.org/\_Layouts/
SpecialProceduresInternet/Forthcomingcountryvisits.aspx. [↑](#footnote-ref-3)
3. www.ohchr.org/EN/HRBodies/SP/Pages/Actsofintimidationandreprisal.aspx. [↑](#footnote-ref-4)