

CHECK AGAINST DELIVERY



Twenty-eighth Session of the Human Rights Council

General debate under item 5

Statement by François Crépeau

Chairperson of the Coordination Committee of Special Procedures

Geneva, 18 March 2015

Mr. President,
Excellencies,
Distinguished delegates,
Ladies and gentlemen,

I am honoured to take the floor today as Chairperson of the Coordination Committee of Special Procedures to present the report of the 21st Annual Meeting of Special Procedures (A/HRC/28/41).

The report before you contains information on the main outcomes of our annual meeting and the issues we discussed. It also provides updated information on the system of special procedures as a whole.

Annual meetings offer mandate holders the opportunity to discuss issues of common interest, coordinate their work and meet with external stakeholders. More specifically, our 21st meeting focused on coordination among mandate holders and beyond, including in relation to joint activities, country strategies, coordination with the UN, or relationship with OHCHR.

The discussion with UN entities focused on climate change with the participation of Mary Robinson, the Special Envoy of the Secretary-General for climate change. One of the main outcomes of this discussion was the issuance of open letter of all special procedures on the issues of human rights and climate change in October last year. Other thematic issues included discussions on women's human rights in relation to HRC resolution 26/11, and the post-2015 sustainable development goals agenda.

In terms of external stakeholders, special procedures had an exchange with the Deputy Secretary-General, the High Commissioner, the Special Advisers of the Secretary-General on the prevention of genocide and the responsibility to protect, the President of the Human Rights Council, Member States, regional organisations, UN entities, NGOs and NHRIs.

Mr. President,

A recurring request from stakeholders during our exchange with them was to have more information on the SP system as a whole and its achievements. We have therefore decided to include more facts and figures in our report and give more precise information on the SP system and its impact. This is in line with the outcome of the HRC review which requested to maintain information on SP in a comprehensive and easily accessible manner.

The report gives a comprehensive picture of what special procedures have done in 2014 individually and as a system, inter alia in terms of country visits, communications, thematic reports, follow-up activities, joint actions, development of international standards, or advocacy. The report also reflects the work of the Coordination Committee.

Here are some examples of the information provided:

- The first special procedures mechanism was established in 1965. Today, fifty years later, the system of special procedures comprises 53 special procedures mandates in total, of which 39 are thematic and 14 dedicated to country situations. Tables reflecting the composition of the system are available in the annex of our report.
- Special procedures carried out 80 country visits in 2014 to 60 States and territories.
- Special procedures issued a total of 553 communications to 116 States. 451

communications were sent jointly by two or more mandate holders. Communications covered at least 1061 individuals.

- Special procedures submitted 135 reports to the Council, including 64 on country visits, and 36 reports to the General Assembly. The annual report contains a list of themes addressed in these reports.
- Special procedures issued 379 news releases and public statements, individually or jointly.

As these figures show, special procedures have increasingly worked jointly on thematic or country issues. The report before you today contains some examples in this regard. Given the number of mandates, the need for coordination among us is even more acute. Several resolutions adopted by this Council have indeed invited mandate holders to enhance their cooperation and avoid duplication. The Coordination Committee has contributed to these efforts by facilitating coordination among special procedures, including in expressing their views collectively and publicly on issues of common concerns. In the last year, special procedures have issued several joint statements on country or thematic issues, in an effort to maximise their impact.

Mr. President,

The report also reflects some of the challenges faced by special procedures that were addressed during our annual meeting.

The first challenge relates to cooperation.

At the beginning of this session, several dignitaries referred to special procedures, reaffirming their support to the system and their willingness to cooperate with us. This support is highly appreciated.

Special procedures are keen to fulfil the mandates received from this Council. They however need the full cooperation from all concerned in doing so. In general special procedures enjoy fruitful cooperation with many States and other stakeholders. Over the years more than 167 States have been visited by at least one mandate holder. One hundred and nine States and one non-Member Observer have extended a standing invitation to special procedures. These are encouraging signs of cooperation that we warmly welcome.

However, 26 States have not yet accepted any visit by a mandate holder. Some do not react to repeated written requests for visits. Others have given access to only a select few. It is also unfortunately a reality that a standing invitation does not necessarily guarantee that a visit will actually take place. Accepting a visit also entails continued cooperation after the mission and the implementation of recommendations. However too often SP's recommendations go unheeded. Furthermore, the response rate by States to Special Procedures' communications remained low, at 42,7 per cent in 2014.

In extreme cases, mandate holders have been the subject of derogatory remarks and personal attacks. This has happened in UN bodies, during country visits or in other contexts. Recent incidents illustrate sharply this reality that could go as far as inciting violence against mandate holders. We don't expect States and other stakeholders to always agree with our analysis. It is however unacceptable that mandate holders are insulted, publicly or otherwise, or personally attacked for discharging their mandates at your request.

I agree with the High Commissioner when he stressed that accepting human rights criticism without hostility is a sign of maturity. The fact that over the years Member States of this Council have established independent mechanisms to monitor their own human rights is an

additional demonstration of this maturity. By appointed independent experts, Member States get independent assessment. They should also accept the criticism that may come with it as a way to improve the situation on the ground.

Our report contains several examples illustrating that cooperation is mutually beneficial. We hope it will encourage all stakeholders to follow suit. There are a number of ways in which cooperation with special procedures could be strengthened. For example, pledges by States seeking membership of the Human Rights Council should include commitments to cooperate with human rights mechanisms. The Council should also find ways to discuss issues related to cooperation. It would also be useful to enhance the Council's engagement with mandate holders beyond the existing practices.

Intimidation and reprisals against those cooperating with us is another challenge that special procedures face.

The ability of victims, their family members, witnesses, human rights defenders and members of civil society to raise concerns with us without fear of retaliation is vital to our ability to discharge our respective mandates. The fact that some of those with whom we engage become victims of intimidation and reprisals is therefore a serious concern.

Addressing reprisals and intimidation has been a priority for special procedures for many years. Reprisals are a critical challenge facing not only special procedures, but the whole UN system. A coordinated response to these unacceptable practices should therefore come from the UN system as a whole. In that context, special procedures have supported the designation of a UN senior focal point on this issue. As you know, the GA has again decided to defer consideration of resolution 24/24. I express the strong hope that current discussions in New York will bear fruit and that the UN focal point will be appointed without delay.

Whatever the future of resolution 24/24 will be, OHCHR and the UN as a whole should ensure that any allegation of reprisals or intimidation is taken up at the appropriate level in the system.

Ensuring appropriate follow-up to recommendations is another area that needs improvement.

Special procedures have developed various ways to follow-up to their recommendations. The annex of the report contains some examples in this regard. But resources and time constraints don't allow them to undertake these activities in a systemic way.

In this context, I would like to stress that the main responsibility for following-up on special procedures recommendations lies with the States. In line with the outcome of the HRC review, States should be encouraged to do more in this regard. A lot of positive initiatives are taking place at the national level. For example, several States have established coordinated mechanisms to follow-up implementation of human rights recommendations. It would be very useful if such initiatives would be shared with other Member States.

The lack of sufficient resources is another issue of concern for special procedures.

It has been recognized by many that the human rights pillar of the UN does not receive the resources it deserves, receiving barely 3% of the resources of the organisation. This also affects special procedures and their capacity to implement their mandate. The current level of resources provided to special procedures through the UN regular budget is not sufficient to cover all mandated activities. It is vital to ensure that all new activities and mandates are accompanied with matching resources. In addition to funding for individual mandates, appropriate resources should

also be ensured for supporting the special procedures system as a whole, in order to ensure proper coordination among themselves and with all the stakeholders involved including this Council.

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I would like to conclude by stressing that independence, integrity, impartiality and expertise are the hallmarks of the special procedures. We count on your support to preserve them. Special procedures look forward to continued dialogue and cooperation with all concerned in this regard. We express the hope that our report will contribute to such dialogue. By showing what we have achieved - or not achieved - in one year, the success stories as well as the challenges, our report presents a candid, yet encouraging picture of the SP system.

We hope that it would feed a reflection on how the Council and States can use better special procedures in their deliberations. For sure, more could be done in this regard. We are currently 76 mandate holders, with possibly two additional ones joining us soon. This represents a wealth of expertise that the Council should rely on more. My colleagues and I would be keen to contribute further to a solid and dynamic Council able to address emerging issues and urgent situations in a timely manner.

I thank you for this opportunity to raise issues related to the system of special procedures and hope that similar opportunities will come up in the future. In that context, I would like to announce that the next annual meeting of special procedures will take place in Geneva from 8 to 12 June, just before your next session, during which exchanges with Member States, NHRIs and NGOs will be organised.

I thank you for your kind attention.