



General Assembly

Distr.: General
18 September 2019

Original: English

Human Rights Council

Fortieth session

25 February–22 March 2019

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

**Twenty-fifth annual meeting of special
rapporteurs/representatives, independent experts and chairs
of working groups of the special procedures of the Human
Rights Council (Geneva, 4 to 8 June 2018), including updated
information on special procedures***

Report of the Secretariat

* The present report was submitted after the deadline in order to reflect the most recent developments.

GE.19-15973(E)



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I. Introduction

1. The present report contains an overview of the special procedures system, highlighting activities undertaken by mandate holders in 2018. It also provides information on the work of the Coordination Committee of Special Procedures and elaborates on the main points discussed and the conclusions reached during the twenty-fifth annual meeting of special procedures.

II. Facts and figures

A. New mandates

2. The Human Rights Council has not established any new mandate since June 2017. The total number of mandates now stands at 56, of which 44 are thematic and 12 country-specific (see A/HRC/40/38/Add.1, chap. XV).

B. Mandate holders

3. The special procedures system currently includes 80 mandate holder positions. The Human Rights Council appointed 15 new mandate holders in 2018. The gender balance has improved: 45 per cent of current mandate holders are female, and 55 per cent male.

4. As at 31 December 2018, 23.75 per cent of mandate holders came from Member States of the United Nations belonging to the African Group, 13.75 per cent from the Asia-Pacific Group, 10 per cent from the Eastern European Group, 21.25 per cent from the Latin American and Caribbean Group and 31.25 per cent from the Group of Western European and Other States (see A/HRC/40/38/Add.1, chap. II).

C. Country visits

5. Mandate holders conducted 84 in situ visits to 59 States and territories (see A/HRC/40/38/Add.1, chap. V). In 2018, one Member State extended a standing invitation to the special procedures, resulting in 119 Member States and one non-member observer State formally indicating that they would always accept requests for country visits (see A/HRC/40/38/Add.1, chaps. III and IV).

6. As at 31 December 2018, the vast majority of Member States, 169 in total, had received at least one visit from a mandate holder. However, 24 Member States had not yet been visited by any mandate holder, of which 7 had not yet received a request for a visit, 14 had not yet accepted any request, and 3 had accepted visits that had not yet taken place (see A/HRC/40/38/Add.1, chap. VI).¹

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

D. Communications

8. In 2018, mandate holders transmitted 655 communications, 531 of which were sent jointly, to 121 countries and 75 non-State actors. The communications covered 1,537 individuals, 269 of whom were identified as female. A total of 387 replies, of which 368 were

¹ Information on the status of all country visits requested by mandate holders and forthcoming visits is available at http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en and http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/Forthcomingcountryvisits.aspx.

substantive replies, were received in 2018. This includes replies to communications sent before 2018. A total of 300 replies, of which 281 were substantive replies, to communications sent in 2018 were received, representing a 42.9 per cent reply rate.² Some communications received more than one reply (see A/HRC/40/38/Add.1, chaps. IX and X).

9. Three communications reports were issued in 2018 (A/HRC/37/80, A/HRC/38/54 and A/HRC/39/27). The communications procedure has been strengthened through a revamped database and the creation of a dedicated online platform to receive submissions to mandate holders. 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 the nineteenth session of the Human Rights Council. The website allows communications and associated replies from Governments and others to be searched by mandate, country, geographic region, period and by the communications reports submitted to different sessions of the Council since 2011. Following a decision by special procedure mandate holders at their 2018 annual meeting, all communications are made public after 60 days and other letters (related to draft or existing legislation, policy or practice not deemed in compliance with international human rights norms and standards) after 48 hours through the communications website. Any government or other responses received within the 60 days are also released at the same time.

10. In 2018, the Working Group on Enforced or Involuntary Disappearances transmitted 692 new alleged cases of enforced disappearance to States, of which 193 were under its urgent action procedure. The Working Group was able to clarify 503 cases.

11. The Working Group on Arbitrary Detention issued 90 opinions under its regular communications procedure in 2018, thus maintaining the increase in the number of opinions issued since 2017. This has been one of the measures taken by the Working Group to address the existing backlog of cases. During 2018, the Working Group received information that at least 47 subjects of its previously adopted opinions had been released.

E. Media outreach and public awareness

12. Mandate holders issued 441 media products, either individually or jointly, of which 323 were press releases, 78 media advisories and 40 media statements, raising awareness and voicing concerns regarding a range of human rights issues, including individual cases.

13. The Coordination Committee of Special Procedures issued or facilitated an additional five press releases and public statements, in which it, *inter alia*, stressed the resilience and relevance of the Universal Declaration of Human Rights in a time of closing borders and closing civic space, on the occasion of Human Rights Day 2018 (see A/HRC/40/38/Add.1, chap. XII). On 28 August 2018, the Committee also participated in the informal conversation of the United Nations High Commissioner for Human Rights with the Human Rights Council.

F. Thematic reports and studies

14. In 2018, mandate holders issued 181 reports, of which 135 were submitted to the Human Rights Council, including 59 country visit reports, and 46 were submitted to the General Assembly (see A/HRC/40/38/Add.1, chap. XI for the list of reports and the themes addressed). Three mandate holders, while not submitting reports to the General Assembly, engaged in an interactive dialogue with it.

15. Several mandate holders presented their first reports to the Human Rights Council or the General Assembly, outlining their vision, priority areas and working methods or the main trends in their area of work. These included the Independent Expert on the promotion of a democratic and equitable international order, the Independent Expert on human rights and international solidarity, the Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members, the Special Rapporteur on minority issues, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees

² As of 2018, the response rate includes only substantive replies.

of non-recurrence, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the Special Rapporteur on the rights to freedom of peaceful assembly and of association.

16. The Special Rapporteur on the right to privacy presented an overview of activities undertaken in the first three years of the mandate. The Independent Expert on the promotion of a democratic and equitable international order prepared a final report on the studies conducted during the six years of his mandate. The Working Group on the issue of discrimination against women in law and in practice focused on reasserting equality and preventing rollbacks, including lessons learned and taking stock after the first six years of the mandate.

17. For the first time, the Independent Expert on the situation of human rights in Somalia presented a report to the General Assembly.

18. Thematic reports published in 2018 addressed a range of human rights issues, for example the contribution of cultural rights to strengthening the universality of human rights and respect for cultural diversity, the role of the International Monetary Fund and the impact of its programmes on social protection and the role of the State as an economic actor.

19. Several mandate holders focused on migration-related issues, including in relation to the situation of human rights defenders acting to defend the rights of people on the move, a human rights-based international solidarity in the context of migration, the right to mental health of people on the move, disappearances in the context of migration, racial discrimination in the context of laws, policies and practices concerning citizenship, nationality and immigration, migration-related forms of torture and other cruel, inhuman or degrading treatment or punishment, the early identification of victims of trafficking in persons and indicators of vulnerabilities to trafficking in the context of mixed migration flows and the issue of racial discrimination in the context of laws, policies and practices concerning citizenship, nationality and immigration. The focus of the reports of the Special Rapporteur on the human rights of migrants was on returns, reintegration and effective access to justice.

20. Other mandate holders focused on prevention, early warning, conflict and post-conflict or humanitarian crises and peace in security, including in relation to humanitarian crises, disasters and the right to food, the access to water and sanitation for forcibly displaced persons and statelessness as a minority issue. The right to education for refugees was the focus of the Special Rapporteur on the right to education, while the Working Group on mercenaries reported on the recruitment of children by non-State armed groups, including mercenaries and private military and security companies. The Special Rapporteur on trafficking in persons, especially women and children, addressed the gender dimension of trafficking in persons in conflict and post-conflict settings, in particular as it related to the women and peace and security agenda of the Security Council. The Special Rapporteur on freedom of religion or belief studied the relationship between freedom of religion or belief and national security. The Special Rapporteur on extrajudicial, summary or arbitrary executions examined armed non-State actors and the protection of the right to life. The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism addressed the challenge of states of emergency in the context of countering terrorism as well as legal regimes with a focus on Security Council resolutions and the obligations arising from the law of armed conflict and human rights. A joint study on transitional justice and the prevention of atrocities was also presented.

21. The Sustainable Development Goals were also the focus of several mandate holders' reports on a number of themes, including: the links between the exercise of the rights to freedom of peaceful assembly and of association and the implementation of the 2030 Agenda for Sustainable Development, the Sustainable Development Goals and the human rights implications of exposure to toxic substances, the overview of the work of the Working Group on mercenaries and its links to the Sustainable Development Goals, Goal 16 in particular, the implementation of targets 5.3, 8.7 and 16.2 of the Sustainable Development Goals from a child rights perspective, the 2030 Agenda for Sustainable Development and the human rights

of persons with albinism and the right to development and inequality in the light of Sustainable Development Goal 10.

22. Issues related to new technologies were also addressed in the reports of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression on artificial intelligence and on encryption and anonymity, the report of the Special Rapporteur on the right to privacy on big data and open data, the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on the contemporary use of digital technology in the spread of neo-Nazi and related intolerance and the report of the Special Rapporteur on violence against women, its causes and consequences, on online violence against women.

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

23. The following mandate holders have, among others, contributed to clarifying human rights norms and standards in relation to their mandates. The Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment presented framework principles on human rights and the environment. The Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights focused on the development of guiding principles for assessing the human rights impact of economic reform policies.

24. The Special Rapporteur on the right to freedom of opinion and expression examined online content regulation.

25. The Special Rapporteur on the human rights of internally displaced persons proposed an agenda for strategic and joint action on the occasion of the twentieth anniversary of the Guiding Principles on Internal Displacement.

26. The Working Group of Experts on People of African Descent presented a framework for a declaration on the promotion and full respect of the human rights of people of African descent.

27. The Special Rapporteur on the situation of human rights defenders focused on the twentieth anniversary of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, while the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment stressed the need to reaffirm and strengthen the prohibition of torture and other cruel, inhuman or degrading treatment or punishment in the context of the seventieth anniversary of the Universal Declaration of Human Rights.

H. Forums, consultations, workshops and other meetings

28. In 2018, mandate holders organized or attended more than 90 forums, consultations, expert meetings, workshops and events in all regions, in collaboration and/or engaging with Governments, the United Nations system, civil society and the private sector (see A/HRC/40/38/Add.1, chap. XIX).

29. The Forum on Minority Issues held its eleventh session on 29 and 30 November 2018 in Geneva, under the guidance of the Special Rapporteur on minority issues, with a particular focus on statelessness, a minority issue. The Forum attracted more than 400 participants. The report of the Forum will be presented to the Council at its fortieth session.

30. The seventh annual Forum on Business and Human Rights took place from 26 to 28 November 2018 in Geneva under the guidance of the Working Group on the issue of human rights and transnational corporations and other business enterprises. The Forum attracted over 2,500 participants and allowed for a discussion on trends, challenges and progress in advancing implementation of the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework in all regions

of the world between Governments, the business sector, civil society, affected individuals and communities and international organizations. Under the theme “Business respect for human rights – building on what works”, the 2018 Forum focused on the second pillar of the Guiding Principles: the corporate responsibility to respect human rights, in particular the requirement that companies exercise human rights due diligence to prevent adverse impacts on people. The report of the Forum will be presented to the Human Rights Council at its forty-first session.

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

31. Throughout the year, mandate holders sought closer cooperation with the wider United Nations system and agencies, programmes and funds, and with regional mechanisms (see A/HRC/40/38/Add.1, chap. XX), including by raising awareness of their mandates and conducting joint activities.

32. Special procedures have continued to engage with various stakeholders, in particular within the United Nations, to ensure that human rights have the place they deserve within the system and to enhance the impact of the work of special procedures, in particular in the context of the recent reforms of the United Nations system. The Coordination Committee in particular engaged with various United Nations interlocutors at the highest level on these issues, stressing the prevention and early warning capacity of special procedures. The Committee participated in various discussions on these issues, including with delegations in Geneva and New York. Channels of communication with various parts of the United Nations system have been consolidated in that context. Special procedures continued to take early action in relation to several country situations, including through communications, reports to States, statements and press releases. The visits of mandate holders to countries in post-conflict, conflict or crisis situations, such as the Central African Republic, Côte d’Ivoire, Iraq, Libya and Mali are good examples in that context. Special procedures also raised the alarm regarding worrisome developments concerning thematic issues such as climate change, migration and the use of the fight against terrorism to curtail human rights unduly.

33. Engagement with New York-based entities, including the General Assembly, the Security Council and the peacebuilding architecture of the United Nations, has been strengthened. Some informal interactions between mandate holders and members of the Security Council have taken place. For the first time, the Chair of the Coordination Committee sent a letter to all members of the Security Council in March (S/2018/280, annex), sharing information about the work of special procedures in 2017 deemed pertinent to the work of the Security Council in terms of country and thematic issues. The letter draws attention to the 2017 annual report of special procedures, highlighting their role in the area of prevention and peace and security, including in the context of the ongoing reforms of the Secretary-General. The Chair stressed that special procedures are interested in improving their engagement with United Nations bodies such as the Security Council with a view to enhancing the promotion and protection of human rights as a key element for the maintenance of international peace and security.

34. In December, the Special Rapporteur on the rights of persons with disabilities participated in an Arria formula meeting of the Security Council on the situation of persons with disabilities in armed conflict. Some mandate holders participated in events related to the high-level meeting on “Peacebuilding and sustaining peace”, held in April. Discussions on how the Peacebuilding Commission could approach the question of human rights and engage with United Nations human rights actors also took place.

35. Special procedures also contributed to bringing a human rights perspective to various processes, for example, the Global Compact for Safe, Orderly and Regular Migration, including through the issuance of an open letter and direct participation, and discussions on issues such as climate change and the fight against terrorism. In coordination with the Executive Office of the Secretary-General and the Inter-Agency Support Group on the Convention on the Rights of Persons with Disabilities, the Special Rapporteur on the rights of persons with disabilities continued to promote a system-wide approach to include the

rights of persons with disabilities across the United Nations system. As part of this effort, she conducted a baseline study that will serve as the basis for the design of the United Nations system-wide approach to disability inclusion.

36. Special procedures have been assessing and giving concrete recommendations to States on how to integrate human rights in the implementation of the Sustainable Development Goals by addressing the issue in their thematic reports, issuing open letters, participating in meetings and raising matters related to the Goals during country visits.

37. In relation to cooperation with regional organizations, special procedures have consolidated their joint activities with such bodies. The table in document A/HRC/40/38/Add.1, chapter XX, contains the list of regional bodies and organizations with which special procedures have engaged. This engagement has taken various forms, including participation in respective meetings, issuance of joint statements and joint activities such as joint reports, seminars and visits.

38. In the light of the discussions held on the margins of the 167th session of the Inter-American Commission on Human Rights, held in Bogotá in February, and during the 25th annual meeting of special procedures, a road map agreed by special procedures of the Human Rights Council and the Inter-American Commission on Human Rights was signed in December 2018. The Addis Ababa road map agreed by the special procedures of the Human Rights Council and the African Commission on Human and Peoples' Rights continued to be implemented.

J. Follow-up activities

39. Recommendations from the special procedures system, especially following country visits, continued to be used by Office of the United Nations High Commissioner for Human Rights (OHCHR) field presences and United Nations country teams. The Universal Human Rights Index contains all recommendations issued by human rights mechanisms in relation to countries and is linked to the Sustainable Development Goals.

40. Mandate holders continued to prioritize follow-up and implementation of their assessments, conclusions and recommendations. They issued follow-up communications to cases previously transmitted to States and non-State actors, observations on communications reports and follow-up press releases. They also undertook follow-up visits, sent questionnaires and presented reports to follow up on the implementation of recommendations made after country visits and the convening of expert meetings and consultations. These follow-up activities concern their country and thematic work (see A/HRC/40/38/Add.1, chap. XIII).

41. During its meetings with representatives of the United Nations and of various States, the Coordination Committee of Special Procedures stressed the importance of follow-up. This was raised in particular in the context of the discussion on the reform of the development sector, the new system of resident coordinators and the role the latter can play in ensuring that United Nations country teams support the implementation of recommendations by special procedures. Special procedures' recommendations are also a useful tool for political and peacekeeping missions.

K. Cooperation with special procedures

42. The issue of cooperation from States and its assessment is a long-standing priority for special procedures. The Coordination Committee dedicated part of its meetings to that issue, exploring options to move forward in that area. The present report is a further improvement in that regard. It contains additional information on the status of States' cooperation, including the number of standing invitations, number of visits in 2018, number of visits in

the past five years,³ States never visited, number of communications by country and responses received (see A/HRC/40/38/Add.1, chaps. X and XV).

43. Positive developments were reflected, such as the fact that an additional State issued a standing invitation (Botswana), a State accepted a visit for the first time (Libya) and two States that had never accepted a visit had invited mandate holders to their country in 2019 (Lesotho and Zimbabwe) (see A/HRC/40/38/Add.1, chap. VII). Each year, on average, special procedures conduct approximately 80 visits to different States. The geographical coverage of visits undertaken in the past year also showed that mandate holders visited all regions in a balanced manner. Some States received more than one visit by thematic mandate per year and 18 States received five or more visits in the past five years (Argentina, Australia, Canada, Chile, Georgia, Honduras, Italy, Kazakhstan, Malaysia, Mexico, Nigeria, Paraguay, the Republic of Korea, Sri Lanka, Tunisia, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America).

44. In relation to country mandates, some countries, such as Cambodia, the Central African Republic, Mali, Somalia and the Sudan, gave access to the country mandate, while Belarus, the Democratic People's Republic of Korea, Eritrea, the Islamic Republic of Iran, Myanmar and Israel do not accept their visits. Even in such situations, there were some differences, with some States refusing all types of engagement while others engaged with mandate holders outside country visits.

45. While some States devoted considerable efforts to developing constructive cooperation with mandate holders, others continued to refuse their visits or accept only a select few. A total of 24 States had not yet received a visit, despite requests received for 14 of them. Of particular concern were some public announcement made by States that they would not cooperate with some mandate holders and attempts to replace mandate holders. While 66 countries had not received any visit by special procedures in the past five years, several countries had not accepted any visit by special procedures mandates despite having five or more pending visit requests in the same period.

46. There are also more subtle forms of non-cooperation. For example, some States only cooperate with a select few mandates, or they respond to communications but do not accept visits, despite having extended standing invitations. The Council should find ways to make non-cooperation more costly. The Council should also provide a space where good stories and examples of cooperation could be shared.

47. Accepting a visit is only the beginning of a process of cooperation encompassing constructive engagement during the visit, respect for the terms of reference for such visits and the implementation of the recommendations issued by mandate holders. In some cases, these visits have indeed faced challenges with regard to the necessary freedom of movement of mandate holders and private access to victims and independent civil society. The assessment of cooperation by States should also take into account other aspects of the work of special procedures, such as communications and States responses thereto.

48. The fact that a number of mandate holders had again been subjected to 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 concerned. Inciting hatred and violence against a mandate holder is unacceptable, as are attempts to silence mandate holders by bringing legal action against them.

49. Information related to the status of country visits and related requests is regularly updated on the OHCHR website.

III. Coordination Committee of Special Procedures

50. In 2018, the Coordination Committee of Special Procedures continued to facilitate coordination among mandate holders and interaction with a range of stakeholders. It pursued

³ The information related to the past five years in the present report covers the period from 1 January 2014 to 31 December 2018.

efforts 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 special procedures system. The Committee had face-to-face meetings three times a year.

51. The Committee held consultations with a wide range of stakeholders, including the Secretary-General, the Senior Adviser on Policy, the High Commissioner, various senior representatives of the Department of Peacekeeping Operations, the Department of Political Affairs, the Peacebuilding Support Office, the United Nations Development Programme, the Department for General Assembly and Conference Management, resident coordinators, members of the Security Council, members of the Peacebuilding Commission, States Members of the United Nations and civil society.

52. Meetings took place with the President of the General Assembly, the President of the Human Rights Council and the Chair of the Third Committee to raise awareness about issues related to special procedures and their inputs to intergovernmental processes. The Coordination Committee sent letters to the Chair of the Third Committee, the Director-General of the United Nations Office at Geneva and the Under-Secretary-General for General Assembly and Conference Management about, *inter alia*, the management of the interaction of mandate holders with the Third Committee. In addition, it engaged with the consultative group regarding the selection procedure for mandate holders.

53. The Committee also participated in various meetings related to the Human Rights Council and the place of human rights within the United Nations. The Committee and its Chair also held a series of meetings with delegations and groups of delegations to maintain dialogue and provide a space in which issues related to special procedures could be discussed. Constant efforts are made to address concerns raised by stakeholders, which has led to adjustments and improvements of the system. Similar meetings were held regularly with civil society.

54. In May and December 2018, the Committee met in Geneva to discuss issues relating to the special procedures system as a whole. The Committee focused on 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 own impact and visibility. In addition, it continued to provide guidance on issues relating to the independence of special procedures and the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, in accordance with the internal advisory procedure.

55. In November 2018, the Committee met in New York to strengthen its outreach to United Nations counterparts. The meeting focused on ways to increase the impact of the work of special procedures within the system, the strengthening of its engagement with intergovernmental bodies and other parts of the United Nations, as well as mandate holders' contribution to advancing the protection of human rights through the current United Nations reforms.

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-eighth special session of the Human Rights Council on the deteriorating situation of human rights in the occupied Palestinian territory, including East Jerusalem, on 18 May 2018. A member of the Committee participated in the informal conversation of the United Nations High Commissioner for Human Rights with the Human Rights Council on 28 August 2018.

57. The Chair of the Committee presented the annual report of special procedures to the Human Rights Council (A/HRC/37/37), which included facts and figures with regard to the special procedures and information on the achievements of the special procedures system (A/HRC/37/37/Add.1).

58. The Committee also implemented the modalities for disclosure of external support received through and outside OHCHR. The Committee requested mandate holders once again to provide information on external support received in 2018. Of the 67 mandate holders

who responded, 28 indicated that they had received external support, while 39 had not received any. Support had mostly been in-kind in nature, including research assistance and the granting of the use of facilities by their home institutions; financial support, for instance, for specific events or research; and administrative assistance. Financial support was, in most cases, provided by governments, foundations or the home institutions of mandate holders (see A/HRC/40/38/Add.1, chap. XIV).

IV. Acts of intimidation and reprisal

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

60. The most recent report of the Secretary-General on acts of intimidation and reprisal, presented to the Human Rights Council at its thirty-ninth session (A/HRC/39/41), included 28 new cases involving 18 States taken up by special procedures, and follow-up on 20 cases included in his previous reports on the basis of the continued work of special procedures. 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 that context.

V. Twenty-fifth annual meeting of special procedures

61. The twenty-fifth annual meeting of the special procedures was held in Geneva from 4 to 8 June 2018. The meeting took place in the context of several initiatives and reforms undertaken in the United Nations. The meeting therefore focused on strategic and policy issues in the light of the challenges faced by the human rights system in general and the system of special procedures in particular. Mandate holders sought to enhance working methods regarding a number of mandate-transcending issues and in this context held discussions on several topics, including on the communications procedure, media-related issues, engagement with non-State actors, engagement with New York-based entities, recent achievements, acts of intimidation and reprisal for cooperation with the United Nations on human rights and ongoing United Nations reforms. The issue of prevention was discussed with resident coordinators and a senior representative of the Peacebuilding Office and protection with a representative of the Office of the United Nations High Commissioner for Refugees (UNHCR) and representatives of investigative bodies. Mandate holders also held consultations with the United Nations High Commissioner for Human Rights, a senior representative of the Executive Office of the Secretary-General, the President of the Human Rights Council, Member States and representatives of civil society, non-governmental organizations and national human rights institutions.

62. A message from Vitit Muntarbhorn, former mandate holder who participated in the foundational annual meeting, was shared to celebrate the twenty-fifth anniversary of the annual meeting.

63. The meeting paid tribute to Asma Jahangir, a prominent member of the special procedures system who passed away in February. She had served as Special Rapporteur on extrajudicial, summary or arbitrary executions, Special Rapporteur on freedom of religion or belief and, recently, Special Rapporteur on the situation of human rights in the Islamic Republic of Iran.

A. Coordination Committee

1. Election of the Coordination Committee for 2018–2019

64. The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Dainius Puras, was elected Chair of the

Coordination Committee. Cecilia Jimenez-Damary, Special Rapporteur on the human rights of internally displaced persons, was elected Rapporteur of the annual meeting and member of the Coordination Committee. The other members elected were: Bahame Tom Nyanduga, Independent Expert on the situation of human rights in Somalia; José Guevara Bermúdez, Chair-Rapporteur of the Working Group on Arbitrary Detention; and Anita Ramasastry, member of the Working Group on the issue of human rights and transnational corporations and other business enterprises. The outgoing Chair of the Coordination Committee, Catalina Devandas Aguilar, Special Rapporteur on the rights of persons with disabilities, remained as ex officio member for the following year.

2. Reflection and strategies for the Coordination Committee for 2018–2019

65. In addition to its regular tasks and responsibilities related to the coordination of the system, the engagement with States and other stakeholders, the dialogue with senior United Nations officials, the support to the independence of special procedures and the provision of guidance on special procedures related issues, the Committee has been encouraged to: continue its engagement with the Council and Member States on the current strengthening process and represent the positions of special procedures on issues raised in that context; explore options to improve the interactive dialogues; continue to address cases of attacks against mandate holders; continue to address issues related to reprisals for cooperation with the United Nations on human rights; continue to engage with all concerned, including senior officials, on the United Nations reforms; enhance interaction with New York-based entities (such as the Security Council, the Peacebuilding Commission, the General Assembly and the United Nations Development Group); engage further with OHCHR on media-related issues, continue to explain their working methods to States in this regard and ensure that these procedures and methods are followed consistently by the system; explore how to better reflect issues related to cooperation by States or lack thereof; and continue to provide a space to all concerned to engage on special procedures issues and to collect good stories and examples of impact.

B. Thematic issues and working methods

1. Communications

66. Mandate holders examined criteria for prioritizing communications and the possibility of giving feedback to sources about the decision to take up a communication and when to make communications concerning legislative and policy development public. They decided that communications would be made public after the expiration of the 60-day deadline through the public database, together with any response received. The communications related to draft or existing legislation, policy or practice not deemed in compliance with international human rights norms and standards will be made public after 48 hours on the concerned mandates' website.

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

67. Mandate holders received an overview from the focal point of the 2017–2018 Coordination Committee, Gabor Rona, on the implementation of the modalities for an enhanced response to reprisals. The special procedures have been among the most responsive mechanisms to cases of intimidation and reprisals over the years, as shown by the number of communications, public statements, press releases, reports or meetings addressing these issues. In consultation with the mandate holders concerned, the Committee raised the issue with various stakeholders, including the Secretary-General, the High Commissioner, the Assistant Secretary-General for human rights, the President of the Human Rights Council and civil society.

68. During the discussion, mandate holders stressed the need to secure a complete record of cases addressed by mandate holders through communications, reports, public statements and other means. This would also allow for a comprehensive assessment of the situation and the identification of trends. Those engaging with special procedures should be informed

about the various mechanisms at their disposal to raise allegations. Further cooperation with other United Nations entities on this issue should be further explored.

69. As at 11 June 2018, the focal point of the Coordination Committee for that issue was José Guevara Bermúdez.

3. Issues related to press releases and social media

70. Mandate holders discussed various issues related to press releases and the use of social media, including how to use them in a strategic manner, how to ensure that the press releases issued reflected their views in a balanced way and how to ensure that the relevant guidance and rules of procedures were respected in a coherent manner, including in relation to the time necessary between the sending of a communication and the issuance of a press release.

4. Issues related to academic or working visits

71. Participants at the meeting reflected on the best practices relating to these visits and the existing guidelines in this regard. Special procedures reaffirmed that these visits are a key tool for the implementation of their mandates. They also agreed that the conduct of these visits should respect the established procedures that differentiate them from official country visits, in particular in relation to informing the Government about their presence in the country and contact with the media.

5. Engagement with de facto authorities and non-State actors

72. Mandate holders discussed their engagement with de facto authorities and non-State actors, including how to do so in a consistent manner. Key principles were highlighted in this context in particular the necessity to engage with non-State actors to address human rights protection gaps, as well as the principles of “do no harm”, consultation and transparency, among others. Engagement should be grounded in a solid analysis of the consequences of engagement versus non-engagement, the political space for engagement, the concrete features and the legal status of the de facto authorities and non-State actors in question, possible steps of engagement and the expected outcomes of engagements. The manner in which special procedures can continue to strategically pave the way for other parts of the United Nations system to engage more efficiently with non-State actors to address human rights protection gaps was highlighted.

6. Engagement with other United Nations entities and mechanisms on protection

73. Mandate holders had a discussion with Volker Türk, Assistant High Commissioner for Protection, Office of the United Nations High Commissioner for Refugees, and Bacre Nidaye, international expert on the situation in the Kasai regions of the Democratic Republic of the Congo, on how to develop further the cooperation between special procedures and other United Nations entities and mechanisms with a focus on the protection role of the United Nations. The protection role of the United Nations and human rights mechanisms in general has been reaffirmed on several occasions. The meeting explored how to make the best use of this shared protection role in order to explore how the human rights mechanisms and bodies, in particular special procedures, can be brought into the broader United Nations equation in a more systematic manner and how special procedures can contribute to the protection role of the United Nations. Special procedures called for increased cooperation and information-sharing with UNHCR and other investigative bodies of the Human Rights Council.

7. Prevention, early warnings and peacebuilding

74. Mandate holders had a discussion with Pablo de Greiff, former Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Oscar Fernandez-Taranco, Assistant Secretary-General for Peacebuilding Support, Christian Salazar Volkmann, Resident Coordinator for Belize and El Salvador, and Marie Jose Torres Macho, Resident Coordinator for Malawi, on prevention and sustaining peace with a focus on the role of special procedures in this context. The meeting also explored how to enhance cooperation between United Nations actors towards better prevention. Prevention and

sustaining peace are part of the priorities of the Secretary-General. Recent reports on sustaining peace and related resolutions refer to the Human Rights Council, human rights mechanisms or even special procedures. Participants at the meeting explored how to make the best use of these reports and related resolutions and the opportunities these processes have created to explore how human rights work can be brought into the debate in a more systematic manner and how special procedures can contribute to this process concretely. Special procedures should continue to show in their work the real links between human rights, development and peace and the importance of a broader, more inclusive dialogue.

8. Discussion on the reforms of the United Nations

75. The Assistant Secretary-General for Strategic Coordination in the Executive Office of the Secretary-General, Fabrizio Hochschild, presented an overview of the three major reforms currently taking place in New York concerning the development system, the management system and the peace and security system. He summarized the cross-cutting objectives of the reforms from a human rights perspective by describing two main streams: making the Organization more accountable to the standards it upholds externally and enhancing the impact of the United Nations on rights-holders who are often marginalized.

76. The Assistant Secretary-General also mentioned other far-reaching changes being implemented to adjust the Organization to the challenges of our time, such as the creation of an advisory council with representatives from all three pillars of the United Nations to advise the Secretary-General on major issues, implying that human rights are systematically considered in all decision-making, the creation of the mandate of a victims advocate to enhance the capacity to deal with consequences of violations, the new whistle-blower protection policy and the creation of a post of Assistant Secretary-General for counter-terrorism and prevention.

77. The participants elaborated on the impact of the reform on the way the United Nations addresses issues of migration, balances human rights and security concerns in counter-terrorism efforts and engages with situations that might lead to political conflicts. They also explained the role special procedures can play in enhancing further human rights in the Organization, how the reform might involve a change in the human rights component of peacekeeping operations and field presences and the interlinkages with the Human Rights Up Front campaign. The Sustainable Development Goals were mentioned as a good entry point for those interlocutors who are reluctant to engage on human rights obligations. The new system of resident coordinators has been identified as an opportunity, and special procedures have been invited to contribute to this move.

9. Cooperation with regional mechanisms

78. The discussion focused on collaboration with the African Commission on Human and People's Rights under the formal framework of the 2012 Addis Ababa road map and collaboration with the Inter-American Commission on Human Rights, which did not yet have a formal framework on which cooperation could be based. Commissioners from the two Commissions briefed the mandate holders on the structures of the two Commissions as well as activities undertaken jointly with international human rights mechanisms.

79. Mandate holders highlighted positive experiences of collaboration with both Commissions and stressed the need for more collaboration regarding country visits in order to harmonize perspectives at the international and regional levels. Both the African Commission and the Inter-American Commission expressed willingness to work more closely together in the organizing of visits, including joint visits.

C. Consultations with stakeholders

1. United Nations High Commissioner for Human Rights

80. The dialogue between the United Nations High Commissioner for Human Rights and special procedures focused on external challenges facing the human rights system in general and special procedures in particular. The objective was to have a strategic discussion about

the international context and its impact on human rights. The impact of the ongoing United Nations reforms on human rights was also discussed, in particular the place and role of the human rights system within the United Nations in the light of those proposed reforms. The discussion explored how mandate holders and OHCHR could join forces in responding to the current challenges facing the United Nations human rights system.

2. President of the Human Rights Council

81. The President of the Council highlighted the value and importance of the work of special procedures. He provided some background on the efficiency measures undertaken by the Council owing to lack of time and resources. He noted that the principle was to make the Council more manageable and results-oriented in the long term. In terms of identifying long-term measures to make the Council more effective, six co-facilitators had been appointed. They were working on three tracks in order to identify proposals on improving the Council's programme of work, rationalization of resolutions and use of modern technology.

82. The Chair of the Coordination Committee welcomed the regular meetings between the Committee and the President of the Council. She also expressed appreciation for the support of the President to special procedures. Mandate holders stressed the need to ensure that the essential work of the Council was not weakened in the efficiency and rationalization exercise, particularly with regard to the importance of the holding of interactive dialogues and understanding in real terms what the rationalization of resolutions would mean (for example funding for and follow-up to recommendations). Discussions also covered the issues of reprisals faced by persons cooperating with special procedures and the actions taken by the President in this regard.

3. Member States

83. The conversation opened with statements by the Permanent Representative of Thailand, Sek Wannamethee, the Permanent Representative of Mexico, Socorro Flores Liera, and the Deputy Permanent Representative of Belgium, Karl Dhaene. The Permanent Representative of Thailand presented his country's experience with the country visit of the Working Group on the issue of human rights and transnational corporations and other business enterprises, highlighting it as an example of positive engagement. The Permanent Representative emphasized that keys to such positive engagement include developing trust and cooperation, taking a long-term approach and adopting an open and constructive mindset. The Permanent Representative of Mexico addressed thematic reports, country visits and communications, both raising concerns and highlighting good practices for both mandate holders and States. The Deputy Permanent Representative of Belgium shared certain conclusions regarding conduct of country visits, including advice for the preparation of visits and suggestions for the conduct of mandate holders.

84. In the dialogue that followed, all participants expressed their commitment to cooperation and dialogue and the importance of the contributions of the special procedures to the advancement of human rights. States shared concerns, including the sometimes overwhelming numbers of requests for inputs or for country visits, the need for adherence to the code of conduct, the need to ensure that information received and relied upon is reliable and the importance of follow-up to country visits. Mandate holders also shared certain challenges, including non-responses to communications and to requests for country visits, restrictions on visits and repression of civil society. Several States encouraged their counterparts to extend standing invitations to special procedures, to engage with all mandates regardless of their initial position on the mandate and to take strong action on reprisals.

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

85. Representatives of civil society organizations expressed appreciation for the work of the special procedures, particularly in the current difficult environment for human rights advocacy. Representatives of a number of organizations stated that, in addition to seeing attacks and reprisals against those who cooperate with the United Nations on human rights, they observed that mandate holders were themselves coming under attack more frequently. Civil society members made specific references to good practices they had witnessed by certain mandates and the Coordination Committee. For example, they were grateful for the

efforts employed by some mandates to increase cooperation with Member States through the publication of observation reports, the issuance of follow-up communications and the inclusion of statements on non-cooperation during oral presentations. In addition, initiatives of the Coordination Committee, such as its recent letter to the Security Council, were positively noted.

86. Representatives of civil society organizations drew particular attention to the issue of non-cooperation of States with special procedures and made recommendations on that issue. Some organizations recommended that special procedures consider increasing their visibility by engaging more actively on social media and through other communication forums. The timeline for the publication of communications and country visit reports was also addressed.

87. Mandate holders thanked civil society for the continued support received in discharging their mandates and for the solidarity shown when mandate holders had been subjected to personal attacks. They drew attention to their shared concerns about reprisals and intimidation of human rights defenders and highlighted upcoming focus areas and activities. Mandate holders also explained some technical constraints that affect the timeline of report publication and engagement on social media.
