

SPECIAL PROCEDURES BULLETIN



United Nations
Human Rights

OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

EIGHTH ISSUE: JANUARY - MARCH 2008

HIGHLIGHTS

Human Rights Council continues review of Special Procedures mandates at its 7th session

At its 7th session from 3 to 28 March 2008, the Council continued the process of reviewing, rationalizing and improving the special procedures mandates. The mandates on violence against women, sale of children, freedom of expression, economic reform, human rights defenders, enforced disappearances, international solidarity, mercenaries, minorities, racism, Democratic People's Republic of Korea, Democratic Republic of the Congo, Myanmar, and Somalia were reviewed. Links to the summary records of the discussions held on these mandates are in the box on page 10.



UNTV GVA/JM FERRE.

Several resolutions were adopted without a vote by the Council as a result of the assessments of mandates: on the mandates on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (7/34), elimination of violence against women (7/24), food (7/14), minority issues (7/6), enforced or
(continued on page 9)

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

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Fax : +41 22 917 90 06
E-mail : urgent-action@ohchr.org
<http://www2.ohchr.org/english/bodies/chr/special/index.htm>

For further information on how to submit communications, please visit the OHCHR website under Human Rights Bodies/ Special Procedures. Communications should contain a factual description of the alleged violation and be submitted by individuals or organizations acting in good faith with direct or reliable knowledge of the violations they are reporting. They should not be politically motivated, abusive or based solely on media reports. Please specify which special procedure(s) mechanism the information is addressed to in the subject line of the e-mail or fax, or on the envelope.

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The quarterly Special Procedures Bulletin provides a general overview of the main activities of the 38 Special Procedures mandates. The next issue of the Bulletin will cover April - June 2008. The Bulletin is produced by the Information, Coordination and Management Team of the Special Procedures Division of the OHCHR.

How to find information on Special Procedures

To learn more about Special Procedures, consult Fact Sheet no. 27 (Seventeen Frequently Asked Questions about United Nations Special Rapporteurs) available at: <http://www2.ohchr.org/english/about/publications/factsheet27.pdf> (to be updated)

Or contact:

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The OHCHR website (<http://www.ohchr.org>) contains more information on specific mandates under Human Rights Bodies/ Special Procedures, with pages devoted to each Special Procedure, including details on the mandate, country visits, links to reports, press statements, how to submit information, etc.

For further information, or to submit information (other than specific information on alleged human rights violations), please contact: SPDINFO@OHCHR.ORG

COMMUNICATIONS

Some special procedures mechanisms intervene directly with Governments on specific allegations of human rights violations that fall within their mandates. The intervention can relate to a human rights violation that has already occurred, is ongoing, or which has a high risk of occurring. The process generally involves sending a letter to the concerned Government requesting information and comments on the allegation and calling for preventive or investigative action.

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

lished by him or her, as well as the criteria laid out in the Code of Conduct. Criteria generally relate to the reliability of the source and the credibility of information; the details provided; and the scope of the mandate itself. Further information is frequently requested from sources. Communications should not be politically motivated, abusive or based solely on media reports. Mandate holders may send joint communications when the case falls within the scope of more than one mandate. The OHCHR's Special Procedures Division Quick Response Desk coordinates communications and keeps relevant databases updated.

2007 COMMUNICATIONS

1003 Total number of communications

49% Joint Communications

2294 Individual cases covered; 13% of these were women

128 Countries received communications

JANUARY - MARCH 2008

201 Total number of communications

64% Joint Communications

461 Individual cases covered; 26% of these were women

74 Countries received communications

COUNTRY VISITS

ARBITRARY DETENTION

VISIT TO MAURITANIA BY THE WORKING GROUP

The Working Group on arbitrary detention carried out a visit to Mauritania from 19 February to 1 March 2008. The Working Group welcomed the measures taken by the Government to reinforce the independence of the judiciary and to improve the working conditions of judges in order to protect them against interference. The Working Group also noted with satisfaction that the recently adopted Code of criminal procedure has reinforced the protection of rights and freedoms in the administration of criminal justice. The experts further welcomed legislative reforms with regard to legal assistance and juvenile justice. The Working Group expressed its appreciation for the efforts undertaken by the Government to improve the conditions of detention of prisoners, even though it noted that the Nouakchott and Nouadhibou prisons were overcrowded, which i.a. led to problems regarding access to medical care and to increased violence among detainees.

The Working Group expressed concern about reported cases of corruption, torture and ill-treatment in police custody. It regretted that such abuses are insufficiently investigated and sanctioned. According to the Working Group, while the great majority of detainees receives free legal aid at the trial stage, it is often ineffective as lawyers are insufficiently paid. While welcoming the transfer of the administration of prisons to the Ministry of Justice, the Working Group recommended that a specialized team of penitentiary officers be created. The Group also observed

that many foreigners are detained by the police without any warrant, sometimes even when they have papers.

The Working Group recommended to reinforce control over police action, especially in relation to police custody. The Working Group reminded that confessions must not constitute the only ground for establishing guilt and it called for this principle to be translated into legislation. The experts also recommended, inter alia, that all detainees in police custody receive the assistance of a lawyer and to improve the training of personnel in the criminal justice system.

OHCHR WEBSITE PAGE ON SPECIAL PROCEDURES COUNTRY VISITS

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

Links to alphabetical tables of country visits by Special Procedures mandate holders since 1998 are available at this link as well as a list of all countries having extended standing invitations to all the thematic procedures. As of March 2008, 60 countries have extended standing invitations.

An annual compilation of recommendations of Special Procedures by country is also available on the [Special Procedures webpage](#).

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

VISIT TO JAPAN BY THE SPECIAL RAPPOREUR

The Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea (DPRK), Mr. Vitit Muntarbhorn, visited Japan from 15 to 19 January 2008 to assess the impact of the DPRK's human rights situation on Japan including, inter alia, the abduction of Japanese citizens by the DPRK.

After the 2002 Summit on the issue of abductions between Japan and the DPRK in 2002, the latter admitted that it had abducted Japanese citizens, apologized and agreed to prevent recurrence of such practices. However, the Special Rapporteur regretted that several cases remain unresolved, an issue which he has raised repeatedly along with the Working Group on enforced or involuntary disappearances.

In his statement, Mr. Muntarbhorn mentioned that a possible avenue for dealing with those disappearances would be through the bilateral track under the Six Party Talks (involving the DPRK, China, Russia, the USA, the Republic of Korea and Japan) which seeks to end the nuclear build-up in the DPRK. The track concerning Japan and the DPRK has, to date, led to two Working Group meetings to address possible normalization of relations, including the need to resolve the abductions issue satisfactorily, but concrete progress has not been made. Another important development is the increasing acknowledgement that in the past, the DPRK also abducted the nationals of other countries. The Special Rapporteur also mentioned that the 2006 Act on Measures for Resolving the Abduction Issue and Other Human Rights Infringements Committed by the North Korean Authorities is important legislation relating to public information about the phenomenon of abductions.

The Special Rapporteur called upon the DPRK to urgently show a sense of responsibility in addressing the issue of abductions and to commit itself to resolve the issue substantively in a transparent manner under the Six Party Talks or through other channels. The Special Rapporteur underscored the need to assist all victims of the human rights situation in the DPRK in a sustained and comprehensive manner and welcomed the opportunity provided by Japan's 2006 law concerning human rights in the DPRK to offer protection and support to the various groups and persons seeking asylum from the DPRK.

VISIT TO THE REPUBLIC OF KOREA

The Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea (DPRK), Mr. Vitit Muntarbhorn visited the Republic of Korea (ROK) from 19 to 24 January 2008 to assess the impact of the DPRK's human rights situation on the ROK.

The Special Rapporteur mentioned that his visit came at a time of transition with the election of a new President

in the country; the current Six-Party Talks (between the DPRK, ROK, USA, China, Russia and Japan) on the denuclearization of DPRK; and the 2007 Declaration on the Advancement of South-North Korean Relations, Peace and Prosperity, according to which both countries pledged to cooperate on a variety of issues, including the transformation of inter-Korean relations into ties of mutual trust and respect, mitigation of tensions, the guarantee of peace on the Korean peninsula, and the development of inter-Korean economic and humanitarian cooperation projects.

In his statement, the Special Rapporteur stressed that several human rights issues resulting from the Korean War remain to be resolved. These are the questions of Prisoners of Wars, missing persons and separated families, humanitarian aid to the DPRK, and the assistance and protection of DPRK. While welcoming the ROK's ratification of the Refugee Convention, and the ROK's signature of various treaties on human smuggling and trafficking, the Special Rapporteur stressed the need for a more comprehensive support system for those seeking refuge in the ROK, including longer term facilities to help them adapt to their new lives; social, educational, employment and psychological back-up; more opportunities for family reunions; better protection to be afforded to those who do not receive the protection of other countries; and a more active information campaign using success stories of those who have settled in the ROK to ensure a positive image and nurture a sense of empathy for those who exit from the DPRK in search of refuge elsewhere. The Special Rapporteur recognized the catalytic leverage that the ROK may have on human rights in the DPRK, and welcomed the current bilateral and international activities to increase promotion and protection of human rights in the DPRK.

EXTRAJUDICIAL, SUMMARY OR ARBITRARY EXECUTIONS

VISIT TO THE CENTRAL AFRICAN REPUBLIC BY THE SPECIAL RAPPOREUR

The Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Philip Alston, visited the Central African Republic from 31 January to 7 February 2008 to inquire into extrajudicial executions of all kinds, including, but not limited to, the widely reported allegations of such killings by government security forces in the northwest and northeast of the country.

In his statement, the Special Rapporteur said that he was pleased to report that the number of extrajudicial executions carried out by the armed forces in the north had fallen dramatically over the past six months, mainly due to the ceasefires in the northeast and northwest and to President François Bozizé's significant steps to end abuses by his troops. The Special Rapporteur stressed that while there had been a dramatic decline in executions related to armed conflicts in the north, individual soldiers have not been prosecuted. He added that it was unsurprising, then, that this impunity has allowed soldiers to continue to use lethal violence for a range of personal and corrupt ends or to

kill those accused of witchcraft. While acknowledging that national officials are trying very hard to put an end to abuses, the Special Rapporteur proposed a set of recommendations to strengthen their efforts. Mr. Alston first reminded the Central African Republic of its human rights international obligations to protect the right to life, to publicly acknowledge the State's responsibility for past abuses and to end impunity for individuals who bear criminal responsibility for killings. The Special Rapporteur made further recommendations which included: the reform of the security sector to ensure that security forces protect and respect the human rights of people; a thorough fiscal reform to support the development of new security forces; a more effective human rights monitoring under United Nations auspices; the establishment of an independent national human rights commission; the abolition of the criminalization of witchcraft and the reinforcement of local civil society organizations.

FREEDOM OF RELIGION OR BELIEF

VISIT TO ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORIES BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on freedom of religion or belief, Ms. Asma Jahangir, carried out a mission to Israel and the Occupied Palestinian Territories (OPT) from 20 to 27 January 2008.

While recalling that the land she has visited is blessed with a rich diversity and important holy sites of many religions, the Special Rapporteur regretted that this very diversity has polarized people on the lines of religion. Indeed, according to the Special Rapporteur, the conflict is having an adverse impact on the right of individuals and communities to worship freely and to attend religious services at their respective holy places. While the Israeli Government noted that these restrictions are necessary for security reasons, the Special Rapporteur emphasized that any measures taken to combat terrorism must comply with the States' obligations under international law, including freedom of religion or belief and that they should be proportionate to their aim.

While acknowledging that members of religious minorities in Israel asserted that there is no religious persecution by the State, the Special Rapporteur stated that strands within the Christian, Jewish and Muslim faiths have experienced different forms of discrimination, such as State preferential treatment to the Orthodox Jewish majority, the neglect of Christian and Holy sites, or the unfair allocation of subsidies at the expense of religious minorities and strands. Ms. Jahangir further added that minority communities in the OPT, including some small Christian groups, have expressed their fear of a rising level of religious intolerance. According to the Special Rapporteur, women seem to bear the brunt of religious zeal as she was informed about cases of honour killings carried out with impunity in the OPT in the name of religion. The Special Rapporteur also mentioned that she heard of cases of women in Gaza who felt coerced to cover their heads not out of religious conviction but out of fear. The Special Rapporteur stressed that impunity for incitement to religious hatred must be stopped and that the authorities are obliged under

international law to denounce, investigate and sanction such abuses. The Special Rapporteur recommended that all parties to a possible peace agreement bind themselves legally to protect the rights of religious minorities by including guarantees for equality and non-discrimination based on religion as well as for the preservation and peaceful access to holy sites.

INTERNALLY DISPLACED PERSONS

VISIT TO THE DEMOCRATIC REPUBLIC OF THE CONGO BY THE REPRESENTATIVE

The Representative of the Secretary General on the human rights of internally displaced persons, Mr. Walter Kälin, carried out an official mission to the Democratic Republic of the Congo (DRC) from 12 to 22 February 2008.

The Representative expressed concern at the poor living conditions of internally displaced persons and returnees. Mr. Kälin stressed that internally displaced persons are the victims of continuous grave human rights violations such as killings, rape and harassment perpetrated by different armed groups and members of the national armed forces of the DRC. This volatile security situation results in a grave protection and assistance crisis for the internally displaced which is only partly mitigated by humanitarian organizations and the United Nations Mission in the Democratic Republic of the Congo (MONUC). Therefore, the Representative called for a considerable strengthening of humanitarian presence in the areas affected by displacement; he also called upon MONUC and other humanitarian actors, as well as donors, to provide the necessary means in order to assist the authorities at the national, provincial and district levels to meet their obligations to the displaced.

The Representative called on all parties to the conflict to implement the agreements recently reached in Nairobi and Goma as they constitute an important window of opportunity to seek durable solutions for the internally displaced. He stressed the need to use peaceful means in order to prevent new large scale displacement. At the same time, the Representative, acknowledging the complexities of the ongoing peace process and the obstacles to overcome them, urged national authorities and the international community to continue providing protection and assistance for the displaced and their host families.

MIGRANTS

VISIT TO GUATEMALA BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on the human rights of migrants, Mr. Jorge Bustamante, carried out a mission to Guatemala from 24 to 28 March 2008. In his press statement, he said he was encouraged by the political will of the Government to adopt a more comprehensive programme relating to the question of migration. Mr. Bustamante mentioned the adoption in October 2007 of a law establishing the future National Council on Migrants from Guatemala (CONAMIGUA) whose objective is to coordinate policies and programmes to protect and assist Guatemalans abroad. He commended the long awaited set

of legislative, judicial and administrative reforms which will implement the International Convention on the Protection of All Migrant Workers and their Families, ratified in 2003 by Guatemala. Mr. Bustamante also welcomed the efforts by the Government to facilitate the return to their families of non-accompanied minor migrants deported from Mexico and praised the work accomplished by the civil society. However, the Special Rapporteur noted a lack of coordination between the various State institutions in charge of migration issues. He noted that the 1998 law on Migration has many loopholes which allow excessive discretion on behalf of the migration authorities and the police when dealing with migrants. During his visit, the Special Rapporteur received many reports of extortion and abuses against the migrant population. The expert expressed serious concern at the impunity prevailing for such abuses, in particular when they are committed by the authorities. The Special Rapporteur regretted that, according to the information he received, there is no effective complaint mechanism in place for migrants who are victims of abuses as they often lack information and are afraid of reprisals or discouraged by the length of judicial proceedings.

RACISM

VISIT BY THE SPECIAL RAPPOREUR TO MAURITANIA

The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Doudou Diène, visited Mauritania from 20 to 24 January 2008.

The Special Rapporteur presented a brief preliminary note on his mission to the seventh session of the Human Rights Council in March 2008, before submitting his final report in a forthcoming session of the Council. In his preliminary note to the Council the Special Rapporteur recommended that the Constitution be amended in order to reflect the multicultural diversity of the country. He also recommended the establishment of an independent ad hoc Commission in charge of examining the root causes of discrimination in Mauritania and of proposing a national plan of action which would put forward a set of measures to encourage positive discrimination. At the same time, the Rapporteur recommended that the Government adopt an educational strategy that aims to reinforce national unity.

SUDAN

VISIT BY THE SPECIAL RAPPOREUR

The Special Rapporteur on the situation of human rights in the Sudan, Ms. Sima Samar, visited the country from 27 February to 10 March 2008. In the press release issued at the conclusion of her visit, she explained that her mission focused particularly on the human rights situation in North, East and West Sudan. She expressed her regret that the Government did not allow her access to Kajbar, Amri, Merowe, and Makabrab in northern state, where communities in the Nile valley area have been affected by the construction of two hydropower dams. After speaking with affected communities in Khartoum, she urged the Govern-

ment to take all necessary measures to ensure the safety and adequate housing of persons living in the area and called for an independent assessment mission to the area.

She expressed particular concern about the lack of accountability for the killings of protestors in Amri and Kajbar in 2006 and 2007, and urged the Government to share the findings of the investigation into the matter and bring the perpetrators to justice. She also raised issues related to torture and ill-treatment during pre-trial detention, guarantees of freedom of expression, association and assembly in the lead-up to the 2009 elections, and the use of lethal force in response to unrest in Port Sudan. With regard to the massacre in Port Sudan, she particularly raised concern about the lack of accountability and intimidation and harassment of the families of the victims to accept "blood money" rather than having the responsible parties prosecuted.

In Darfur, the Special Rapporteur was extremely disturbed by the critical human rights situation in the region and particularly the ongoing major military offensive in West Darfur. She reported on incidents of raids and other attacks by the Sudanese army against certain towns in Darfur, which resulted in many deaths and massive displacement of the civilian population. She concluded that the Government and the movements have failed in their responsibility to provide protection to civilians in areas under their control and are violating international human rights law and international humanitarian law. She called for investigation of these incidents and that the perpetrators be held accountable. The Special Rapporteur took note of information provided by the Government on steps taken in the area of combating violence against women in Darfur, and she urged them to focus more on prevention and bringing perpetrators to justice as a deterrent to future crimes.

TORTURE

SPECIAL RAPPOREUR ANNOUNCES POSTPONEMENT OF VISIT TO EQUATORIAL GUINEA

On 30 January 2008, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Manfred Nowak, announced that his visit to Equatorial Guinea, which was scheduled to take place from 30 January to 8 February 2008, was postponed at the Government's request at very short notice. In a note verbale of 22 January 2008 the Government cited "urgent governmental activities in the first trimester of 2008" as a reason for the postponement. In a further conversation, Vice-Prime Minister for Human Rights, Mr Aniceto Ebiaka Moete, explained to the Special Rapporteur that the Government was in a process of organising a census for the municipal elections.

The Special Rapporteur reminded the Government of Equatorial Guinea that fact-finding missions are planned long in advance and require extensive research as well as logistical and financial resources on the part of the Special Rapporteur. It is therefore with strong regret that the Special Rapporteur accepted this postponement. However, he

noted with appreciation the assurances of the Government to receive him in October 2008 and the Government's intent to honour its commitment to ensure the visit's success.

TOXIC AND DANGEROUS PRODUCTS AND WASTES

VISIT TO TANZANIA BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, Mr. Okechukwu Ibeanu, carried out a visit to the United Republic of Tanzania from 21 to 30 January 2008. The objective of the Special Rapporteur's mission was to gather first-hand information on the impact of mining activities on the environment and on human rights. In addition, Mr. Ibeanu studied the movement and use of chemicals and the waste management system for both industrial and domestic waste in the country. Mr. Ibeanu expressed concerns about the large volume of unregulated small-scale mining where miners continue to use mercury and other dangerous products without supervision, endangering both the environment and their health. While acknowledging and welcoming the sensitization efforts of both the Government and civil society in this regard, the Special Rapporteur regretted that information is not leading to commensurate change of behavior. The Special Rapporteur also expressed concerns at the limited government supervision of the operations of big mining corporations particularly with regard to occupational health and safety standards. He also stated that tensions have been rising in different parts of the country due to the discontent of local communities with large scale mining companies. The Special Rapporteur observed that the public does not seem to receive sufficient information on the different chemical substances and dangerous products that they are exposed to in their workplace or in their communities. However, Mr. Ibeanu commended the Government for adopting a set of comprehensive legislation and subsidiary instruments that deal with the particular issue of toxic and dangerous products and wastes. While noting that such legal developments are relatively recent, the Special Rapporteur looked forward to monitoring the wider implementation of these laws and their ability to limit the adverse effects of toxic and dangerous products and wastes on the environment and on the human rights of the people of the United Republic of Tanzania.

VIOLENCE AGAINST WOMEN

VISIT TO SAUDI ARABIA BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on violence against women, its causes and consequences, Professor Yakin Erturk visited Saudi Arabia from 4 to 13 February 2008. In her statement, the Special Rapporteur noted that a number of positive developments have taken place in women's status such as access to all levels of education, which has resulted in significant improvements in the literacy rates for women in a relatively short period of time. Noting that women are still excluded from some fields

of study, the Special Rapporteur also stressed that with the exception of work opportunities in the health, education and social fields, women lack access to public decision-making positions.

The Special Rapporteur welcomed various public initiatives to fight domestic violence as they offer awareness raising, referral, recording, care and protection for victims of violence, including access to shelters. The expert was also encouraged by discussions to establish an independent national body to coordinate all work with respect to violence against women.

Notwithstanding the significance of these developments, the Special Rapporteur noted that the lack of women's autonomy and economic independence, practices surrounding divorce and child custody, the absence of a law criminalizing violence against women and inconsistencies in the application of laws and procedures, continue to prevent many women from escaping abusive environments. According to Ms. Erturk, such a situation also permits arbitrary actions towards women that maintain control over them in public and private life as demonstrated by some recent abuses against women perpetrated by the Commission for the Promotion of Virtue and the Prevention of Vice, popularly known as Hay-a.

The Special Rapporteur also expressed concerns at the extremely vulnerable situation of many female migrant domestic workers who can face hard working conditions and may find themselves subject to multiple forms of violence.

While welcoming the newly adopted judicial reform programme to enhance women's security and access to justice, the Special Rapporteur recommended that a global and effective strategy to combat violence against women be undertaken including: a legal framework based on international human rights standards (inter alia a law criminalizing violence against woman, a family law on marriage, divorce and minimum age for marriage); the establishment of independent institutions and a national governmental machinery in cases of violence against women; positive action policies and plans towards women's empowerment through effective participation in all spheres of society including decision making and leadership; and training and awareness-raising measures aimed at all judicial and governmental officials and the general public, to increase the understanding that all forms of violence against women are not only grave violations of fundamental rights but are also incompatible with the values cherished by the Muslim society.



The Special Rapporteur on violence against women, its causes and consequences, at the Shura Council in Saudi Arabia

FOLLOW-UP VISITS

FREEDOM OF RELIGION OR BELIEF

FOLLOW-UP VISIT TO INDIA BY THE SPECIAL RAPPORTEUR

The Special Rapporteur on freedom of religion or belief, Ms. Asma Jahangir, visited India from 3 to 20 March 2008 as a follow-up to her predecessor's visit in 1996. The Special Rapporteur praised the central Government for its comprehensive policy pertaining to minorities, including religious ones, and she commended two recent Committee reports on religious minorities which provide sound recommendations for Governmental action. She also praised the National Commission for Minorities that took prompt action and issued independent reports on incidents of communal violence with concrete recommendations. However, she regretted that the performance of various human rights commissions is uneven as it depends very much on the selection of its members and the importance various governments attach to their mandates.

The Special Rapporteur stressed that even though India had a comprehensive legal framework to protect minority and religious rights, its implementation is proving difficult. She deplored the fact that law enforcement officials are often reluctant to take any action against organised groups that perpetuate violence in the name of religion or belief. Ms. Jahangir reported that, during her visit, she has received numerous reports of attacks on religious minorities and their places of worship as well as discrimination against disempowered sections of the Hindu community.

In Uttar Pradesh, the Special Rapporteur received concrete reports of violence and rape as a reaction to cases of inter-marriage between believers of different religions or castes. She also reported widespread violence in the Kandhamal district of Orissa, targeting primarily Christians in Dalit and tribal communities. In Gujarat, at least one thousand persons were massacred in 2002 and, according to the Special Rapporteur, there are credible reports of inaction by the authorities and alleged complicity by the State Government in those attacks. Ms. Jahangir also deplored the increasing ghettoization and isolation of Muslims in many areas of the country and expressed concerns at the extended timeframe of investigations in cases involving past communal riots, violence and massacres.



The Special Rapporteur on freedom of religion or belief on mission in India

Other issues of concern for the Special Rapporteur's mandate include the legal link between Scheduled Caste status and religious affiliation, the impact of "anti-conversion laws" in several States as well as the concerns voiced by Sikhs, Buddhists, Jains and atheists.

HUMAN RIGHTS DEFENDERS

FOLLOW-UP VISIT TO GUATEMALA BY THE SPECIAL REPRESENTATIVE

The Special Representative of the Secretary-General on the situation of human rights defenders, Ms. Hina Jilani, carried out a follow-up mission to Guatemala from 18 to 20 February 2008 in order to assess the situation of human rights defenders, six years after her first visit in June 2002.

Despite the difficult security environment in which human rights defenders operate, the Special Representative recognized that progress has been achieved since her first visit in 2002, particularly with the establishment of institutions for the protection of human rights defenders, the effective functioning of the Ombudsman's office, the establishment of the Commission against Impunity in Guatemala, the creation in 2008 of a Body for Analyzing Attacks against Human Rights Defenders placed under the Ministry of Interior, and the discussion at the Presidential Commission for the Coordination of Human Rights Policies (COPREDEH) of a draft public policy on the protection of human rights defenders.



The Special Representative of the Secretary General on the situation of human rights defenders at press conference in Guatemala

However, the Special Representative deplored the current high number of attacks against human rights defenders which have doubled for the last 5 years as well as the 98% rate of impunity for such assaults. In her statement, Ms. Jilani explained that the police and the Attorney General's Office did not adequately investigate attacks against human rights defenders. She also deplored the constant campaigns of stigmatization and criminalization of defenders in the media and in some sectors of the political life, which, in her view, opens the way to more threats and attacks against defenders.

Encouraged by the new Government's commitment to protect human rights defenders, the Special Representative recommended that the authorities take a strong stance in firmly condemning attacks against defenders and in adopting a governmental policy for their protection in consultation with human rights defenders and relevant stakeholders. She also advised the Government to adopt measures to ensure the full collaboration of relevant institutions, particularly the Attorney General's office, in the implementation of the recommendations and findings of the Ombudsman.

She recommended that the international community continue to support human rights defenders and encouraged them to use all available opportunities to participate in all public decision-making processes.

MIGRANTS

FOLLOW-UP VISIT TO MEXICO BY THE SPECIAL RAPPOORTEUR

The Special Rapporteur on the human rights of migrants, Mr. Jorge Bustamante, carried out a mission to Mexico from 9 to 15 March 2008, six years after his predecessor's visit in March 2002.

The Special Rapporteur expressed dismay at the numerous abuses against migrants, especially those of Central American origin. He was particularly concerned about the alarming reports of child labor and noted that special attention to non-accompanied minor migrants seems to pose a particular challenge for the Government

Reports of violence against women, both during the mi-

gration process, as well as in their places of work, was a constant theme throughout the visit. Cases of rape, assault and abuses against workers in the domestic sphere were reported with abundance. Attention to the health of migrants, both physical and psychological, seems to be of utmost urgency.

The Special Rapporteur was encouraged by the Government's advances with regard to the protection of migrant workers. However, he noted gaps in harmonizing national laws and policies with the obligations set forth under the International Convention on the Protection of All Migrant Workers and their Families. He called on the Government to accept the competency of the Committee on Migrant Workers to receive individual complaints, and urged the Senate to move forward with the long-awaited reform of the General Population Act.

FORTHCOMING VISITS

Afghanistan: SR on extrajudicial executions, May 2008

Canada: SR on racism, June 2008

Denmark: SR on torture, May 2008

Greece: IE on minority issues, September 2008

Guatemala: SR on the right to education, July 2008

Guyana: IE on minority issues, July- August 2008

Maldives: SR on freedom of expression, August 2008

Russian Federation: SR on independence of the judiciary, May 2008

Spain: SR on counter-terrorism, May 2008

Sudan: RSG internally displaced persons, May 2008

Tajikistan: SR on violence against women, May 2008

United Kingdom: WG on mercenaries, May 2008

United States of America: SR on racism, May-June 2008; SR on extrajudicial executions, June 2008

REQUESTED AND ACCEPTED VISITS

REQUESTS INITIATED BETWEEN JANUARY AND MARCH 2008

Brazil: SR on adequate housing

Cambodia: SR on freedom of religion or belief

Chile: SR on freedom of religion or belief

Moldova: SR torture

Peru: SR on adequate housing

Vietnam: SR on freedom of religion or belief

REQUESTS ACCEPTED / INVITATIONS EXTENDED BETWEEN JANUARY AND MARCH 2008

Ukraine: WG on arbitrary detention

Krygyzstan: SR violence against women

REMINDERS SENT BETWEEN JANUARY AND MARCH 2008

Armenia: WG on the use of mercenaries

Egypt: SR on freedom of religion or belief

Ghana: WG on mercenaries

Indonesia: SR on freedom of religion or belief

Iran (Islamic Republic of): SR on freedom of religion or belief

Kenya: SR on independence of judges and lawyers "

Lao People's Democratic Republic: SR on freedom of religion or belief

Myanmar: SR on freedom of religion or belief

Saudi Arabia: SR on freedom of religion or belief

Uzbekistan: SR on independence of judges and lawyers

United States of America: WG on mercenaries

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

HIGHLIGHTS

Human Rights Council continued from page 1...

involuntary disappearances (7/12), and sale of children (7/13), providing for the extension of those mandates for a further three years.

Resolution 7/8 on human rights defenders extends the former Special Representative of the Secretary-General mandate for three years as a Special Rapporteur. The new mandate holder is appointed by the Human Rights Council.

Resolutions on the mandates on Myanmar (7/32) and Somalia (7/35) extended those mandates for a further year. The resolution on Somalia renewed the mandate as an Independent Expert of the Council. The mandate holder is no longer appointed by the Secretary-General.

Resolution 7/20 discontinues the mandate on Democratic Republic of the Congo and invites a number of the-

matic special procedures, including the SR on violence against women, the RSG on internally displaced persons displaced persons, the SR on independence of judge and lawyers, the SR on health, the SR(SG) on human rights defenders, the SRSG on transnational corporations, as well as the SRSG for children in armed conflict, "to make recommendations, within their respective mandates, on how best to technically assist the Democratic Republic of the Congo in addressing the situation of human rights, with a view to obtaining tangible improvements on the ground, taking also into account the needs formulated by the Government of the Democratic Republic of the Congo" and to report to the Council no later than its tenth session in March 2009 under agenda item 10.

The following resolutions were adopted by vote:

- Resolution 7/15 on Democratic Peoples Republic of Korea, extending the mandate for a further year (22 Yes, 7 No and 18 Abstentions);

Appointment of new Special Procedures mandate holders:

On 26 March, the Human Rights Council approved the appointments of new special procedures mandate holders proposed by the President. This was the first time that mandate-holders were appointed in accordance with the new procedure laid down in resolution 5/1, on the basis of recommendations of the consultative group and following broad consultations by the President.

The 16 new mandate holders for 14 mandates (in alphabetical order below) are:

Thematic mandates

Working Group on African descent (member for Latin America/Caribbean region): Mr. Milton Nettleford (Jamaica)

Working Group on arbitrary detention (members for African, Eastern European and Latin America/Caribbean regions): Mr. El Hadji Malick Sow (Senegal), Mr. Aslan Abashidze (Russian Federation), Mr. Roberto Garretón (Chile)

Special Rapporteur on the sale of children, child prostitution and child pornography: Ms. Najat M'jid Maala (Morocco)

Working Group on enforced or involuntary disappearances (member for African region): Mr. Jeremy Sarkin (South Africa)

Independent Expert on the effects of economic reform policies and foreign debt on the full enjoyment of human rights, particularly economic, social and cultural rights: Mr. Cephas Lumina (Zambia)

Special Rapporteur on the right to food: Mr. Olivier de Schutter (Belgium)

Special Rapporteur on the right to adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context: Ms. Raquel Rolnik (Brazil)

Special Rapporteur on the situation of human rights defenders: Ms. Margaret Sekaggya (Uganda)

Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people: Mr. James Anaya (USA)

Independent Expert on the question of human rights and extreme poverty: Ms. Maria Magdalena Sepulveda (Chile)

Special Rapporteur on contemporary forms of slavery, including its causes and consequences: Ms. Gulnara Shahinian (Armenia)

Country mandates

Special Rapporteur on the situation of human rights in Myanmar: Mr. Tomas Ojea Quintana (Argentina)

Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967: Mr. Richard Falk (USA)

Independent Expert on the situation of human rights in Somalia: Mr. Shamsul Bari (Bangladesh)

The new mandate holders shall formally take up their functions on 1 May 2008.

Links to Review of Special Procedures Mandates

Violence against women

[14 March](#)

Democratic People's Republic of Korea

[14 March](#)

Sale of children, child prostitution and child pornography

[14 March](#)

Promotion and protection of the right to freedom of opinion and expression

[14 March](#)

Effects of economic reform policies and foreign debt on the full enjoyment of human rights, particularly economic, social and cultural rights

[14 March](#)

Human rights defenders

[14 March](#)

Myanmar

[17 March](#)

Enforced or involuntary disappearances

[18 March](#)

Human rights and international solidarity

[18 March](#)

Use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination

[18 March](#)

Minority issues

[18 March](#)

Racism, racial discrimination, xenophobia and related intolerance

[19 March](#)

Democratic Republic of the Congo

[20 March](#)

Somalia

[20 March](#)

- Resolution 7/4 extending the mandate on economic reform policies for a further three years (34 Yes and 13 No) and changing the current title to : "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";

- Resolution 7/5 extending the mandate on international solidarity for a further three years (34 Yes and 13 No);

- Resolution 7/21 on the Working Group on mercenaries extending the mandate for a further three years and increasing the number of sessions to three per year (32 Yes, 11 No and 2 Abstentions);

- Resolution 7/36 on freedom of opinion and expression extending the mandate for a further three years (32 Yes, 0 No and 15 Abstentions). Notably, the resolution calls on the Rapporteur "to report on instances in which the abuse of the right of freedom of expression constitutes an act of racial or religious discrimination." The resolution also includes an oral amendment, specifying that it is important that "all forms of media report and deliver information in a fair and impartial manner"

Resolutions on new special procedures mandates

Resolution 7/22 establishes the mandate of an Independent Expert on the issue of human rights obligations related to access to safe drinking water and sanitation, for a period of three years.

Selection of new special procedures mandate holders

The selection of new special procedures mandate holders to be appointed at the eighth session of the Council, which will take place from 2 to 20 June 2008 will start with meetings of

the consultative group that will review candidates placed on the Public List by 18 April 2008. More information on the selection of mandate holders is available at the [OHCHR web-site](#).

Interactive dialogues

The Council held interactive dialogues with 21 mandate holders. Links to these discussions may be found in the box on the next page.

Election of the Advisory Committee

The Council elected the 18 members of its new Advisory Committee on 26 March. Outgoing special procedures mandate holders, Mr. Jean Ziegler, and Mr. Bernards A. Mudho, were elected for one- and two-year terms, respectively.

Exchange of views with the High Commissioner for Human Rights

The Council held an exchange of views with the High Commissioner on 7 March. In her statement, the High Commissioner expressed hope that the selection procedure of mandate holders would yield highly qualified independent experts who would contribute to maintain the integrity and standards of the special procedures.

The statement is available on the [Human Rights Council Extranet](#).

During the Interactive Dialogue with the High Commissioner, some delegations made explicit references to Special Procedures. Overall, delegations stressed that they are an important pillar in the promotion and protection of human rights. They expressed satisfaction at their review, rationalization and improvement and welcomed the selection of new mandate holders.

High Level Segment

During the High Level Segment and the General Segment of the Seventh Session of the Human Rights Council, which took place from 3-5 March 2008, 50 out of 95 delegations made explicit references to Special Procedures. Seventeen of the delegations referring to special procedures called for the strengthening and improvement of the system.

Expert meeting on the right to education in emergency situations:

From 14 to 15 January 2008, an expert meeting on the right to education in emergency situations took place in Geneva. It was intended to provide inputs to the Special Rapporteur on the right to education, Mr. Vernor Muñoz Villalobos, for the elaboration of his next report to the Human Rights Council. Knowledge and experiences were shared with fourteen experts from different UN agencies (among them UNHCR, UNESCO and UNICEF), NGOs, and a government representative.

Links to Interactive Dialogues on Special Procedures Reports

Special Rapporteur on the protection of the human rights of migrants

[7 March](#) [10 March](#)

Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes

[10 March](#) [10 March](#)

Working Group on arbitrary detention

[10 March](#) [10 March](#)

Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination

[10 March](#) [10 March](#)

Working Group on enforced or involuntary disappearances

[10 March](#) [11 March](#) [11 March](#)

Special Rapporteur on the sale of children, child prostitution and child pornography

[10 March](#) [11 March](#) [11 March](#)

Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

[10 March](#) [11 March](#) [11 March](#)

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

[11 March](#) [12 March](#)

Special Rapporteur on the right to food

[11 March](#) [12 March](#)

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

[11 March](#) [12 March](#)

Special Representative of the Secretary-General on the situation of human rights defenders

[12 March](#) [12 March](#)

Special Rapporteur on violence against women, its causes and consequences

[12 March](#) [12 March](#)

Independent Expert on the effect of economic reform policies and foreign debt on the enjoyment of human rights, particularly economic, social and cultural rights

[12 March](#) [12 March](#)

Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and the right to non-discrimination in this context

[12 March](#) [13 March](#)

Independent Expert on minority issues

[12 March](#) [13 March](#)

Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea

[13 March](#)

Special Rapporteur on the situation of human rights in Myanmar

[13 March](#)

Special Rapporteur on the situation of human rights in Sudan

[17 March](#) [17 March](#)

Independent Expert on the situation of human rights in the Democratic Republic of the Congo

[19 March](#)

Special Representative of the Secretary-General for human rights in Cambodia

[19 March](#)

Independent Expert for technical cooperation and advisory services in Liberia

[19 March](#)

For the purpose of the expert meeting, emergency situations were defined as any crisis situation that disrupts, denies, hinders progress or delays the realization of the right to education, caused by armed conflicts -both international, including military occupation, and non international, as defined by international humanitarian law-, post-conflict situations, and all types of natural disasters.

The discussions focused on the legal framework aimed to protect the right to education in emergency situations, including State and Non State actors' obligations and

the Inter-Agency Network for Education in Emergencies (INEE) minimum standards. As the main challenges faced by the right to education in emergency situations, the experts identified equal access to education, attacks on teachers, students and schools, and financing education. There were also discussions on specially affected groups, including refugees, IDPs and child soldiers. Finally the experts focused their discussions on the quality of education in emergency situations, as well as the role played by the UN and international NGOs.

PRESS RELEASES

[HUMAN RIGHTS EXPERTS DEEPLY CONCERNED BY SITUATION IN KENYA](#)

On 4 January 2008, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Doudou Diène, the Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Philip Alston, the Special Rapporteur on the independence of judges and lawyers, Mr. Leandro Despouy, the Special Rapporteur on violence against women, its causes and consequences, Ms. Yakin Ertürk, the Special Rapporteur on the right of everyone to the highest attainable standard of physical and mental health, Mr. Paul Hunt, the Special Rapporteur on freedom of religion or belief, Ms. Asma Jahangir, the Representative of the Secretary-General on the human rights of internally displaced persons, Mr. Walter Kälin, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, Mr. Miloon Kothari, the Independent Expert on minority issues, Ms. Gay McDougall, the Special Rapporteur on the right to education, Mr. Vernor Muñoz Villalobos, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Manfred Nowak, the Special Rapporteur on the promotion and protection of human rights while countering terrorism, Mr. Martin Scheinin, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Mr. Rodolfo Stavenhagen, and the Special Rapporteur on the right to food, Mr. Jean Ziegler, expressed their deep concern at the violence that occurred in Kenya following contested December 2007 election results.

The experts also expressed their great concern at the humanitarian crisis resulting from ongoing violence in the Rift Valley, which threatened enjoyment of basic human rights. They stated that they were profoundly alarmed by the reports of incitement to racial hatred and the growing frictions between the different ethnic groups in Kenya, and they strongly appealed to the Kenyan authorities, as well as political, ethnic and religious leaders, to put an end to what might become the dynamics of inter-ethnic killings. They also called upon the international community, including the United Nations Security Council, to

fulfill its responsibilities in this regard.

Concerned about reports of excessive force by Kenyan security forces against demonstrators and other civilians, they reminded the Kenyan authorities of their international human rights obligations to discharge their duties in strict compliance with established international legal norms and standards and called on all parties involved to actively work towards a peaceful and rapid solution to end the violence in Kenya.

[SPECIAL RAPPORTEUR ON THE SITUATION OF HUMAN RIGHTS IN THE PALESTINIAN TERRITORIES OCCUPIED SINCE 1967 CONDEMNS KILLINGS IN GAZA](#)

On 18 January 2008, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Mr. John Dugard, expressed grave concerns about the killing of some forty Palestinians in Gaza, the lethal targeting of a Government office near a wedding party venue and the closure of all crossings into Gaza. The expert said that these actions raised very serious questions about Israel's respect for international law and its commitment to the peace process. It also violated one of the basic principles of international humanitarian law that military action must distinguish between military targets and civilian targets. He further said that those responsible for such cowardly action are guilty of serious war crimes and should be prosecuted and punished accordingly. The Special Rapporteur recalled that the United States and other States which attended the Annapolis conference were under both a legal and a moral obligation to compel Israel to cease its actions against Gaza, restore confidence in the peace process, ensure respect for international law and protect civilian life.

[INDEPENDENT EXPERT ON THE SITUATION OF HUMAN RIGHTS IN SOMALIA CONDEMNS KILLINGS OF AID WORKERS](#)

On 30 January 2008, the Independent Expert on the situation of human rights in Somalia, Mr. Ghanim Alnajjar, strongly condemned the recent killings of three Médecins Sans Frontières staff members in the town of Kismay in Somalia. He also reiterated that the international aid community must be allowed to carry out their humanitarian and human rights work in safety and without fear of re-

taliation. While recalling that the killed aid workers had been rescuing people under extremely difficult and dangerous circumstances, he stated that their senseless deaths are an affront to all Somalis as well as to the humanitarian and international communities.

The Independent Expert appealed to all authorities and groups concerned to ensure safe and secure conditions for humanitarian and human rights activities and urged the Somali authorities to investigate this attack in order to bring the perpetrators to justice.

SPECIAL RAPPORTEUR ON THE SITUATION OF HUMAN RIGHTS IN MYANMAR EXPRESSES DISMAY OVER THE CONTINUED ARRESTS, DETENTIONS AND CHARGES AGAINST POLITICAL AND HUMAN RIGHTS ACTIVISTS

On 5 February 2008, the Special Rapporteur on the situation of human rights in Myanmar, Paulo Sérgio Pinheiro, expressed his dismay that four months on from the violent crackdown on peaceful demonstrators, political and human rights activists continued to be arrested, detained and sentenced to prison terms under the security laws of Myanmar. He further raised concern for the physical and psychological integrity of some detainees. The Special Rapporteur appealed to the Government of Myanmar to take all necessary steps to secure the right to freedom of opinion and expression as well as to peaceful association for the above mentioned activists, in accordance with the fundamental principles of the Universal Declaration of Human Rights. He further called on the authorities to secure urgent medical treatment for the prisoners.

The Special Rapporteur recalled that the ongoing prosecutions are a flagrant abuse of people's right to a free and fair trial in accordance with international recognized standards and the requirements of the due process of law. The expert concluded that, as the recent resolutions of the United Nations General Assembly and Human Rights Council have reminded, the Government of Myanmar has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms.

UNITED NATIONS EXPERTS WELCOME AUSTRALIA'S APOLOGY TO INDIGENOUS PEOPLES

On 18 February 2008, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Mr. Rodolfo Stavenhagen, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Doudou Diène, the Special Rapporteur on adequate housing as a component of the rights to an adequate standard of living, and on the right to non-discrimination in this context, Mr. Miloon Kothari, and the Working Group on arbitrary detention welcomed the speech delivered by Australian Prime Minister Kevin Rudd at the Federal Parliament on 13 February 2008, offering an apology to Australia's indigenous peoples for the pain and indignity they have endured as a consequence of past laws and policies.

The experts stated that they were moved by the apology offered to the members of the Stolen Generation and their families, victims of a deliberate policy of assimilation of the Aboriginal culture that contradicted the basic human rights principles of equality and dignity. They welcomed the Australian Government's commitment to build a common future with the indigenous peoples of the country based on mutual respect. According to the experts, Australia's efforts to acknowledge historical injustices and to promote reconciliation set an example of how to enhance harmonious and cooperative relationships between indigenous peoples and States, in the spirit of the UN Declaration on the Rights of Indigenous Peoples. This apology will strengthen the moral fabric of the country and reinforce the Aboriginal contribution to Australian society.

UNITED NATIONS EXPERTS CALL ON U.S. GOVERNMENT TO PROTECT THE RIGHTS OF AFRICAN-AMERICANS AFFECTED BY HURRICANE KATRINA IN NEW ORLEANS, LOUISIANA

On 28 February 2008, 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, Mr. Miloon Kothari, and the Independent Expert on minority issues, Ms. Gay McDougall, expressed their concerns about the housing situation of people in New Orleans, Louisiana and the Gulf Coast region.

According to the experts, the US Government ordered the demolition of the public housing units of 5,000 families displaced by the Hurricane without any prior meaningful consultation of the concerned population. Acknowledging the intention to replace the demolished housing, the experts expressed their concerns about the fact that only a portion of the new housing units would be for residents in need of subsidized housing, and that the remainder would be offered at the market rate. The experts further stressed that new housing would not be available for a significant period of time nor will there be one for one replacement for housing units destroyed.

The experts concluded that the lack of consultation with those affected, and the disproportionate impact on poorer and predominantly African-American residents, results in the denial of the right to adequate housing enshrined in the Universal Declaration of Human Rights. Even though the authorities claimed that the demolition of public housing is not intentionally discriminatory, the experts recalled that the International Convention on the Elimination of Racial Discrimination clearly prohibits actions that result in a discriminatory impact denying individuals or group's equal enjoyment of human rights because of their race, ethnicity, social or other status.

The experts called on the US Government to immediately halt the demolitions of public housing in New Orleans and to ensure genuine consultation of concerned residents in all relevant decisions, which should protect the rights of the poorer and predominantly African-American com-

munities displaced by Hurricane Katrina.

SPECIAL RAPPORTEUR ON THE SITUATION OF HUMAN RIGHTS IN THE PALESTINIAN TERRITORIES OCCUPIED SINCE 1967, CALLS FOR UN LED PEACE TALKS

On 3 March 2008, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Mr. John Dugard, said that the present situation in Gaza and neighboring Israel cannot be allowed to continue. The Special Rapporteur indicated that Palestinian rockets fired into Israel and Israel's excessive and disproportionate response violated the rules of international humanitarian law as well as the failure to distinguish between civilian and military targets. He added that collective punishment and the terrorization of an occupied people are also unlawful.

Noting that only negotiation and mediation can bring violence to an end, the Special Rapporteur stated that the United Nations is the obvious body to initiate such talks between Hamas in Gaza, the Israeli Government and the Palestinian Authority in Ramallah. Mr. Dugard regretted that the United Nations is currently restrained by the United States, the European Union and Israel from speaking to Hamas and that this has left it powerless to fulfill its principal duty of maintaining international peace. The Special Rapporteur called on the Secretary-General of the United Nations to find the courage to overcome this obstacle and initiate meaningful talks between all parties. He predicted that without his intervention, the cycle of violence was doomed to continue.

SPECIAL RAPPORTEUR ON THE RIGHT TO FOOD CALLS FOR RESTORATION OF WATER SUPPLY DESTROYED BY BOMB IN IRAQ

On 6 March 2008, the Special Rapporteur on the right to food, Mr. Jean Ziegler, expressed his concern regarding the deteriorating situation in Ashraf City/Camp Ashraf (Iraq) and its surrounding area, following an explosion on 8 February 2008 that destroyed the water pumps in Zorganieh, which supply the area affecting more than 20,000 persons.

Some of the reports received by the Special Rapporteur alleged that the explosion may have been intended to increase pressure on over 3,000 members of the People's Mojahedin Organization of Iran (PMOI) confined in Camp Ashraf in Diyala province. The camp remains under the control of the multi-national force under the demobilization agreement the Iraqi authorities signed with the PMOI in May 2003. In July 2004, the United States Government recognized PMOI members as Protected Persons under the Fourth Geneva Convention, meaning that they should not be deported, expelled or repatriated, or displaced inside Iraq.

According to the Special Rapporteur, the Iraqi authori-

ties have failed to protect the inhabitants of Ashraf City and its surrounding area from the actions of third parties which are impeding enjoyment of the rights to food and water protected by international human rights law and creating a critical humanitarian situation. Mr. Ziegler called on the competent authorities to urgently restore the water supply to all the inhabitants of the region affected by the explosion. He also called on the Iraqi authorities to take immediate measures to guarantee the rights to food and water of the inhabitants of Ashraf City/Camp Ashraf and its surrounding areas.

HUMAN RIGHTS EXPERTS MARK INTERNATIONAL WOMEN'S DAY WITH CALL FOR STATES TO INVEST IN WOMEN AND GIRLS TO ENSURE GENDER EQUALITY AND PREVENT VIOLENCE AGAINST WOMEN

On the occasion of International Women's Day, 8 March 2008, the Special Rapporteur on violence against women, its causes and consequences, Ms. Yakin Ertürk, the Special Rapporteur on the right to adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, Mr. Miloon Kothari, and the Independent Expert on the effects of economic reform policies and foreign debt on the full enjoyment of human rights, particularly economic, social and cultural rights, Mr. Bernard A.N. Mudho, recalled that the theme of this year's International Women's Day, "Investing in Women and Girls," is a timely reminder that women's access to sources of finance, participation in decision making processes on macro economic and fiscal policies, and entitlements for sustainable livelihoods are paramount towards bridging the gap between universal human rights standards and the realities of the majority of the world's women. The experts recalled that investing in women and girls has a multiplier effect on productivity, efficiency and sustained economic growth.

Even though the participation of women in the labour force has experienced considerable growth, the experts stressed that in many cases this process has increased the vulnerability of women and girls to unchecked exploitation, abuse and violence. According to the experts, increased poverty fuels violence, and makes women and girls easy targets for abuses such as trafficking. The Special Rapporteurs welcomed the announcement by the Secretary General on 25 February 2008 of a United Nations campaign to end violence against women.

On the occasion of International Women's Day, the experts declared that women must be empowered to claim the full range of their human rights, and that they cannot do so until they are liberated from charitable dispensations and the vagaries of the market. They also called on States, bilateral and multilateral donor agencies and business enterprises to step up efforts to respect, protect and fulfill women's civil, cultural, economic, political and social rights, and allocate adequate resources towards addressing discrimination and violence against women.

WORKING GROUP ON THE USE OF MERCENARIES CONCERNED ABOUT UNREGULATED ACTIVITIES BY PRIVATE MILITARY SECURITY COMPANIES

On 10 March 2008, the Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination said that it was concerned that many private military and security companies at the national, regional and international levels currently operate without effective oversight or accountability.

The Working Group noted that a growing number of such companies in conflict-ridden areas, such as Afghanistan, Iraq and Colombia, are recruiting former military and policemen from developing countries as "security guards." However, once they engage in low intensity armed conflict or post-conflict situations, they become in fact "militarily armed private soldiers" who are frequently responsible for human rights abuses.

According to the Working Group, war-torn States often lack the capacity to effectively control and regulate these private companies and in some cases, national legislation grants them immunity. The Working Group warned that since the private guards are only accountable to their employing companies, immunity can easily turn into impunity. The Working Group reminded that the States from where these transnational companies export their military and security services can be held accountable for human rights abuses as they hold the monopoly of legitimate use of force. Finally, the Group called for a wider ratification of the International Convention against the recruitment, use, financing and training of mercenaries.

WORKING GROUP ON ENFORCED OR INVOLUNTARY DISAPPEARANCES CONCLUDES 84TH SESSION

The Working Group on enforced or involuntary disappearances concluded its 84th session, which was held from 10 to 14 March 2008 in Geneva.

The Working Group examined 10 reported cases under its urgent action procedure, seven of which referred to alleged disappearances in Chad. The Working Group also reviewed 799 newly-submitted cases of enforced disappearances and information on previously accepted cases from 28 countries. Meetings were held with NGOs and



Members of the Working Group on enforced or involuntary disappearances, from left to right, Mr. Joel Adebayo Adekanye, Mr. Darko Göttlicher, Mr. Santiago Corcuera Cabezut (Chairperson), and Mr. Saeed Rajae Khorasani, at the 84th session of the Working Group

family members of the disappeared, as well as with representatives of Governments.

On 10 March 2008, the Chairperson-Rapporteur of the Working Group, Mr. Santiago Corcuera Cabezut, presented the Working Group's annual report as

well as the reports on the Working Group's country visits to Honduras and El Salvador at the seventh session of the Human Rights Council.

The Chairperson, on behalf of the Working Group, stated that in 2007, the Working Group received 629 newly-reported cases of disappearances and sent urgent actions in 65 cases. The Working Group also clarified 224 cases, conducted two country visits, and responded to sources and Governments.

The Chairperson highlighted for the Council four major areas of concern including: (i) the use of the armed forces to undertake police activities, under the excuse that the police forces are incapable of coping with the maintenance of public order; (ii) investigations carried out by authorities who are part of the military forces and trials held before military tribunals; (iii) suspension or closure of investigations in some cases of reported disappearances; and (iv) the enactment of amnesty laws and the implementation of other measures that lead to impunity and may perpetuate continuing human rights abuses.

SPECIAL RAPPOREUR ON THE INDEPENDENCE OF JUDGES AND LAWYERS WELCOMES ACQUITTAL OF A MALDIVIAN DEMOCRATIC PARTY MEMBER

On 14 March 2008, the Special Rapporteur on the independence of judges and lawyers, Mr. Leandro Despouy, welcomed the decision of the Criminal Court on 5 March 2008 to acquit a Maldivian Democratic Party (MDP) member, Imran Zahir, of the accusation of "causing disharmony through an unlawful assembly", which is punishable under the penal code. The Special Rapporteur stressed that, since 2004, a number of political activists have been charged under the current penal code with offences such as disobedience to order, disruption of religious harmony, unlawful assembly, peace disruption and obstructing police duty.

According to Mr. Despouy who carried out a visit to the Maldives in February 2006, the current effort of the Attorney General's Office to review these cases represents an important step towards the effective implementation of the human rights obligations of the Maldives under the International Covenant on Civil and Political Rights. The Special Rapporteur stressed that the political determination of the Government of the Maldives to comply with its international human rights obligations prior to the first multi-party election was very encouraging. He renewed his support to the Government to continue the review of the remaining cases.

SPECIAL RAPPOREUR ON EXTRAJUDICIAL, SUMMARY OR ARBITRARY EXECUTIONS WARNS AGAINST REINSTATEMENT OF DEATH PENALTY BY STEALTH IN GUATEMALA

On 25 March 2008, the Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Philip Alston, expressed his concerns that the Guatemalan law regulat-

ing the commuting of sentence for those condemned to death violates international human rights law. Mr. Alston who carried out a visit to Guatemala in August 2006 commented on the Decree 06-2008 that risked becoming law if the Congress overrode the President's veto. According to the Special Rapporteur, this law could only be intended as an end-run around the requirements of international human rights law.

Mr. Alston called upon the Congress not to override the Presidential veto of the decree and to commit itself instead to working out the details of a law governing the right to clemency which meets the criteria clearly spelled out by the UN Human Rights Committee and the Inter-American Court of Human Rights.

HUMAN RIGHTS EXPERTS CONDEMN DISTORTED VISION OF MUSLIMS IN THE FILM "FITNA" AND CALL FOR DIALOGUE AND VIGILANCE

On 28 March 2008, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Doudou Diène; the Special Rapporteur on freedom of religion or belief, Ms. Asma Jahangir; and the Special Rapporteur for the promotion and protection of the right to freedom of opinion and expression, Mr. Ambeyi Ligabo, condemned the tone and content of the online film

by Dutch Member of Parliament, Mr. Geert Wilders, which was released on the Internet the day before. According to the experts, the film 'Fitna' illustrates an increasing pattern that associates Muslims exclusively with violence and terrorism. The experts said that it was crucial that efforts be made by Governments to stop this pattern and take urgent measures to prevent incitement to racial and religious hatred which is a major threat to peace and social cohesion.

According to the Special Rapporteurs, while freedom of expression is a fundamental human right that must be respected, it does not extend to include incitement to racial or religious hatred which violates human rights.

The experts urged all parties to refrain from any form of violence and to avoid fuelling hatred. They also called on them to pursue a peaceful dialogue on matters which go to the heart of all multicultural societies. They welcomed the quick and balanced reaction of the Dutch Government to the release of this film. The Government rejected the equation of Islam with violence and noted that the vast majority of Muslims reject extremism and violence.

"Special procedures" refer to the mechanisms established by the former Commission on Human Rights, and assumed by the Human Rights Council, to examine, monitor, advise and publicly report on a human rights situation in a specific country (country mandates) or on a thematic issue (thematic mandates). Currently, there are 38 special procedures, 29 thematic mandates and 9 country mandates, including special rapporteurs, special representatives, independent experts and working groups (all known as "special procedures mandate holders"). Twenty-six thematic mandates are serviced by the OHCHR Special Procedures Division. A new mandate on human rights and access to safe drinking water and sanitation was established by the Human Rights Council at its seventh session, which must be approved by the General Assembly before a mandate holder can be selected. All country mandates are serviced by the Capacity Building and Field Operations Division and three thematic mandates are serviced by the Research and Right to Development Division. For more information, please visit

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

