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

SPECIAL PROCEDURES DIVISION

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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.

How to find information on Special Procedures

The OHCHR website (http://www.ohchr.org) contains information on the system of special procedures and on specific mandates under Human Rights Bodies/Special Procedures, with pages devoted to each Special Procedure and to the Coordination Committee. The pages contain details on the mandate, country visits, links to reports, press statements, how to submit information, etc.

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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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 established 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.

<table>
<thead>
<tr>
<th>2007 COMMUNICATIONS</th>
<th>APRIL TO JUNE 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>1003 Total number of communications</td>
<td>281 Total number of communications</td>
</tr>
<tr>
<td>49% Joint Communications</td>
<td>57% Joint Communications</td>
</tr>
<tr>
<td>2294 Individual cases covered; 13% of these were women</td>
<td>1629 Individual cases covered; 9% of these were women</td>
</tr>
<tr>
<td>128 Countries received communications</td>
<td>35 Countries received communications</td>
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COUNTRY VISITS

COUNTER-TERRORISM AND HUMAN RIGHTS

SPECIAL RAPPORTEUR VISITS SPAIN

The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Mr. Martin Scheinin, visited Spain from 7 to 14 May 2008. In the press statement issued on 14 May, he particularly addressed the definition of terrorist crimes, the prohibition of torture and ill treatment of terrorist suspects, and the right to review by a higher court. The Special Rapporteur acknowledged Spain’s history, including the events of Franco dictatorship, the activities of the Grupos Antiterroristas de Liberación (GAL), and, most recently, the actions of Euskadi Ta Askatasuna (ETA). He reiterated that acts of terrorism, including those by ETA, amount to the destruction of human rights. He also referred to Spain’s efforts to combat terrorism at both the national and international levels. He identified Spain’s active role at the international level as a best practice and called upon Spain to maintain that role, including through initiatives for further improvements of the UN terrorist listing and delisting procedures to bring them in line with human rights and due process. He also recalled that all efforts to combat terrorism must be within the framework of the law, including human rights law.

The Special Rapporteur highlighted his concern that certain aspects of the Penal Code may allow for a gradual broadening of the notion of terrorism. He warned against broad and vague definitions that ultimately undermine the strong moral message inherent in strict definitions based on the inexcusable nature of every single act of terrorism. He also referred to Spain’s involvement in interrogations at Guantanamo Bay, as well as in the CIA programme of extraordinary renditions.

The Special Rapporteur welcomed Spain’s prioritization of the prohibition against torture and ill-treatment in the context of counter-terrorism. However, he expressed concern that allegations of torture or other forms of ill-treatment continue to be made by terrorism perpetrators.

OHCHR WEBSITE PAGE ON SPECIAL PROCEDURES COUNTRY VISITS

[http://www.ohchr.org/english/bodies/chr/special/visits.htm](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 June 2008, 61 countries have extended standing invitations.

An annual compilation of recommendations of Special Procedures by country is also available on the Special Procedures webpage.
suspects and do not systematically result in rapid and thorough independent investigations. In this context, he called for the complete eradication of the institution of incommunicado detention.

With regard to the right to review by a higher court, the Special Rapporteur noted that terrorism cases are heard exclusively by a single court in Spain. He called on the Spanish Government to consider the possibility of including terrorism crimes in the jurisdiction of ordinary courts, instead of a single central specialized court (Audiencia Nacional). The Special Rapporteur observed that transferring jurisdiction for terrorism crimes to ordinary courts with territorial jurisdiction would enhance the legitimacy of Spain’s fight against terrorism and add to its efficiency.

**INDEPENDENCE OF JUDGES AND LAWYERS**

**SPECIAL RAPPORTEUR VISITS THE RUSSIAN FEDERATION**

The Special Rapporteur on the independence of judges and lawyers, Mr. Leandro Despouy, visited the Russian Federation from 19 to 29 May 2008. In the press release issued on 29 May, he highlighted the significant changes experienced by the country over the past years. He remarked that recent reform initiatives, such as the creation of a special working group on the judicial reform and the establishment of a council to fight corruption demonstrate the political will to tackle the problems facing the justice system.

In sharing his preliminary observations, the Special Rapporteur particularly commented on the institutional and legal framework, the judiciary, the prosecution, and the bar. Concerning the institutional and legal framework, he acknowledged certain legislative and procedural improvements, but remained concerned that there is not equal access to the courts, and that an important percentage of judicial decisions, including those against state officials, are not implemented. He also expressed concern about the absence of a legislative framework for juvenile justice. Concerning the judiciary, the Special Rapporteur noted concerns about the lack of transparency in the selection process of judges and the lack of objective criteria in the allocation of court cases by court presidents, as well as in the implementation of disciplinary measures. He also reported concerns about political interference in these spheres.

With regard to the prosecution, the Special Rapporteur remarked that the recent reform seems to have led to a more specialized investigative procedure through the establishment of an investigation committee. However, he noted that various opinions had been expressed as to whether this has actually resulted in a more effective and balanced system between different sides in judicial proceedings. Concerning the bar, the Special Rapporteur emphasized concerns that amendments to the law governing the activities of defense lawyers might threaten their independence. He also expressed his concern about the tendency to identify defense lawyers with the interests, opinions and activities of their clients, and about practical obstacles for lawyers to become judges.

Among his preliminary recommendations, the Special Rapporteur especially suggested that the Government ensure transparency of legal proceedings, implementation of judicial decisions, and full support to the new working group on judicial reform. He also recommended that the Government adopt the draft law on a juvenile justice system, analyse the results of the reform of the prosecution, and protect the independence of defense lawyers. He noted that the legitimate activities of non-governmental organisations, including their participation in the process of judicial reform, should be encouraged and facilitated.

**MERCENARIES**

**WORKING GROUP VISITS THE UNITED KINGDOM**

The Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the rights of peoples to self-determination visited the United Kingdom from 26 to 30 May 2008. In the press release issued on 5 June, the Group welcomed the willingness of private military and security companies (PMSC) to establish national and international systems of regulation of their activities. Nevertheless, the Group expressed concerns that criminal accountability of individuals working for UK registered companies is in most cases not covered by British national laws. It was also deeply concerned that in spite of numerous national efforts, notably the 2002 Government Green Paper on the regulation of such activities, no significant progress has been made since 2005.

The Working Group collected information useful for the fulfillment of its mandate, which is in part to monitor and study the effects on the enjoyment of human rights of the activities of private companies offering military assistance, consultancy and security services on the international market and to prepare a draft of international basic principles that encourage respect for human rights by those companies in their activities.

**RACISM**

**SPECIAL RAPPORTEUR VISITS THE UNITED STATES OF AMERICA**

The Special Rapporteur on racism, racial discrimination, xenophobia and related intolerance, Mr. Doudou Diène, visited the United States of America from 19 May to 6 June 2008. In a press conference at the end of his visit, he praised the robust legal framework to combat racism in the United States and the important progress
over the past decades in the realm of representation of minorities in the political, economic and cultural arenas.

The Special Rapporteur also noted the overlap of race and poverty in the United States, illustrated by the fact that the most socially and economically marginalized groups are disproportionately composed of minorities. He further stated that the marginalization of minorities has been made more acute due to a slow process of de facto re-segregation, particularly with regard to housing and education. He noted that the recent judicial decision striking down affirmative action programmes could contribute to this negative trend. The Special Rapporteur also stated that efforts to eliminate racism are hindered by the reality of little interaction among racial communities in the United States, especially in neighborhoods, schools and churches.

The Special Rapporteur underlined that there is a widespread perception among minorities concerning racial biases within the police and justice systems. These problems are evident in the disproportionate representation of minorities in the prison population; existence of de facto racial profiling among many law enforcement officials; and sentencing guidelines that create disproportionately longer sentences for minorities, particularly for drug-related offenses.

The Special Rapporteur recommended that the Government reassess existing legislation against racism, discrimination and xenophobia in view of two main issues: (i) the links between racism, poverty and social marginalization; and (ii) the promotion of a close connection between the fight against racism and the construction of a democratic, egalitarian and interactive multiculturalism to further strengthen inter-community relations. He further highlighted the need to clarify the responsibility of law enforcement officials and the criminal justice system not only in protecting human rights, but also in promoting the fight against racism.

**SUMMARY EXECUTIONS**

**SPECIAL RAPPORTEUR VISITS AFGHANISTAN**

The Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Philip Alston, visited Afghanistan from 5 to 15 May 2008. In the press release issued on 15 May, he remarked that Afghanistan continues to suffer from a large number of avoidable killings of civilians and called on the Government of Afghanistan and the international community to make renewed efforts to prevent unlawful killings. He expressed concern that neither the Government nor the international community are doing all that they could do to protect the right to life of Afghans. He was also harshly critical of the high level of civilian killings carried out by the Taliban and other anti-government elements.

The Special Rapporteur highlighted impunity as a problem, and noted that some observers seemed to believe that stability is more important than human rights. He expressed his view that the notion that security and stability can be provided by ignoring human rights is a mistake.

He also expressed concern that despite efforts by international forces to abide by international humanitarian and human rights law, killings by these forces have been reported and there was a lack of accountability. He noted with concern that relevant military forces had not accepted responsibility with regard to killings during raids.

The Special Rapporteur highlighted that the Taliban are responsible for the majority of unlawful killings, routinely committing suicide attacks and targeted assassinations that violate international law. He condemned these killings, and also emphasized that direct talks with the Taliban must be initiated.

**SPECIAL RAPPORTEUR VISITS THE UNITED STATES OF AMERICA**

The Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Philip Alston, visited the United States from 16 to 30 June 2008. In the press release issued on 30 June, he called upon the United States to take immediate steps to improve its system of military justice and to ensure that the death penalty is applied fairly and justly in states such as Alabama and Texas.

Concerning the death penalty, the Special Rapporteur noted that it was now widely acknowledged that innocent people are likely to have been executed in the past, and he was critical of how authorities in Alabama and Texas have responded to this fact. He recommended that the authorities reconsider the system of electing judges in both states, address the severe deficiencies in the right to counsel for capital defendants, and undertake a systematic inquiry into the shortcomings of its existing criminal justice system. He also called on Congress to enact legislation that would permit federal courts to review all issues in state and federal death penalty cases on the merits.

In relation to prisoners in Guantánamo Bay, the Special Rapporteur called on the Government to release the results of investigations and autopsies into the deaths of five prisoners who died in 2006 and 2007. He condemned the unremitting failure to provide fair trial guarantees in the proceedings against six “alien enemy combatants” and concluded that any death sentence imposed on the basis of such trials would violate international law.
The Special Rapporteur also called on the Government to publish information on civilian casualties in its operations in Afghanistan and Iraq and to make it possible for US citizens, as well as Afghans and Iraqis, to follow the workings of the military justice system. While some important steps have been taken to ensure accountability for killings at the hands of private military contractors, more needs to be done. The Special Rapporteur remarked that the US Department of Justice has so far failed miserably in carrying out its obligations to prosecute private contractors and others.

The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Manfred Nowak, visited Denmark from 2 to 9 May 2008. In the press release, issued on 9 May, he explained that meetings were held with various officials in Denmark and Greenland, as well as civil society organizations. The Special Rapporteur drew attention to Denmark’s commitment to and long-standing leadership in anti-torture efforts world-wide, as well as at home. The Special Rapporteur especially visited places of detention, including police stations, prisons for convicted and pre-trial prisoners, psychiatric institutions, and detention centers for foreigners and asylum-seekers. He reported that he received no allegations of torture and very few complaints of ill-treatment from detainees. Nevertheless, he cautioned against complacency and encouraged the Government to be vigilant in investigating all allegations of torture and ill-treatment. He also regretted that torture is not defined in the law as a specific crime.

The Special Rapporteur commended unique features of the prison system in Denmark based on the principle of “normalization.” He also welcomed the Government’s successful awareness-raising campaigns on domestic violence and trafficking of women, which have contributed to the reduction of gender-specific violence, including through successive plans of action. He expressed concern that there is less attention to rehabilitation of victims of trafficking in Denmark, focusing instead on preparing them to return to their countries of origin. He also regretted that, in Greenland, action against domestic violence has so far not received adequate attention despite the severity of the problem.

He expressed concern about the extensive recourse to solitary confinement, despite Government efforts to limit this practice. He also expressed particular concern about refoulement in counter-terrorism strategies. He recommended, inter alia, that the Government incorporate a specific crime of torture into the criminal law, reduce the use of solitary confinement, and refrain from the use of diplomatic assurances.

The Special Rapporteur on violence against women with rural women in Tajikistan

The Special Rapporteur on violence against women, its causes and consequences, Ms. Yakin Ertürk, carried out a visit to Tajikistan from 15 to 23 May 2008. In the press release, issued on 23 May, she acknowledged that Tajikistan faced significant challenges including transition to a market economy, the devastating consequences of the civil war and high levels of poverty that constrain the country’s socio-economic development and its ability to protect and promote the rights of its population. While she congratulated the Government for important legislative and policy steps towards the protection of women’s rights, she noted that the situation of women has regressed in the past 15 years. She highlighted that women in Tajikistan are caught within a web of poverty, patriarchy, and a weak protective infrastructure, resulting in increased vulnerability to violence and discrimination inside and outside their homes.

She emphasized that poverty and unemployment remain serious problems, which affect women disproportionately. Seasonal labour migration, mostly by men, has also created new challenges. Women left at home, frequently living with their in-laws, have encountered abuse and violence, or even eviction from the family house. The Special Rapporteur noted the strong patriarchal values prevailing in both the public and private spheres of life, which can make women vulnerable to abuse. Unless serious injuries occur, domestic violence is by and large accepted as a normal aspect of private life by men and women alike and not acknowledged as a problem warranting public intervention. As a result, the Special Rapporteur expressed concern that many women endure systematic abuse and humiliation in silence.

She expressed concern about the increasing trend in unregistered marriages, which renders women vulnerable to domestic abuse and abandonment. With no official marriage certificate, women face difficulties in registering complaints, and, upon divorce, in enforcing their rights to property, housing and alimony. Practices pertaining to civil and residency (“propiska”) registrations are also said to be aggravating factors. The Special Rapporteur noted that the provision of services such as crisis centres and shelters for potential and actual victims of violence are inadequate in terms of availability, quantity, and human and financial capacity.
While the Special Rapporteur welcomed progress made towards the adoption of legislation against domestic violence, she recommended that other measures are urgently needed to enhance women’s access to justice and the effectiveness and availability of services offered to victims, support the social and economic empowerment of women and change gender stereotypes as well as patriarchal mentalities that perpetuate the subordinate position of women in the family and in society.

OTHER ACTIVITIES

INTERNALLY DISPLACED PERSONS

REPRESENTATIVE OF THE SECRETARY-GENERAL CONDUCTS WORKING VISIT TO KENYA

The Representative of the Secretary-General on the human rights of internally displaced persons, Mr. Walter Kälin, conducted a working visit to Kenya from 19 to 23 May 2008. In the press release issued on 27 May, he declared that special efforts by the Government, humanitarian agencies and donors are essential at this crucial beginning of recovery, if the return of those displaced by the post-election violence is to be sustainable and compatible with international human rights standards.

The Representative commended the Government of Kenya, the Kenyan Red Cross, the international humanitarian organizations and the people of Kenya for the effective assistance and support provided to those living in camps since they were displaced by the post-election violence of December 2007 and January 2008. Today, the Government’s effort to return the displaced from camps to their fields and homes (Operation Rudi Nyumbani) create particular challenges, including ensuring that returns are safe and voluntary, providing humanitarian assistance in the areas of return and at the transit sites, and restoring full protection of the IDPs’ human rights in accordance with the UN Guiding Principles on Internal Displacement.

The Representative observed that while reconciliation efforts are under way and there is an increased police presence in affected areas, more robust reconciliation measures involving returning IDPs and the local communities must be undertaken to address the underlying causes of the displacement. He expressed the fear that without true reconciliation and fair transitional justice measures, the risk of renewed violence against returnees remains high. He also noted with concern that the present speed of the return operations has left some returnees without adequate humanitarian assistance, clean water and sanitation, access to education and basic health services, and basic tools to resume farming or other livelihoods—a reality that could lead to a new emergency situation.

He particularly called on the Government and the donors to support the necessary efforts to strengthen recovery, especially by ensuring appropriate financial support. The Representative also recommended that the government adopt a comprehensive IDP strategy, as well as the laws necessary to implement it.

REPRESENTATIVE OF THE SECRETARY-GENERAL CONDUCTS FOLLOW-UP VISIT TO BOSNIA AND HERZEGOVINA

The Representative of the Secretary-General on the human rights of internally displaced persons conducted a follow-up visit to Bosnia and Herzegovina from 13 to 20 June 2008. In the press release issued on 20 June, he concluded that although a majority of those who had to flee during the war have found a way to re-build their lives, there are still too many citizens continuing to live in displacement or at returnee sites in miserable conditions, with insufficient assistance. In this regard, he urged the Government and the international community to prioritize helping the displaced and returnee populations to find appropriate durable solutions in line with international human rights standards, including the Guiding Principles on Internal Displacement.

The Representative welcomed the efforts of the Government to implement the Dayton Agreement in relation to IDPs and refugees, as well as steps taken to return property to its rightful owners and rebuild homes. However, he noted that much remains to be done to achieve full reconstruction and that many returns were at risk of not being sustainable because returnees do not have access to basic services or economic opportunities. He also expressed regret that widespread discrimination against minorities violates their right to proportionate access to employment in the public sector, and that no action plan exists to implement this right.

The Representative appreciated that local and national authorities were increasingly aware that return did not simply end when a person moves back to their former home, but that their life in return areas must also be socially and economically sustainable. Among those remaining in displacement, the Representative, while reaffirming their right to opt for return, found that a significant number will not be able to go back to their places of origin. These include elderly and infirm persons and female-headed households without family support, disabled and traumatized persons as well as those who never owned any property they could return to. These persons continue to have very serious humanitarian needs, and a solution must urgently be found for them. While appreciating the work that has been accomplished by the international community and in particular the UN agencies in Bosnia and Herzegovina, the Representative was concerned that funding for humanitarian assistance has been drastically reduced. He encouraged the international organizations in Bosnia and Herzegovina to address persistent humanitarian needs of the displaced population, and the challenges of making return sustainable.
ADEQUATE HOUSING - SOUTH AFRICA

The former 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, in his report to the Human Rights Council on his mission to South Africa (A/HRC/7/16/Add.3) recommended “that it would be very useful to assess the human rights impact of the use of prepaid water meters by some municipalities as a means of ensuring that water consumption beyond the free basic water allocation is paid for ... Some studies have revealed the problems involved in using these meters in poor communities. The meters allow for disconnection from the service without the user being given the requisite legislative notice of disconnection.”

The Johannesburg High Court ruled on 30 April 2008 that the City of Johannesburg’s practice of forcibly installing prepayment water meters in Phiri, Soweto is unconstitutional.

BLASPHEMY LAW - UNITED KINGDOM

In the report on her country visit to the United Kingdom (A/HRC/7/10/Add.3), the Special Rapporteur on freedom of religion or belief expressed concerns at the continued existence of the common law offence of blasphemy. The offence is discriminatory because it favours Christianity alone and lacks a mechanism to take account of the proper balance with freedom of expression. She recommended that the Government decriminalize blasphemy as an insult to a religion and to fully implement the protection of individuals against incitement to racial or religious hatred. Subsequently, debates in the Houses of Parliament and a report of the Joint Committee on Human Rights explicitly referred to the Special Rapporteur’s recommendations. Amendments were introduced in the Criminal Justice and Immigration Bill with a view to abolish the offences of blasphemy and blasphemous libel under the common law of England and Wales. The Act received royal assent on 8 May 2008 and the relevant section abolishing the common law blasphemy offences is due to come into force in July 2008.
**HIGHLIGHTS**

Annual Meeting continued from page 1...

against children, and the Declaration on the Rights of Indigenous Peoples.

Mandate holders were briefed on the activities of the Coordination Committee over the past year and adopted an Internal Advisory Procedure, with an aim to ensure that the Code of Conduct and the Special Procedures Manual of Operation are implemented, to enhance the effectiveness and independence of the special procedures system. The Manual was developed in 1999 at the initiative of mandate holders, and is subject to regular revision. Mandate holders discussed and adopted a revised version of the Manual.

The meeting participants also had an exchange of views with the Deputy High Commissioner, the President of the Human Rights Council, and the former President of the Human Rights Council.

On the first day, they elected Ms. Asma Jahangir, Special Rapporteur on freedom of religion or belief, to chair the Meeting, and as the new Chair of the Coordination Committee until June 2009. Mr. Olivier de Schutter, Special Rapporteur on the right to food, was elected as Rapporteur and member of the Coordination Committee. Later in the week, three additional members of the Coordination Committee were elected: Mr. Cephas Lumina, Independent Expert on the effects of foreign debt, Ms. Maria Magdalena Sepúlveda, Independent Expert on human rights and extreme poverty, and Ms. Gulnara Shahinian, Special Rapporteur on the contemporary forms of slavery, including its causes and consequences. Ms. Gay McDougall, former Chair of the Coordination Committee will remain an *ex officio* member for one year.

Participants adopted the draft report of the fifteenth Annual Meeting on the last day of the meeting. This report will be submitted to the tenth session of the Human Rights Council.

**New Mandate Holders**

Come to Geneva for Information Session

An Information session for new special procedures mandate holders took place in Geneva from 19 to 20 June 2008. The

On 1 May 2008, 16 new mandate holders took up their functions on 14 mandates (in alphabetical order below):

**Thematic mandates**

- Working Group on African descent (member for Latin America/Caribbean region): Mr. Ralston Milton Nettlesford (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 foreign debt and other related international financial obligations of States on the full enjoyment of all 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 Sepúlveda (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)
programme featured presentations by senior staff of the Office of the High Commissioner on their respective areas of work and relevant linkages with special procedures, as well as sessions on working methods of special procedures. The High Commissioner closed the meeting. All 16 new mandate holders, who were appointed at the seventh session of the Human Rights Council and took up their positions on 1 May, attended. A similar session is to be organized later this year for the new mandate holders appointed at the Human Rights Council’s eighth session on 18 June, and those to be appointed at the ninth session in September 2008.

Coordination Committee Orientation Session
An Orientation session for new mandate holders, organized by the Coordination Committee, took place in Geneva on 22 June 2008. Issues discussed included the role and activities of the Coordination Committee; the role and status of mandate holders and their independence; and working methods, including the Manual, Code of Conduct and Internal Advisory Procedure. Participants also discussed useful practices including expert seminars, thematic studies, practices regarding follow-up, and cooperation with treaty bodies, national human rights institutions, NGOs and regional bodies.

Council holds its Eighth session from 2 to 18 June 2008
During the eighth session of the Human Rights Council, interactive dialogues were held with the Representative of the Secretary-General on the human rights of internally displaced persons, Mr. Walter Kälin; the Special Rapporteur on extra-judicial, summary or arbitrary executions, Mr. Philip Alston; the Special Rapporteur on the independence of judges and lawyers, Mr. Leandro Despouy; the Special Rapporteur on the right to education, Mr. Ver- nor Muñoz Villalobos; the Independent Expert on human rights and extreme poverty, Ms. Maria Magdalena Sepúlveda; the Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises, Mr. John Ruggie; the Special Rapporteur on the Palestinian Territories occupied since 1967, Mr. Richard Falk; and the Independent Expert on the situation of human rights in Haiti, Mr. Louis Jornet.

The Council also reviewed the mandates on independ-ence of judges and lawyers, torture, summary execu-tions, migrants, transnational corporations, extreme poverty, trafficking and right to education. Resolutions were adopted, without a vote, on these eight mandates, extending the mandates for a period of three years.

The Council also approved the appointment of seven new mandate holders (listed in the box on the next page), who will take up their functions on 1 August 2008. In addition, the Council approved the appointment of members of the expert mechanism on the rights of indigenous peoples. Ms. Viktoria Mohasi from Hungary was chosen as the Chairperson for the Forum on minority issues.

A Presidential statement entitled “Terms in Office of Special procedure mandate-holders” was also adopted on 18 June. This reiterates that the tenure of mandate holders shall not exceed six years and that the Council guarantees the integrity and independence of the system of special procedures. It also provides that all thematic mandate holders will be renewed after their first three

### LINKS TO REVIEW OF SPECIAL PROCEDURES MANDATES
- Independence of judges and lawyers
  - 1 June
  - 4 June
- Summary executions
  - 5 June
- Migrants
  - 5 June
- Human rights and transnational corporations
  - 5 June
- Extreme poverty
  - 5 June
- Trafficking
  - 6 June
- Education
  - 6 June

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**Representative of the Secretary-General on the human rights of internally displaced persons**
- **2 June**
- **3 June**

**Special Rapporteur on extra-judicial, summary or arbitrary executions**
- **2 June**
- **3 June**

**Special Rapporteur on the independence of judges and lawyers**
- **2 June**
- **3 June**

**Special Rapporteur on the right to education**
- **3 June**
- **4 June**

**Independent Expert on the situation of human rights in Haiti**
- **17 June**
year term, unless the President has received information from a State and/or the Coordination Committee that indicates persistent noncompliance with the Code of Conduct by a mandate holder. If such information is received, the Council will act on it as appropriate.

**Council holds panel discussion on women’s human rights**

In accordance with Council resolution 6/30, the Council held a discussion on the human rights of women on 5 June. The High Commissioner made an introductory statement, and highlighted, inter alia, that millions of women and girls were subjected to desperate and dehumanising conditions on a daily basis, and in many cases with no relief or recourse to justice. Two panels followed on violence against women and maternal mortality respectively. The panel on violence against women addressed a large number of issues, including sexual violence, the situation of women in conflict situations and post-conflict reconstruction, the question of trafficking, the importance of awareness-raising and indicators, and the role of the Council and the UPR in addressing these questions. The panel on maternal mortality, which included the participation of the Special Rapporteur on the right of everyone to the highest attainable standard of physical and mental health, Mr. Paul Hunt, discussed access to adequate health services for all, including rural and poor women, the importance of education and awareness-raising, as well as the need to foster coordination between international actors to ensure consistent and coordinated approaches to prevention measures at the national level.

**Council Adopts Optional Protocol to the International Covenant on Economic, Social and Cultural Rights**

On 18 June, the Council adopted the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR). The Protocol will allow persons to petition the UN Committee on Economic, Social and Cultural Rights about violations of rights guaranteed in the ICESCR. In a press statement welcoming the adoption of the Protocol on 18 June, the High Commissioner noted that “the Protocol will provide an important platform to expose abuses that are often linked to poverty, discrimination and neglect, and that victims frequently endure in silence and helplessness. It will provide a way for individuals, who may otherwise be isolated and powerless, to make the international community aware of their situation.” The General Assembly is expected to adopt the Protocol later this year.

**Council Plans its Work for the Next Year**

At its organizational session on 19 June, the Council adopted its annual programme of work and elected its new President, H.E. Ambassador Martin Ihoeghian Uhomoibhi (Nigeria). The members of the Bureau were also elected:}

**Appointment of new Special Procedures mandate holders:**

On 18 June, the Human Rights Council approved the appointments of new special procedures mandate holders proposed by the President. These appointments were made in accordance with the procedure laid down in resolution 5/1, on the basis of recommendations of the Consultative Group and following broad consultations by the President.

- Working Group on African descent: Ms. Maya Sahli (Algeria)
- Working Group on arbitrary detention: Ms. Shaheen Sardar Ali (Pakistan)
- Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression: Mr. Frank William La Rue Lewy (Guatemala)
- Independent Expert on the situation of human rights in Haiti: Mr. Michel Forst (France)
- Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health: Mr. Anand Grover (India)
- Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance: Mr. Githu Muigai (Kenya)
- Special Rapporteur on trafficking in persons, especially in women and children: Ms. Joy Ngozi Ezeilo (Nigeria)

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

- H.E. Mr. Elchin Amirbayov, Permanent Representative of Azerbaijan, for the Group of Eastern European States (Vice-President-Rapporteur)
- H.E. Mrs. Erlinda F. Basilio, Permanent Representative of the Philippines, for the Group of Asian States;
- H.E. Mr. Alberto J. Dumont, Permanent Representative of Argentina, for the Group of Latin-American and Caribbean States;
- H.E. Mr. Marius Grinius, Permanent Representative of Canada, for the Western European and Others Group.

**Council holds Special Session on World Food Crisis**

On 22 May 2008, the Human Rights Council held its seventh Special Session, on “the negative impact on the realization of the right to food of the worsening world food crisis, caused inter alia by the soaring food prices”. Mr. Olivier De Schutter, the Special Rapporteur on the right to
food, called for a HRC Special Session on the world food crisis on 2 May 2008, when he took up his functions.

During the session, the Special Rapporteur said that, by holding a Special Session, the Human Rights Council was sending three messages. First, that all the human rights enshrined in the UDHR are equal. Second, that human rights should be seen not only as obligations imposed on States, but also as having to be realized through international cooperation. Third, that the global food crisis should not be treated as a natural disaster, but as a massive threat to the right to adequate food for millions of individuals. He highlighted how the right to adequate food should be a guide for the adoption of short, medium and long term measures to address the world food crisis. He called on the Council to put aside differences and send the message that human rights are relevant to defining the future shape of global food policy in all fora. The full statement is available on the OHCHR website.

The High Commissioner welcomed the Special Session and said that the underlying causes and the current manifestations of the crisis, including high prices and shortages of food, jeopardized the well-being and rights of countless people. Mr. Eibe Riedel, member of the Committee on Economic, Social and Cultural Rights, drew attention to a statement issued by the Committee on Friday 19 May, expressing its alarm at the worldwide rise in food prices and the soaring energy prices adversely affecting the right to adequate food and freedom from hunger as well as other human rights. Many States intervened in the general debate to emphasize that an immediate response was needed and that States have an obligation to take necessary action to mitigate hunger.

The HRC adopted by consensus resolution S-7/1, which expresses grave concern at the worsening of the world food crisis and calls upon States, individually and collectively, to take all necessary measures to ensure the realization of the right to food. The full text of the resolution is included in the report of the seventh special session. At the eighth session of the Council, the Special Rapporteur on the right to food reported on his participation in the High-level Conference on World Food Security and the Challenges of Climate Change and Bioenergy, which took place in Rome from 3 to 5 June 2008, organized by the Food and Agriculture Organization. He emphasized that the right to food is not only about feeding the hungry in times of emergency, but also about improving accountability. He noted that an approach centered on the right to food should be adopted because it brings into the debate requirements of accountability and participation which, regrettably, were absent from the current responses of the international community. The Special Rapporteur will report again to the ninth session of the Council on this issue.

**COUNTRIES CONSIDERED UNDER THE UNIVERSAL PERIODIC REVIEW**

The Council also adopted the outcomes of the Universal Periodic Review, which includes the Working Group report, the State response as reported in the plenary, the State written submission in response to the WG report (if any), and the HRC standardized decision. These documents are available on the UPR website. Thirty-two countries were considered under the UPR mechanism.

**First session:**
- Algeria
- Argentina
- Bahrain
- Brazil
- Czech Republic
- Ecuador
- Finland
- India
- Indonesia
- Morocco
- Netherlands
- Philippines
- Poland
- South Africa
- Tunisia
- United Kingdom

**Second session:**
- Benin
- France
- Gabon
- Ghana
- Guatemala
- Japan
- Mali
- Pakistan
- Peru
- Republic of Korea
- Romania
- Sri Lanka
- Switzerland
- Tonga
- Ukraine
- Zambia

**UPCOMING EVENT: FIRST SESSION OF ADVISORY COMMITTEE IN GENEVA**

The Advisory Committee of the Human Rights Council will hold its first session from 4 to 15 August 2008 in Geneva. The Advisory Committee has been established as a “think tank” of the Council and is composed of 18 members. The Council has already adopted several resolutions specifically requesting the Advisory Committee to examine certain issues, including the right to food and leprosy.
EXPERTS CONCERNED ABOUT RESPECT FOR HUMAN RIGHTS IN TIBET

On 10 April 2008, the Working Group on arbitrary detention; the Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Philip Alston; the Special Rapporteur for the promotion and protection of the right to freedom of opinion and expression, Mr. Ambeyi Ligabo; the Special Rapporteur on freedom of religion or belief, Ms. Asma Jahangir; the Special Representative of the Secretary-General on human rights defenders, Ms. Hina Jilani; the Independent Expert on minority issues, Ms. Gay McDougall; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Manfred Nowak, issued a joint press statement regarding the ongoing protests and reports of high numbers of arrests in the Tibet Autonomous Region and surrounding areas in China. They urged restraint and non-violence by all parties, greater and unfettered access to the regions concerned for journalists and independent observers, guarantees for the free flow of information, and full implementation of international standards with regard to the treatment of protestors and those detained.

Information received by the mandate holders described the arrest on 28 and 29 March of over 570 Tibetan monks, including some children, following raids by security forces on monasteries in Ngaba County and in Dzoge County in the Tibet Autonomous Region. According to reports, arrests were made of those suspected of participating in protests and those suspected of communicating with the exiled Tibetan communities. The UN experts expressed deep concern about reports of security forces firing on protestors and alleged killings. The experts called for full access for independent observers and journalists to such regions and complete transparency on the part of the authorities.

They urged China to respond positively to outstanding visit requests to enable mandate holders including the Special Rapporteur on extrajudicial, summary or arbitrary executions to visit. The experts expressed support for calls for dialogue and other measures with a view to achieving long-term solutions that protect and promote the rights of all individuals and groups in the Tibet Autonomous Region.

The mandate holders welcomed the indication received from the Government about its willingness to engage in further dialogue about these and other concerns and specific questions recently raised.

WORKING GROUP ON THE USE OF MERCENARIES CALLS FOR COMPLEMENTARY INTERNATIONAL HUMAN RIGHTS STANDARDS TO ADDRESS NEW FORMS OF MERCENARY ACTIVITIES

On 14 April 2008, the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination issued a press release calling for complementary international human rights standards to address new forms of mercenary activities and those of private military security companies. The statement was issued at the conclusion of the third session of the Working Group, which is working to fill existing legal gaps in the regulation of mercenaries, mercenary-related activities and activities of private military security companies. The Working Group is also organizing a regional meeting for Eastern European countries and the Commonwealth of Independent States, which is part of ongoing efforts that the Group hopes will lead to a high-level roundtable of States to discuss their own role as the holder of the legitimate use of force, the role of private military security companies and other actors, and their respective obligations in protecting human rights.

SPECIAL RAPPORTEUR ON THE OCCUPIED PALESTINIAN TERRITORIES CONCERNED ABOUT VIOLENCE IN GAZA AND WEST BANK

On 17 April 2008, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Mr. John Dugard, issued a press statement expressing serious concern about ongoing violence in Gaza and the West Bank. He reported that on 16 April, around 20 Palestinians were killed in Israeli military operations, the majority being civilians as well as five children. He noted that on the same day three Israeli soldiers were killed. He lamented the lack of direct negotiations or talks between the parties involved - Israel and Hamas, and called on the United Nations, acting through the Security Council or the Secretary-General, to intervene and assert its role as mediator. This was a role that the United Nations had traditionally played, even where one of the parties had been labelled as “terrorist.” He asserted that it was the responsibility of the United Nations, as the ultimate guardian of human rights and international peace, to open lines of communication between Israel, Hamas, and the Palestinian Authority in Ramallah, and to bring them to the negotiating table. He also said that such a step would contribute to the advancement of Palestinian national unity. The Special Rapporteur emphasized that the right to life is the most precious and important human right and that the United Nations must do its utmost to protect the lives of both Palestinians and Israelis.
EXPERTS WELCOME CANADIAN ENDORSEMENT OF
INDIGENOUS DECLARATION
On 18 April 2008, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Mr. Rodolfo Stavenhagen; the Special Rapporteur on the right to 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; the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Doudou Diène; and the Working Group on arbitrary detention issued a press statement welcoming the motion adopted by the Canadian House of Commons on 8 April 2008, regarding the UN Declaration on the Rights of Indigenious Peoples and relating to the call for Parliament and Government to “fully implement the standards contained therein.” The Legislature’s commitment to put the provisions of the UN Declaration into practice is a powerful sign for indigenous peoples in Canada and in other countries. The UN Declaration calls for the establishment of a new relationship between indigeneous peoples and States based on the principles of equality, self-determination, and respect for the human rights of all. The experts emphasized that the standards and principles set forth in the Declaration will constitute a useful road-map for Canada’s future laws and policies with regard to Aboriginal peoples, whose human rights situation it will help to improve.

INDEPENDENT EXPERT EXPRESSES CONCERN ABOUT
VIOLENCE IN SOMALIA
On 23 April 2008, the Independent Expert on the situation of human rights in Somalia, Mr. Ghanim Alnajjar, issued a press statement expressing his deep concern about the continued escalation of violence and the deterioration of human rights in Somalia, following a renewed flare-up of intense violence between the troops of the Transitional Federal Government (TFG) backed by the Ethiopian Army and the anti-government insurgent forces. The use of heavy weaponry in areas where civilians are concentrated reportedly left 81 civilians dead and more than 100 wounded. The Independent Expert especially condemned the alleged deliberate killing of numerous clerics belonging to “Altabligh Group” at the “Alhidaya Compound/Mosque”.

The Independent Expert appealed for calm and an immediate ceasefire and urged the TFG and the international community to protect Somali civilians and preserve humanitarian access at all time, reminding all the parties to abide by the provisions of international humanitarian law. The Independent Expert called for expeditious and impartial investigations into these killings and reiterated that any lasting peace in Somalia must be based on justice, truth and accountability.

EXPERTS EXPRESS CONCERN ABOUT VIOLENCE IN
ZIMBABWE IN CONNECTION WITH ELECTIONS
On 29 April 2008, the Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Philip Alston; the Special Rapporteur on violence against women, its causes and consequences, Ms. Yakin Ertürk; the 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, Mr. Miloon Kothari; the Special Rapporteur for the promotion and protection of the right to freedom of opinion and expression, Mr. Ambeyi Ligabo; the Special Representative of the Secretary-General on the situation of human rights defenders, Ms. Hina Jilani; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Manfred Nowak, issued a press release expressing concern about the situation in Zimbabwe since the holding of parliamentary and presidential elections. Reports received by mandate holders indicated that intimidation, violence and torture are occurring as a form of retribution against, or victimization of people or groups suspected to have voted for or otherwise supported the Movement for Democratic Change (MDC). The experts noted that at least 351 persons were hospitalized for injuries; several cases of politically motivated murders occurred; nearly three hundred homes were destroyed through politically motivated arson; and fifteen women were abducted. The experts also drew attention to the resulting internal displacement, arrests and threats against human rights defenders.

The mandate holders expressed grave concern that these attacks were organised and coordinated. They were also particularly alarmed that the State-controlled media aired programmes and songs encouraging violence, such as “Mr. Government”, which celebrates the Government’s land seizures and calls for the decimation of perceived political sell-outs. The experts strongly urged the authorities of Zimbabwe to restore peace in the country and put an end to organised and politically motivated violence. They also urged the authorities to grant free access to all the regions of the country to independent observers and media personnel.

The Special Procedures mandate holders, while at their Annual Meeting in Geneva, on 26 June, issued a press release expressing grave concern about widespread reports of recurring politically motivated violence in Zimbabwe and other obstacles to citizens’ free and equal participation in the presidential run-off election scheduled for 27 June 2008. They strongly urged the Government to ensure respect for human rights and to abide by democratic principles and practices, in accordance with Zimbabwe’s own domestic law and international human rights standards. They also urged the Government and the opposition to renew their dialogue with a view to finding a sustainable solution to the country’s problems, including the current political crisis, for the common good of the people of Zimbabwe. Further, they urged the Government to respond effectively to
the call for free and fair elections and to respect the liberty and security of the person in the spirit of peace, democracy and the rule of law.

**EXPERTS EXPRESS CONCERN ABOUT SAFETY OF HUMAN RIGHTS DEFENDERS IN COLOMBIA**

On 30 April 2008, the Special Representative of the Secretary-General on the situation of human rights defenders, Ms. Hina Jilani; the Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Philip Alston; and the Special Rapporteur on the independence of judges and lawyers, Mr. Leandro Despouy, issued a press release expressing concern about the deteriorating situation of human rights defenders in Colombia, in particular about reports of killings, harassment and intimidation of civil society activists, trade-union leaders and lawyers representing victims. While they recognized that the Government had taken some steps to improve the security of human rights defenders, they called upon the Government to urgently provide more effective and consistent protection measures, and to ensure thorough investigation into the crimes.

In the first months of 2008, there have been 21 killings of trade unionists and civil society leaders and dozens of reports of death threats against activists and defenders from all backgrounds allegedly perpetrated by illegal armed groups. The recent threats and attacks have principally been directed at organizers of, and participants in, the rally of 6 March, a demonstration intended to honor victims of paramilitary groups and to protest against crimes committed by State actors. The experts urged the Government to publicly recognize and give legitimacy to the work of human rights defenders and firmly condemn the crimes, attacks and threats against defenders.

**SPECIAL RAPPORTEUR CALLS FOR END TO CENSORSHIP**

On 5 May 2008, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Mr. Ambeyi Ligabo, issued a press release on the occasion of World Press Freedom Day, calling for an end to censorship and noting that this constitutes the “most abominable violation of freedom of the press.” He recalled that censorship is frequently a pretext to silence criticism, protecting those in power from popular scrutiny and public accountability, serving to conceal corruption, mismanagement and abuse of authority.

He drew attention to the ways in which States have adopted measures that promote direct or indirect censorship. The more traditional restrictions, such as the outright banning and suspension of media outlets, confiscation of newspapers and magazines from newsstands and overt editorial interference by censors, are still widespread. The Internet is also a key target of attempts to monitor, control and censor the digital media, particularly bloggers, Internet contributors and cyber-dissidents. He highlighted the situations in Sudan, Tonga, and Myanmar as places where freedom of the press has been restricted in traditional ways and with respect to new media such as the Internet. He also noted the role played by Internet companies, which allow restrictions or have disclosed personal information of their users in order to allow Governments to identify and convict internet writers.

The Special Rapporteur also expressed concern about more subtle tactics such as economic pressure, subjective licensing regulations, and libel laws, which are used to silence the media. He highlighted that the impact of these measures is not restricted to the media outlets or journalists they target. Rather, they serve to create an unsafe and unstable environment for the functioning of the press as a whole, leading them to shun critical reporting and impose self-censorship. He called on all Governments to end censorship and to protect freedom of the press.

**EXPERTS CALL FOR INTERNATIONAL SOLIDARITY AND GOVERNMENT ASSISTANCE IN WAKE OF CYCLONE NARGIS**

On 13 May 2008, the Independent Expert on human rights and international solidarity, Mr. Rudi Mohammed Rizki, and the Representative of the Secretary-General on the human rights of internally displaced persons, Mr. Walter Kälin, issued a press release expressing their condolences to and deep concern for the people of Myanmar, affected by the devastating cyclone Nargis that left thousands of people dead and many more missing, homeless and displaced. They welcomed the global response to this tragedy, triggering emergency humanitarian aid and other necessary measures, which demonstrates international solidarity and underscores a communion of interest and collective responsibility on the part of governments, United Nations and humanitarian organizations. They also called upon the Government of Myanmar to respond to the outpouring of international support and solidarity, by removing all structural and other obstacles in order for the affected population to enjoy their right to receive, and for the international community to deliver, much needed emergency relief and aid. The experts recalled that persons affected by natural disasters enjoy the same rights and freedoms as any other persons, in particular with regard to access to food and potable water, basic shelter and housing, appropriate clothing as well as essential medical services and sanitation. They also highlighted the importance of international cooperation not only in short-term relief and recovery but also in long-term reconstruction efforts.

**SPECIAL RAPPORTEUR DISTRESSED ABOUT XENOPHOBIC VIOLENCE IN SOUTH AFRICA**

On 30 May 2008, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Doudou Diène, issued
a press release expressing distress about and condemning xenophobic violence targeting refugees, migrants and South African ethnic minorities in Johannesburg and surrounding townships, claiming the lives of over forty people. He recognized that the Government was taking steps to address the crisis, and he called upon authorities not only to carry out a thorough investigation of the acts of violence in order to bring the perpetrators to justice and prevent the spread of atrocities, but also to stimulate a collective reflection on the root causes of these phenomena. He also called upon authorities to engage in a comprehensive discussion of migration policies aiming at better integrating refugees and migrants economically, socially and culturally in South Africa. While the legal framework for the protection of minorities is fundamental, he emphasized that only a cultural and ethical approach can address the deep-rooted problems of racism and discrimination and promote long-term tolerance and living together among all communities. He observed that these events took place in a country that has known the vicious implicatons of institutionalized racism in the form of apartheid, which underlines the universality of racial discrimination and xenophobia and the need for permanent vigilance and political will, both nationally and internationally, to address these problems.

SPECIAL RAPPORTEUR CONDEMNS ACTS OF VIOLENCE AGAINST INDIGENOUS PEOPLE IN BOLIVIA

On 4 June 2008, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Mr. James Anaya, issued a press release expressing concern about and condemning the racist and discriminatory acts of violence, threats, and humiliations suffered by at least twenty indigenous people at the hands of groups intending to prevent the arrival of President Evo Morales to Sucre on 24 May. He also expressed profound concern about the violent acts committed on 13 April in el Chaco, which resulted in the injuries of some 40 people, including indigenous Guarani, members of the Asamblea del Pueblo Guarani, public officials and journalists who were in the community of Itacuata to carry out the title clearance process of the ancestral territories of the Guarani people.

In this regard, he appealed to the competent judicial authorities to immediately, and in an independent and impartial manner, investigate and sanction those responsible for committing these acts, and repair the harm to the victims. The Special Rapporteur also urged the country’s political and social actors to engage in a process of dialogue and understanding based on the principles of tolerance and respect for human rights, which should take into consideration recommendations made by international institutions responsible for monitoring compliance with human rights obligations.

SPECIAL RAPPORTEUR EXPRESSES CONCERN ABOUT COUNTER-TERRORISM BILL IN UNITED KINGDOM

On 10 June 2008, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Mr. Martin Scheinin, issued a press release expressing concern that the adoption of the Counter-Terrorism Bill in the United Kingdom could set a negative precedent for upholding human rights in the context of countering terrorism. He explained that the House of Commons is scheduled to vote on the Bill on 11 June 2008 which, despite recent amendments, contained a key provision to extend pre-charge detention of terrorist suspects to 42 days. He expressed concern that if this bill was adopted, other States might be prompted to copy the provision into their own counter-terrorism legislation, without reflecting on the importance of effective judicial review. He noted that the Bill lowered key standards regarding detention in the context of countering terrorism. In particular, he expressed the view that the scope of judicial review needed to be broadened so as to secure the right of the accused to contest the substantive grounds of detention, and a real possibility of release. He welcomed the ongoing dialogue with the Government regarding the potential impact of these measures on human rights and appealed to the Government to withdraw the Bill or to postpone taking a definitive decision on it.

WORKING GROUP URGES SRI LANKA TO STOP DISAPPEARANCES

On 11 June 2008, the Working Group on enforced or involuntary disappearances issued a press release calling on the Government of Sri Lanka to stamp out a recent wave of disappearances during which women and humanitarian aid workers have also gone missing. It observed that it had communicated to the Government its concerns that, in the past two months, 22 people have disappeared, 18 of them last month. The Group also emphasized that the number may be lower than in reality, as many other disappearances may be occurring in Sri Lanka but are not being reported because of fear of reprisals.

The Group expressed regret that despite the supposed willingness of the Government to address the issue of enforced disappearances, little progress has been made. It called upon the Sri Lankan authorities to take effective measures to prevent and terminate acts of enforced disappearances, to carry out thorough investigations and to bring the perpetrators to justice. It also reiterated their desire to visit the country and encouraged the Government to extend an invitation without delay.

INTERNATIONAL DAY IN SUPPORT OF VICTIMS OF TORTURE

On 25 June 2008, on the occasion of the UN International Day in Support of Victims of Torture, six United Nations entities regularly involved with issues relating
to the prevention of torture and helping its victims said that, despite a strong international legal framework outlawing torture, much remains to be done to ensure that everybody is free of this scourge, and urged that special attention be paid to ensure better protection for women. The group included the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Manfred Nowak; and the Special Rapporteur on violence against women, its cause and consequences, Ms. Yakin Ertürk, as well as the High Commissioner for Human Rights, Ms. Louise Arbour.

The statement noted that 2008 is the 60th anniversary of the adoption of the Universal Declaration of Human Rights, which sent a clear and unequivocal message – that dignity and justice were for all, including women. They called upon States to reaffirm their resolve to ensure that the torture protection framework is applied in a gender-sensitive manner, to help to end violence against women; to ensure that mechanisms and targeted efforts are put in place to prevent, investigate and punish acts of violence against women; and to provide full access to justice and effective remedies, including health services and rehabilitation for the harm they have suffered.

The signatories of the press statement highlighted that women experience torture in different ways. Certain forms of gender-specific violence perpetrated by State actors, as well as by private individuals or organizations, clearly amount to torture, and it is now recognized that gender-specific violence falls within the definition of torture in the Convention against Torture. The global campaign to end violence against women, when viewed through the prism of the international legal framework prohibiting torture, can be strengthened: there needs to be a broader scope of prevention, protection, justice and reparation for victims, including access to international assistance. They expressed particular concern about women deprived of their liberty, who are especially vulnerable to sexual violence, which often carries with it a strong stigma exacerbating the suffering stemming from the violent acts. The UN entities also expressed concern that persons with disabilities have often found themselves excluded from the protection afforded under international instruments and they welcomed the entry into force, on 3 May 2008, of the Convention on the Rights of Persons with Disabilities and its Optional Protocol.