

CHECK AGAINST DELIVERY



Forty-sixth Session of the Human Rights Council

General debate under item 5

Statement by Anita Ramasastry

Chair of the Coordination Committee of Special Procedures

Geneva, 17 March 2020

Madam President,
Your Excellencies,
Ladies and gentlemen,

Greetings from Seattle, Washington. As Chair of the Coordination Committee, it is my privilege to present the report on the activities of special rapporteurs, independent experts and working groups of the special procedures of the Human Rights Council in 2020. This includes updated information on special procedures (A/HRC/46/61) and its addendum. I regret not to be able to be with you in person.

While we welcome the fact that the Council continued its work during the pandemic, we strongly hope to resume all necessary forms of interaction with the Council as soon as possible. Engaging with the Council through a 2-hour exchange by screen excludes all possibilities to develop and deepen further the dialogue on human rights. My colleagues and I have much more to offer to States, the UN and civil society. We hope that the conditions will allow the resumption of our in-person interactions with the Council as soon as possible as it represents a crucial aspect of our work.

As indicated in the report, 2020 was a difficult year for the special procedures system as it was for all of you. Unfortunately, the challenges that affected mandate holders last year continue in 2021. Still, the report and its addendum before you demonstrate that mandate holders have shown creativity, dedication and renewed determination to overcome these challenges and respond to the expectations of rights holders in ensuring that human rights remained our key engine for action.

Through the variety of their reports and other outputs, mandate holders provided important recommendations on issues that affect our daily life; the pandemic, of course, but also climate change, migration, new technologies, gender or the SDGs. Mandate holders also focused on the prevention of human rights violations and on peace and security issues, bringing to life in that manner the principle that all UN pillars of work must be interconnected.

Communications remained one of our main tools to provide victims of human rights violations the necessary support and redress with 681 communications sent in 2020. 600 of these were sent jointly by mandate holders. The response rate has increased, which is welcome, to 48.46 per cent. It could however be better, and I call on all States to respond to communications. The number of communications to non-state actors, such as businesses has increased, in light of their impact on human rights.

Madam President,

This report is not only about listing activities. It aims at presenting the efforts by mandate holders to evaluate the impact of their work and adapt it accordingly. As a system, and with the support of OHCHR, we have enhanced our collection of examples of impact. The good stories webpage has been revamped and is now called “making a difference”. More stories have been added to the webpage and invitations have been sent to external stakeholders to send inputs to make this webpage more comprehensive.

Mandate holders have also undertaken their own assessment on an individual basis. Several of my colleagues have launched consultations and processes to evaluate the achievements of their mandate with States and other stakeholders.

This is an integral part of the efforts to ensure that human rights are transformative and provide solutions as stressed in the Call to Action for Human Rights. The launch of the Call to Action gave an important impetus to the integration of human rights throughout the action of the United Nations. This Call refers to the role of human rights mechanisms, including special procedures. My colleagues and I are willing to contribute to making this Call a reality.

An essential element in this context would be to ensure that the Human Rights Pillar receives the necessary resources on a sustainable basis. Mandate holders have expressed their grave concerns about the impact of the UN funding crisis on the functioning of the Special Procedures system. Adequate financing of the Special Procedures has been an issue of concern for several years. Special procedures mandates have made exceptional efforts, both professional and personal, to continue their work despite many challenges experienced during the pandemic but this crisis has demonstrated even more that the sustainability of the system of special procedures is fragile and requires an enhanced support from States, including financially.

The difficulties we all faced last year demonstrated the imperative of preserving mutual cooperation and engagement on human rights issues. Prevented from engaging in person at headquarters and in the field, we have all missed the necessary space and opportunities to build trust and understanding on human rights issues that are sensitive by nature. The protection gap this has created is real and palpable.

Still, throughout this year, the Committee has been positively surprised by the resilience, the determination and the creativity showed by our constituencies, States, UN actors and civil society in finding ways to continue engaging and cooperating with us and using our inputs and expertise despite the difficult circumstances.

I am pleased to report that the number of standing invitations continued to increase. The Cooperation with special procedures is seen as a priority by high level State officials as demonstrated by the fact that more than 50 dignitaries from all regions who participated in the high level segment at this session stated their commitment to cooperate with mandate holders, with a special mention to the President of Uzbekistan who reaffirmed the decision of his country to issue a standing invitation. My colleagues and I look forward to these commitments being made a reality through the resumption of visits as soon as the conditions allow in 2021.

The picture of cooperation is not always so rosy. Several of my colleagues have again faced challenges, including intimidation and threats, in implementing their mandates. My colleagues are all well aware that their job may sometimes be difficult. You may disagree with their views or assessment. My colleagues and I are also convinced that we are not above scrutiny and that the rules governing the United Nations, this Council and special procedures should be respected. However, mandate holders should be respected and protected against personal attacks at all times.

Madam President,

As indicated in the report, even though the pandemic has made it impossible for mandate holders to perform some of their duties such as country visits, this has not prevented them from continuing to work and produce remarkable outputs in relation to COVID-19. Special Procedures have relentlessly identified trends and emerging issues and formulated advice in connection with this emergency. Special Procedures have undertaken numerous initiatives aimed at stressing the importance of adopting a human rights-based approach to addressing the crisis. All these actions are compiled in a dedicated webpage

The COVID 19 pandemic and the financial situation of the United Nations obliged the Coordination Committee to revise its plans and priorities. The Committee could not meet in person this year or engage with stakeholders in person as it usually does. The Annual Meeting of Special Procedures could not take place, preventing mandate holders from having discussion on working methods, engaging with States and other stakeholders, and adopting the necessary decisions, including in relation to the update of the Manual of Operations. Despite these challenges, the Committee found alternative ways to meet its objectives as reflected in the report. The Committee did its best to maintain dialogue with our colleagues, States and civil society. The difficulties faced were however significant and had serious consequences on our personal and professional lives.

Despite these circumstances, the Committee committed its best efforts to maintain the process of continuing improvement of the working methods of special procedures. We had regular engagement with the President of the Human Rights Council, the Chair of the Third Committee and high level representatives of OHCHR, including the High Commissioner and the Deputy High Commissioner.

The Committee also maintained its focus in relation to the rules and guidelines governing the work of special procedures is contained in the Code of Conduct, the Manual of Operations and additional guidelines developed over the years and its facilitation role with all stakeholders. Despite the impossibility for the Committee to hold in-person annual meetings, progress has been achieved in relation to the Internal Advisory Procedure. The report in front of you contains more information on this procedure while respecting its confidential nature. The requests received by the Committee fell within three categories: First, mandate holders seeking advice on contemplated activities; second, specific cases referred by States or other stakeholders; and third, cases highlighting policy or systemic issues that needed to be addressed by the system. An increasing number of stakeholders have approached the Committee to raise questions and trusting the system to address them. This has helped clarifying issues and working methods. Twenty-six requests have been received by the current Committee since June 2019, 15 from States from all regions or groups of States, five from mandate holders, three from NGOs, groups of NGOs or individuals and one from various sources. The CC took also action on its own initiatives on two cases.

I want to re-emphasize that the report on special procedures confirms that all mandate holders have worked tremendously hard under extraordinary circumstances to continue their work, including preparing and delivering their thematic and country reports to the Council and the General Assembly. Let me emphasize that for many experts, working under lockdown, has posed numerous challenges, from lack of stable Internet connectivity, to lack of access to office space with a kitchen table serving as a desk and child's classroom. Mandate holders are committed to their work and have demonstrated this in multiple

ways as they have developed guidance on human rights and COVID-19, advocated for vaccine equity, and participated in important dialogues on topics such as policing and racism. The Coordination Committee has previously noted that the Special Rapporteur on the right to privacy has deviated from common practice in his working methods and the Coordination Committee has made clear that it has withdrawn its support for this lone expert who remains an exceptional case amidst the multiple examples of excellence and diligence that we see embodied in this report, and indeed in the presentations to the Council at this session.

Madam President,

This report and the information it contains is an integral part of the efforts taken by special procedures to communicate better about their work and about how this work contributes to the overall human rights mandate of the UN. The system of special procedures is comprised of experienced, dedicated and valuable people who are ready to put their time and expertise at the disposal of the UN and this Council for the furtherance of human rights. The fact that the UN system is relying more and more on our assessment and recommendations as shown by the increased interactions of my colleagues with UN actors across the pillars is a positive and welcome sign.

Defending the cause of human rights within and outside the UN is not an easy task. Special procedures are ready to play their part. We count on your continued support to ensure that special procedures will continue to play their role as a vital part of the human rights framework.

I thank you.