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COMMISSION ON HUMAN RIGHTS
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Agenda item 18

EFFECTIVE FUNCTIONING OF HUMAN RIGHTS MECHANISMS

**Albania*, Australia*, Bulgaria*, Canada, Czech Republic, Denmark*, Finland*,
Germany, Hungary*, Iceland*, Lithuania*, Malta*, Mexico, New Zealand*,
Romania, Slovak Republic*, Spain, United Kingdom of Great Britain and
Northern Ireland: draft resolution**

2001/... Human rights and thematic procedures

The Commission on Human Rights,

Considering that thematic procedures established by the Commission with regard to the consideration of questions related to the promotion and protection of all human rights, being a major achievement and representing an essential element of the United Nations efforts to promote and protect internationally recognized human rights, have an important role among its human rights monitoring mechanisms,

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Emphasizing the importance of the impartiality, objectivity and independence of the thematic procedures as well as the need for due attention to violations of all human rights wherever they may occur,

Noting with satisfaction that an increasing number of Governments have developed a working relationship with the thematic procedures, in particular in the form of invitations to visit, responses to requests for information and implementation of recommendations, and that numerous non-governmental organizations have also developed a working relationship with the thematic procedures,

Welcoming the fact that a number of Governments have announced that they will always accept requests to visit from thematic procedures and inviting other Governments to consider doing the same,

Recalling General Assembly resolution 53/144 of 9 December 1998 by which the General Assembly adopted the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, and recalling its own resolution 2000/61 of 26 April 2000 on the implementation of the Declaration,

Emphasizing the obligation of all Governments not to subject individuals, organizations or groups of persons who have provided information to the special procedures to adverse treatment as a result of such action,

Recalling the applicability of the provisions of the Convention on the Privileges and Immunities of the United Nations to the work of the experts of the special procedures system in the exercise of their functions,

Recalling also all its resolutions on human rights and thematic procedures,

Recalling further:

(a) Recommendations concerning thematic procedures contained in the Vienna Declaration and Programme of Action adopted in June 1993 by the World Conference on Human Rights, which called for the strengthening of special procedures,

(b) The Secretary-General's programme for United Nations reform (A/51/950 and Add.1-7), which calls for mainstreaming human rights in United Nations activities,

(c) The report of the Inter-sessional open-ended working group on enhancing the effectiveness of the mechanisms of the Commission (Commission decision 2000/109, annex),

Mindful of the request of the Secretary-General to the United Nations High Commissioner for Human Rights to review the human rights machinery and develop recommendations on possible ways to streamline and rationalize it, with a view to strengthening, *inter alia*, the special procedures,

Welcoming the organization by the High Commissioner of annual meetings of the holders of mandates, as recommended by the World Conference on Human Rights, and the efforts to coordinate activities among various mandates in the areas of urgent actions, missions to the field and relevant meetings and consultations, so as to enhance the effectiveness of their respective mandates, taking into account the need to avoid unnecessary duplication and overlapping,

Noting that some human rights violations are specific to or primarily directed against women, and that the identification and reporting of these violations demand specific awareness and sensitivity,

Noting also that children and members of other vulnerable groups are frequently subject to abuses of their human rights and deserve specific attention when reporting on violations of human rights,

1. *Commends* those Governments that have invited the thematic special rapporteurs, representatives, experts or working groups to visit their countries and developed other forms of intensive cooperation with the thematic procedures;

2. *Encourages* all Governments to cooperate with the Commission through the pertinent thematic procedures by:

(a) Responding without undue delay to requests for information made to them through the thematic procedures, so that the procedures may carry out their mandates effectively;

(b) Considering inviting thematic special rapporteurs, representatives, experts and working groups to visit their countries;

(c) Considering follow-up visits with a view to the effective implementation of recommendations by the thematic procedures concerned;

3. *Invites* the Governments concerned to study carefully the recommendations addressed to them under thematic procedures and to keep the relevant mechanisms informed without undue delay on the progress made towards their implementation;

4. *Invites* non-governmental organizations to continue and to strengthen their cooperation with thematic procedures and to ensure that the material provided is as detailed, concise and accurate as possible and falls under the mandate of these procedures;

5. *Requests* the thematic special rapporteurs, representatives, experts and working groups:

(a) To make recommendations for the prevention of human rights violations within their respective mandates;

(b) To follow closely and reflect in their reports progress made by Governments in the investigations carried out within their respective mandates;

(c) To continue close cooperation with relevant treaty bodies and country rapporteurs;

(d) To focus the limited resources in ways that best advance the fulfilment of their mandates;

(e) To provide concise and focused reports within their respective mandates;

(f) To include in their reports information provided by Governments on follow-up action, as well as their own observations thereon, including in regard to both problems and improvements, as appropriate;

(g) To include regularly in their reports gender-disaggregated data and to address the characteristics and practice of human rights violations under their mandates that are specifically or primarily directed against women, or to which women are particularly vulnerable, in order to ensure the effective protection of their human rights;

(h) To address also in their reports the characteristics and practice of human rights violations under their mandates that are specifically or primarily directed against children, or to which children are particularly vulnerable, in order to ensure the effective protection of their human rights, and, if possible, to include also age-dissagregated data;

6. *Also requests* the thematic special rapporteurs, representatives, experts and working groups to include in their reports comments on problems of responsiveness and the result of analyses, as appropriate, in order to carry out their mandates even more effectively, and to include also in their reports suggestions as to areas where Governments might request relevant assistance through the programme of advisory services administered by the Office of the High Commissioner for Human Rights;

7. *Requests* the Secretary-General, taking note of the recommendations of the meetings of the special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory services programme, and also of the joint meeting of chairpersons of treaty bodies, to convene further

such periodic meetings in order to enable participants to continue to exchange views, cooperate and coordinate more closely within their respective mandates and make recommendations to that effect so as to enhance the overall effectiveness of the thematic procedures;

8. *Encourages* the United Nations High Commissioner for Human Rights, including in the follow-up to the five-year review of the Vienna Declaration and Programme of Action, to further strengthen cooperation among the thematic special rapporteurs/representatives, experts, members and chairpersons of working groups of the Commission and other relevant United Nations bodies, including the human rights treaty bodies, with a view to promoting greater efficiency and effectiveness through better coordination of the various bodies, mechanisms and procedures, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks;

9. *Suggests* that the special rapporteurs/representatives, experts and working groups of the special procedures of the Commission, acting within their mandates, consider how they can also promote public awareness about human rights and about the particular situation of individuals, groups and organs of society who promote and protect human rights and fundamental freedoms;

10. *Requests* the Secretary-General:

(a) To issue annually and sufficiently early, in close collaboration with the thematic special rapporteurs, representatives, experts and working groups, their conclusions and recommendations, so as to enable further discussion of their implementation at subsequent sessions of the Commission;

(b) To present annually a list of all persons currently mandated to carry out the thematic and country procedures, including their country of origin, in an annex to the annotations to the provisional agenda of each session of the Commission;

11. *Also requests* the Secretary-General, in implementing the United Nations budget for the current biennium, to ensure the availability of such resources as are necessary for the Office of the High Commissioner for Human Rights to support the effective implementation of all thematic mandates, including any additional tasks entrusted to the thematic special rapporteurs, representatives, experts and working groups by the appropriate United Nations organs;

12. *Decides* to continue its consideration of this question at its fifty-ninth session.
