

**Inter-sessional Open-ended Intergovernmental Working Group
on the Implementation of the OP 6 of the General Assembly resolution 60/251**

**Progress Report by the Facilitator:
H.E. Mr. Tomas Husak, Permanent Representative of the Czech Republic
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Mr. President,
Distinguished delegates,
Ladies and gentlemen,

I have the honour to present to you a progress report on the implementation of the operative paragraph 6 of the General Assembly resolution 60/251, by which the General Assembly decided, that the Council shall assume, review and, where necessary, improve and rationalise all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights, in order to maintain a system of special procedures, expert advice and a complaint procedure. As a follow-up, the Council has by its decision 2006/104 established the Working Group, with a view to formulate specific recommendations to that end, through open-ended, inter-sessional, transparent, well-scheduled and inclusive consultations, with the participation of all stakeholders. The Working Group shall complete the review within one year after the holding of the Council's first session.

On this basis, the President of the Council had encouraged holding the open-ended informal consultations to exchange information and solicit proposals to identify the principals and modalities of the review, to enable structured negotiations to start within the Working Group.

There have been three rounds of informal consultations. Those on 21 July 2006 had provided for initial exchange of observations during which the delegations reflected on experiences with the work of the Special Procedures. It was felt that the Special Procedures – serving as independent experts or as their groups, are an essential instrument for the promotion and protection of human rights, while monitoring the thematic issues on the global scale as well as the situations in particular countries. Further recommendations addressed the need of improving the submissions of information, providing for invitations and acceptance of requests to visit, fulfilling the recommendations and enabling the follow-up. Delegations also

stressed, that there has been scope for further refinements, as regards for example the nomination and appointment of mandate-holders, coordination among them, improvements of the working methods as well as preventing the politicisation of the work of Special Procedures. Lastly, the participants encouraged the Special Procedures mandate-holders, NGOs and National Human Rights Institutions to take part throughout the review process.

In addition, the second consultations, held on 7 September 2006, stimulated more elaborated presentations. Delegations pointed out e.g. to the universality of human rights – to a necessity of striking a balance between the civil and political and economic, social and cultural rights, to a need of improved financing and enhanced support to the Special Procedures by the OHCHR. Moreover, some participants drew attention to eventual additional thematic priorities, while emphasising the role of thematic procedures, and called for a greater synergy between the Special Procedures and the Council, including through standardisation of their working methods.

The third round of consultations, held on 15 September 2006, enabled delegations to expand their previously presented positions and to reflect briefly on the draft elements compiled in order to structure the future discussions. There would be nine topics to be taken-up during individual meetings of the Working Group:

Regarding **Nominations and appointments** of Special Procedures mandate-holders, we would consider e.g. the criteria, procedure and term-limits.

Under the **Coherence between the Special Procedures**, we may embark on an establishment of different categories of mandates and the standardisation and coordination of their working methods.

Chapter Interaction between the mandates as well as with other human rights mechanisms, including when addressing the situations at country level, would foster the definition of cooperation between different mandates and the relation between the mandates and UPR and a complaint procedure.

Referring to **Priority areas of mandates**, we might focus on the interrelatedness of human rights and means of handling the thematic issues with regard to country level.

Not the least pertinent issue - the **Relationship with the Human Rights Council**, might include the preparations and considerations of reports.

When addressing the issues of **Cooperation by the Governments**, we may dwell on replies to allegation letters and standing invitations to visit.

Under **Organisation and Logistics** we could frame for example the forms of support to the Special Procedures by the OHCHR.

Other Issues Related to Working Methods may entail the interaction with the UN organs and bodies and UN country-teams and cooperation with other bodies and NGOs.

Discussion of these structural issues would enable us to arrive at **General criteria for the Review, Rationalisation and Harmonisation of Mandates**, which should be preceded by an overall assessment of the contents and focus of individual mandates, facilitating the definition of overlaps and gaps.

Finally, the process should graduate by adopting the recommendations to **Streamline the working methods or individual mandates**.

In order to meet the assigned tasks, the Working Group shall first meet in two periods, from 16 to 20 October and from 13 to 17 November 2006. You may find its draft time-table circulated in the room.

Mr. President,

To conclude, let me reiterate, that our endeavours are driven by the aim to improve the prevention of violations of human rights and the protection of their victims all around the world. That is why we are obliged to contemplate in our Working Group - in cooperation with the Inter-sessional Open-ended Intergovernmental Working Group to develop the modalities of the universal periodic review mechanism - all possible ways and means in order to improve, streamline and enhance the effectiveness of Special Procedures. I would like to express my conviction, that all participants are ready to spare no effort to continue in transparent and inclusive work to achieve consensus in this essential exercise.

I thank you for your attention.