



Security Council

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Note verbale dated 30 April 2019 from the Permanent Mission of Germany to the United Nations addressed to the President of the Security Council

The Permanent Mission of Germany to the United Nations presents its compliments to the President of the Security Council and has the honour to transmit herewith a letter from the Chair of the Coordination Committee of the Special Procedures (see annex).

The Permanent Missions of Belgium, France and Germany to the United Nations kindly request that the present letter be issued as a document of the Security Council.



Annex to the note verbale dated 30 April 2019 from the Permanent Mission of Germany to the United Nations addressed to the President of the Security Council

I am writing in my capacity as Chair of the Coordination Committee of Special Procedures to share information about the work of special procedures mandate holders in 2018 that we deem pertinent to the work of the Security Council.

The special procedures system is composed of independent experts appointed by the Human Rights Council with mandates to report and advise on human rights from a thematic or country-specific perspective. As of 1 January 2019 there are 44 thematic mandates covering all human rights and 12 country mandates, some of which are of particular relevance for the Security Council as they cover countries that feature in the work of the Security Council (Central African Republic, Democratic People's Republic of Korea, Mali, Myanmar, Somalia, Sudan and the Occupied Palestinian Territories).

Special procedures are the most accessible human rights mechanisms and they receive "warnings" from people from all around the world. Through their visits or contact with all stakeholders, they are often the first to observe the initial signs of an emerging crisis. More concretely, on average, special procedures conduct approximately 60 to 80 visits to countries per year. They also address individual cases or legislative developments by sending 500 to 600 communications per year covering all regions of the world. Similarly, thematic reports contribute to greater understanding of complex situations. They address topics that contribute to prevention and early warning. In addition, the capacity of special procedures to assist States and United Nations bodies through the provision of expert advice on implementation of human rights obligations has an important preventive role. This could give the United Nations, including the Security Council, useful tools to understand, prevent and respond to emerging crisis.

Over the years, the special procedures system has taken early action in relation to several country situations, such as Myanmar, Burundi or the Central African Republic. Aside from country situations, special procedures have also raised the alarm about worrying developments on thematic issues such as climate change, migration, the need to protect human rights in the fight against terrorism, new technologies such as the issue of drones and autonomous weapons and their impact on human rights, or the shrinking space for civil society. The prevention perspective of mandate holders encompasses all human rights, including economic, social and cultural rights. History has indeed shown that the roots of many conflicts are often based on inequalities, discrimination or economic crisis.

While special procedures have the ability to identify risks of violations and give warning of emerging developments or crisis, the challenge is to ensure that the United Nations and Member States properly act on such information. The purpose of the present letter is therefore to raise attention and facilitate access to the information gathered by special procedures that could be of interest for other United Nations bodies.

Information about the activities undertaken by special procedures in 2018 is reflected in the annual report on special procedures and its addendum on facts and figures ([A/HRC/40/38](#) and [A/HRC/40/38/Add.1](#) – see www.ohchr.org/EN/HRBodies/SP/Pages/Annualreports.aspx). The report showcases the role that special procedures have in the area of prevention and peace and security, including in the context of the Secretary General's reforms. One of its objectives is also to highlight the opportunities that engaging with special procedures will offer on a variety of issues.

As indicated in the present report, some thematic reports published in 2018 by mandate holders relate to prevention, early warning, (post-) conflict or humanitarian crises. The Special Rapporteur on the right to food addressed humanitarian crises, disasters and the right to food; the Special Rapporteur on the human rights to safe drinking water and sanitation reported on access to water and sanitation for forcibly displaced persons; the Special Rapporteur on minority issues examined statelessness as a minority issue. The right to education for refugees was the focus of the Special Rapporteur on the right to education, while the Working Group on mercenaries reported on the recruitment of children by non-State armed groups, including mercenaries and private military and security companies. The Special Rapporteur on trafficking in persons addressed the gender dimension of trafficking in persons in conflict and post-conflict settings, in particular as it relates to the women and peace and security agenda of the Security Council. The Special Rapporteur on freedom of religion or belief studied the relationship between freedom of religion or belief and national security. The Special Rapporteur on extrajudicial, summary or arbitrary executions examined armed non-State actors and the protection of the right to life. The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism addressed the challenge of states of emergency in the context of countering terrorism, as well as legal regimes, with a focus on Security Council resolutions and the obligations arising from the law of armed conflict and human rights.

The Special Rapporteur on the human rights of internally displaced persons proposed an agenda for strategic and joint action on the occasion of the twentieth anniversary of the Guiding Principles on Internal Displacement. In addition, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence presented a joint study with the Special Adviser to the Secretary-General on the Prevention of Genocide on the contribution of transitional justice to the prevention of gross violations and abuses of human rights and serious violations of international humanitarian law, including genocide, war crimes, ethnic cleansing and crimes against humanity, and their recurrence. He also presented a global study on transitional justice.

Likewise, special procedures continued to take early action in relation to several country situations, including through its communications procedure, reports to States, statements and press releases. The visits of mandate holders to countries in post-conflict, conflict or crisis situations, such as the Central African Republic, Côte d'Ivoire, Iraq, Libya or Mali, are good examples in that context. Hence a number of visits undertaken by special procedures in 2018 to countries that feature in the work of the Security Council might be of interest. These include for example Chad (mercenaries), Colombia (human rights defenders), Libya (internally displaced persons), Niger (internally displaced persons and migrants), Nigeria (trafficking), the Syrian Arab Republic (unilateral coercive measures), Ukraine (enforced disappearances, foreign debt and torture), or Bangladesh in the context of the mandate of the Special Rapporteur on Myanmar. In addition, several reports of visits undertaken in 2017 were presented last year, such as those to the Democratic People's Republic of Korea (disabilities), Serbia and Kosovo¹ (cultural rights, torture and enforced disappearance) and Iraq (summary executions).

Our system has invested efforts in improving its engagement with United Nations bodies such as the Security Council in the light of the interrelatedness of human rights, development and peace and security. Several of my colleagues had interactions with the Security Council in either an informal or a formal manner

¹ References to Kosovo shall be understood to be in the context of Security Council resolution 1244 (1999).

recently. For example, some informal interactions between mandate holders and members of this Council have occurred. In December 2018, the Special Rapporteur on the rights of persons with disabilities participated in an Arria formula meeting of the Security Council on the situation of persons with disabilities in armed conflict. I hope these interactions will be maintained and strengthened.

Through their recommendations, special procedures not only help in identifying problems but also propose solutions. We are currently working on collecting more stories of how our work has impacted positively on peace and security and development areas, including at the country level. An essential part of a prevention strategy is to support States in the process of improving the human rights situation.

I trust that the present letter and attachment will help illustrate how the work of special procedures can be of interest to the Security Council. My colleagues and I would be pleased to engage further with the members of the Security Council, including the next time the Coordination Committee meets in New York, on how we can assist you in the discharge of your prevention mandate, in accordance with the Charter of the United Nations and our own mandates.

(Signed) Dainius **Puras**
Chair of the Coordination Committee of the Special Procedures
