

# COUNCIL MONITOR

International Service for Human Rights



Human Rights Monitor Series

## DAILY UPDATE HUMAN RIGHTS COUNCIL, 7<sup>TH</sup> SESSION 11 MARCH 2008

Overview .....	1
Item 3 – Promotion and protection of all human rights.....	2
Working Group on enforced disappearances .....	2
Special Rapporteur on the sale of children, child prostitution and child pornography .....	3
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (continued) .....	5
Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health .....	8
Special Rapporteur on the right to food.....	10
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression .....	13
Informal consultations .....	14
Other issues – Bureau meeting with NGOs .....	15

### Overview

The Human Rights Council (the Council) spent the entire day on interactive dialogues with special procedures mandate holders. The interactive dialogues followed the usual modalities. The mandate holders first introduce their reports, which is followed by comments from the States concerned and other members and observers of the Council, including national human rights institutions (NHRIs), and non-governmental organisations (NGOs). Replies by the mandate holders finish the consideration of the reports.

The following special procedures presented their reports during the day:

- Working Group on enforced or involuntary disappearances (continued).
- Special Rapporteur on the sale of children, child prostitution and child pornography (continued).
- Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (continued).
- Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

- Special Rapporteur on the right to food.
- Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.

The first three dialogues in the following list were carried over from the previous day, as the list of speakers had not been exhausted. The other three interactive dialogues have not finished, as again there is still a list of speakers of around 30 States. While in earlier sessions of the Council, the breaking up of the interactive dialogues was exceptional, it has become increasingly common that the dialogues are continued on the following day. This is not a welcome trend, as it breaks the flow of the discussion. In addition, often special procedures mandate holders can not be present for two meetings on two different days, which also negatively affects the quality of the dialogues.

With the accumulated delay of Monday and Tuesday (10 and 11 March), the Council is currently running between roughly five and six hours behind schedule. This makes it very difficult for all stakeholders involved to effectively engage with the Council. Stricter time management, including more generous programming ahead of the session, would go a long way in alleviating this concern.

During the day, Canada also held informal consultations on its draft resolution on the mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.

At the end of the day, the Council Bureau held a meeting with NGOs.

### Item 3 – Promotion and protection of all human rights

#### **Working Group on enforced disappearances<sup>1</sup>**

##### ***Interactive dialogue***

The interactive dialogue continued from yesterday. With respect to the information in the report, Pakistan, on behalf of the Organisation of the Islamic Conference (OIC), took the opportunity to draw attention to the fact that a number of OIC governments are working to verify the authenticity of some of the information contained in the report. It stipulated that thorough validation of information by the Working Group would be appreciated.<sup>2</sup> The Philippines asked for an appendix to be corrected, and Nepal also highlighted errors in the report. In his closing statement, Mr Corcuera apologised to both States for the errors and assured that the Working Group will work carefully to avoid such errors in the future.

With regard to outstanding cases, Australia raised the fact that according to the report of the Working Group<sup>3</sup> there were some 40,000 outstanding cases of enforced disappearances throughout the world, which illustrates the enormity of the problem. Throughout the course of the dialogue, several delegations took the opportunity to clarify and update information relating to outstanding cases in their respective States.<sup>4</sup> Other States highlighted their efforts in view of victim compensation,<sup>5</sup> and others reconfirmed their commitments to

---

<sup>1</sup> For an overview of the presentation of the report and the statements by the concerned countries, please refer to the *Daily Update* of 10 March 2008, available at [www.ishr.ch](http://www.ishr.ch).

<sup>2</sup> Supported by the Russian Federation.

<sup>3</sup> A/HRC/7/2, 10 January 2008, available at [www2.ohchr.org/english/bodies/hrcouncil/7session/reports.htm](http://www2.ohchr.org/english/bodies/hrcouncil/7session/reports.htm). ISHR has prepared unofficial summaries of the reports by the special procedures ('Reports in short'), available at [www.ishr.ch/hrm/council/reports\\_in\\_short](http://www.ishr.ch/hrm/council/reports_in_short).

<sup>4</sup> Algeria, Argentina, Brazil, Chile, Colombia, Morocco, Nepal, Philippines, Peru, Thailand.

<sup>5</sup> Algeria, Colombia, Morocco, the Philippines, Peru.

cooperate with the Working Group.<sup>6</sup> Argentina and Morocco called upon the international community to ratify the *International Convention on Enforced and Involuntary Disappearances*, while Chile and Mexico announced that they have completed the first part of the ratification process. Mexico welcomed the improvement to the Working Group's working methods. In his concluding comments, Mr Corcuera, the Chairperson of the Working Group, said that the revised working methods are now in line with the code of conduct for special procedures mandate holders.<sup>7</sup>

On the subject of impunity, Slovenia, on behalf of the European Union (EU), asked how the international community can overcome this obstacle with regard to enforced disappearances. Australia expressed its concern about the 4,500 outstanding cases of disappearances in Sri Lanka,<sup>8</sup> and claimed that a culture of impunity fosters this practice. The International Commission of Jurists (ICJ) claimed that Sri Lanka has denied a visit request by the Working Group. In exercising its right to reply, Sri Lanka fervently denied this, insisting that there is in an ongoing dialogue with the Working Group regarding the 'right time' for such a visit. Moreover, the ICJ claimed that there was a 'climate of total impunity' in southern Thailand, an accusation Thailand strongly denied in its right to reply. The Columbian Commission of Jurists recommended that the Working Group carry out a follow-up to its 2005 mission, as many of the recommendations have not yet been implemented. The Mexican National Institute for Human Rights thanked the Working Group for its constructive guidance, but remained concerned about the lack of information on missing human rights defenders.

In his concluding remarks, Mr Corcuera noted that the Working Group is pleased that Honduras is taking measures to criminalise disappearances and that they have ratified the *International Convention on Enforced and Involuntary Disappearances*. With reference to El Salvador, the Working Group acknowledged the difficulties the State has in looking for disappeared persons, but stipulated that this process must be carried out regardless of the age of the person, and not only for children.

### **Special Rapporteur on the sale of children, child prostitution and child pornography<sup>9</sup>**

#### ***Interactive dialogue***

States were virtually unanimous in commending Mr Juan Miguel Petit, the Special Rapporteur on the sale of children, child prostitution and child pornography, for his valuable and comprehensive report.<sup>10</sup> Uruguay particularly praised the approach taken of reporting governmental, intergovernmental, and non-governmental best practices. Malaysia added that the coverage of best practices would assist countries on the establishment of effective policies. Nevertheless, the Sudan regretted that Mr Petit did not make reference in the report to the 'kidnaps' by the French NGO Zoe's Arc in the Sudan and Chad in 2007. The Sudan said that the NGO had exaggerated the situation in the country and had exploited the conflict to act without due diligence. Furthermore, the Sudan requested the Special Rapporteur to comment on the issue, and asked for further information on the sentences handed to the perpetrators and the compensations received by the families of these children. Also regarding the abduction of children, Iran asked Mr Petit if he knew of other 'rescuing organisations' working in Africa, and wished to know what can be done to prevent the reoccurrence of such a case. In replying, Mr Petit outlined four pillars in prevention policy.<sup>11</sup> He acknowledged the efforts of the EU

---

<sup>6</sup> Chile, Mexico, Thailand.

<sup>7</sup> A/HRC/RES/5/2, 18 June 2007, available at [www2.ohchr.org/english/bodies/chr/special/docs/CodeofConduct\\_EN.pdf](http://www2.ohchr.org/english/bodies/chr/special/docs/CodeofConduct_EN.pdf)

<sup>8</sup> Echoed by the International Commission of Jurists (ICJ).

<sup>9</sup> For an overview of the presentation of the report and the statements by the concerned countries, please refer to the *Daily Update* of 10 March 2008, available at [www.ishr.ch](http://www.ishr.ch).

<sup>10</sup> A/HRC/7/8, 9 January 2008, available at [www2.ohchr.org/english/bodies/hrcouncil/7session/reports.htm](http://www2.ohchr.org/english/bodies/hrcouncil/7session/reports.htm). ISHR has prepared unofficial summaries of the reports by the special procedures, available at [www.ishr.ch/hrm/council/reports\\_in\\_short](http://www.ishr.ch/hrm/council/reports_in_short).

<sup>11</sup> Law enforcement; investigation, information, and awareness-raising; justice; specific educational programmes.

in developing a culture against crimes against children through the promotion of values and the implementation of education programmes. Mr Petit also thanked Brazil for hosting the 3<sup>rd</sup> Conference on Sexual Exploitation.

Palestine, on behalf of the Group of Arab States, expressed its concern about the psychological and social implications of the sale of children, child prostitution and child pornography. It also expressed its concern regarding the link between child prostitution and the spread of HIV/AIDS. Furthermore, it called upon the international community to criminalise child pornography on the Internet, and requested the Special Rapporteur's view on the role of governments in this respect. Belarus voiced its alarm concerning the rise in paedophilia in the world. It highlighted the need to study the reasons behind this phenomenon, and to think of measures to combat it. The Jubilee Campaign stated that the trafficking of minors was a rising practice associated with globalisation, feminisation of poverty, lack of education and employment, discrimination, internal displacement, and selective migration policies. The Jubilee Campaign described human trafficking as 'a modern form of slavery', and called upon States to effectively implement international treaties and actively prosecute and punish those responsible.

The Jubilee Campaign called upon states parties to the *Convention against Transnational Organized Crimes* and its supplementary *Protocol to prevent, suppress and punish trafficking in persons, especially women and children* to comply with their commitments. Palestine, on behalf of the Group of Arab States, commended the optional protocol to the *Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography*. Morocco and Iran declared that they have ratified the optional protocol, and Israel stated it will ratify the document shortly.

Many States described their national initiatives to combat and prevent the practices covered by this mandate. These efforts include legislative innovations,<sup>12</sup> the organisation of conferences,<sup>13</sup> media campaigns,<sup>14</sup> national plans of action,<sup>15</sup> the construction of shelters for victims,<sup>16</sup> the ratification of international instruments,<sup>17</sup> and the establishment of bilateral and multilateral cooperation agreements.<sup>18</sup> Iran stressed that States should not only give importance to the assistance and rehabilitation of victims, but should also bear in mind the importance of promoting the strengthening of family values and spirituality as preventive measures.

Many States asked Mr Petit for further elaboration on his concluding observations calling for further coordination and a more comprehensive approach. Palestine, on behalf of the Group of Arab States, inquired how Mr Petit views the importance of international cooperation to combat sale of children and child prostitution, as well as how he evaluates the measures taken by the United Nations (UN) and other international organisations. Liechtenstein and Slovenia (on behalf of the EU) wished to know how regional and international cooperation to combat these practices can be enhanced and strengthened, particularly with regard to the exchange of information and best practices. Norway asked Mr Petit for his thoughts on improving the coordination of the work of all stakeholders.<sup>19</sup> Mr Petit stressed that international cooperation could enhance certain policies such as in education and training.

Slovenia (on the behalf of the EU) asked whether Mr Petit has undertaken any joint initiatives with other mandate holders. The Russian Federation asked for clarification on the dividing line between the mandate of the Special Representative of the Secretary-General on violence against children and that of Mr Petit.

---

<sup>12</sup> Liechtenstein, Tunisia, New Zealand, Israel, Malaysia.

<sup>13</sup> Brazil, Belarus.

<sup>14</sup> Morocco, Malaysia, Belarus.

<sup>15</sup> Morocco, Russian Federation, New Zealand.

<sup>16</sup> New Zealand.

<sup>17</sup> Malaysia.

<sup>18</sup> Malaysia, Brazil, Argentina.

<sup>19</sup> Echoed by New Zealand, Israel.

Furthermore, Norway asked if Mr Petit seeks cooperation with the Special Representative. Mr Petit responded that he recognises the complementarity of his mandate and that of the Special Representative, and acknowledged the possibility of developing a shared agenda.

**Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (continued)<sup>20</sup>**

***Interactive dialogue***

Nigeria as a concerned country expressed its appreciation to the Special Rapporteur, Mr Manfred Nowak, for his visit, which was undertaken at the express request of the Government. While not denying the existence of torture, Nigeria reiterated its unequivocal commitment to tackle challenges and arrive at durable solutions. The delegation asserted that part of Mr Nowak's report is 'clearly exaggerated and misleading'. It questioned the validity of Mr Nowak's conclusion of widespread human rights infractions in Nigeria, which according to the delegation was based on 'a few visits'. Nigeria spoke of national initiatives such as the incorporation of human rights into the training of security agencies and recent prison reforms, and welcomed Mr Nowak's call on the international community for assistance in building relevant capacities. The delegation ended its statement by expressing its continued commitment to cooperation with the international system in the promotion and protection of human rights not only in Nigeria, but throughout the world.

Togo, as a concerned State, thanked Mr Nowak for his report, and provided the Council with an update on current events in the country. The delegation assured that reform of the criminal code has begun, and that the new code will take into account the definition and criminalisation of torture in accordance with the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment* (CAT). Togo drew attention to a draft code, which expressly prohibits violence against women, and to an existing law prohibiting female genital mutilation (FGM). It also discussed plans to address corporal punishment in detention centres, reform the prison system, introduce alternative sentences for minor offences, train prison wardens in human rights, and employ women staff for women prisoners. The International Committee of the Red Cross (ICRC) is allowed to carry out unannounced visits in detention facilities, and possibilities are offered to other organisations to visit such facilities. Other development described by the delegation included the distinction between functions of domestic security and defence, the initiation of a study on juvenile justice, the formulation of a national programme on human rights in association with the United Nations Development Programme (UNDP), and the establishment of a commission to promote national conciliation and forgiveness. Togo pointed out that these various initiatives comply with the recommendations put forward by Mr Nowak, 'but several steps still need to be taken' and expressed its hope for international support.

Sri Lanka, the last concerned country to take the floor, expressed its sincere appreciation for Mr Nowak's manner and methods of work. It welcomed the 'free and frank dialogue' that had taken place, and commented that Mr Nowak's 'helpful and constructive approach' reflects the principle of constructive engagement. However, Sri Lanka expressed its reservations with Mr Nowak's assertion that torture is widely practiced in the State. The delegation insisted that torture in Sri Lanka is neither systematic nor widespread, but rather it is an act that is 'occasionally resorted to by overzealous investigative personnel'. Sri Lanka highlighted that it has sought Mr Nowak's assistance with regard to policy and legal issues relating to criminalising and prosecuting torture. It promised to continue its dialogue with Mr Nowak and to keep him updated on the cases raised by him. Sri Lanka took this opportunity to reiterate its opposition to the opening of an office of the High Commissioner for Human Rights there. It stressed that what is needed is the enforcement and enhancement of existing 'home-grown' human rights institutions through capacity building.

---

<sup>20</sup> For an overview of the presentation of the report, please refer to the *Daily Update* of 10 March 2008, available at [www.ishr.ch](http://www.ishr.ch)

Mr Nowak's focus on women and torture in his latest report<sup>21</sup> was commended by and drew the interest of many States and NGOs.<sup>22</sup> Several States gave examples of national initiatives on the prevention of violence against women.<sup>23</sup> Pakistan (on behalf of the OIC) inquired how instances of the commercial exploitation of women should be addressed. Mr Nowak declared that if it is undertaken with the acquiescence of the State, this practice may constitute torture because of its discriminatory element. Norway commented that it is difficult to assess the full scope of States' due diligence obligations with respect to the protection of women in the private sphere, and asked Mr Nowak to identify the most important elements of these obligations. Mr Nowak replied that States have obligations to take legislative measures and implement them. Belgium asked what particular measures can be undertaken to overcome stigmatisation, which often discourages women victims from reporting crimes committed against them.<sup>24</sup> Mr Nowak suggested that labelling violence against women as torture will decrease the stigma surrounding it. The Sudan agreed with Mr Nowak's claim that female genital mutilation is a form of continuous torture, and stressed that States must prohibit this practice.<sup>25</sup> Canada commended the efforts of African States to eradicate this practice. Canada shared Mr Nowak's concerns regarding sentencing of women to death by stoning, arguing that 'this barbaric practice not only constitutes torture, but also violates the principle of non-discrimination on the basis of sex'. Austria highlighted the vulnerability of women with disabilities, and asked Mr Nowak to further expand on this theme, especially in the context of the *Convention on the Rights of Persons with Disabilities*. Mr Nowak replied that he would deal with this issue in his next report to the General Assembly. Norway expressed its interest in the concept of powerlessness,<sup>26</sup> commenting that it may be of practical value in assessing whether a woman has been subject to torture outside State control. The World Organisation against Torture (OMCT) encouraged Mr Nowak to extend his study to other gender-related violence such as violence against sexual minorities. States and NGOs encouraged Mr Nowak to continue to work on this issue in collaboration with the Special Rapporteur on violence against women.<sup>27</sup> To this, Mr Nowak replied that he is happy to carry out such joint visits.

The Association for the Prevention of Torture (APT) asked Mr Nowak what measures States should consider in order to improve the conditions of pregnant women and mothers of young children who are detained. Mr Nowak commented that non-custodial measures should be used for such women, and was happy to report that many countries that he has visited had allowed infants to stay with women in separate, special facilities.

Brazil announced the construction of a national preventive mechanism to combat torture in compliance with the optional protocol to the *Convention against Torture* (OPCAT).<sup>28</sup> Slovenia (on behalf of the EU) inquired about the status of the national mechanisms in Paraguay. Mr Nowak replied that the mechanism in Paraguay goes beyond what is required by OPCAT. The APT asked Mr Nowak what measures or methodologies

---

<sup>21</sup> A/HRC/7/3, 15 January 2008, available at [www2.ohchr.org/english/bodies/hrcouncil/7session/reports.htm](http://www2.ohchr.org/english/bodies/hrcouncil/7session/reports.htm). ISHR has prepared unofficial summaries of the reports by special procedures ('Reports in short'), available at [http://www.ishr.ch/hrm/council/reports\\_in\\_short](http://www.ishr.ch/hrm/council/reports_in_short).

<sup>22</sup> Pakistan (on behalf of the Organization of the Islamic Conference [OIC]), Liechtenstein, Morocco, Norway, Chile, Mexico, Slovenia (on behalf of the European Union [EU]), Belgium, Sudan, Nepal, Canada, Austria, Switzerland, Kenya, World Organisation against Torture (OMCT), joint statement with International Rehabilitation Council for Torture Victims, International Federation of Action by Christians for the Abolition of Torture, Asia-Pacific Forum for Women, Law and Development, Center for Women's Global Leadership, Canadian HIV/AIDS Legal Network), Association for the Prevention of Torture (APT).

<sup>23</sup> Mexico, Sudan, Kenya

<sup>24</sup> Echoed by Canada, Austria, OMCT (joint statement).

<sup>25</sup> Supported by Canada

<sup>26</sup> In earlier reports, Mr Nowak defined this concept as the overriding factor at the core of cruel treatment. Outside a situation where one person is under the *de facto* control of another, the prohibition of cruel treatment is subject to the proportionality principle, which is a precondition for assessing its scope of application. However, if a person is detained or otherwise under the *de facto* control of another person, i.e. powerless, the proportionality test is no longer applicable and the prohibition of torture and cruel treatment is absolute.

<sup>27</sup> Chile, Belgium, OMCT (joint statement).

<sup>28</sup> Kenya also spoke of its national human rights institution.

national preventive mechanisms under OPCAT should consider to prevent torture more effectively. To this, Mr Nowak replied that such mechanisms should include a gender-specific perspective.

Slovenia (on behalf of the EU) asked Mr Nowak about the current situation regarding a possible mission to the Russian Federation. Mr Nowak expressed his disappointment that the visit planned for 2006 was cancelled, and hoped that the Russian Federation will extend another invitation. Slovenia (on behalf of the EU) was also interested to know if Mr Nowak has received any new information regarding a specific case in Nigeria mentioned in his report. Nigeria exercised its right of reply to respond to this allegation, giving details on the fate of the two individuals concerned. Mr Nowak promised to respond on this issue in writing. Slovenia (on behalf of the EU) also expressed its concern about the alleged use of torture by security forces in Zimbabwe, and asked Mr Nowak to consider a visit there. Mr Nowak reported that he had had a constructive meeting with Zimbabwe and will visit the country. Belgium wished to learn more about Mr Nowak's upcoming visit to Iraq. Mr Nowak replied that the visit is planned for early autumn.

Switzerland regretted the fact that Mr Nowak was unable to visit areas controlled by the Liberation Tigers of Tamil Eelam (LTTE) during his mission to Sri Lanka. Noting that Mr Nowak was unable to visit Jaffna during his visit to Sri Lanka, the International League for the Rights and Liberations of Peoples (LIDLIP) reported on the human rights violations taking place there. Furthermore, it voiced its doubts regarding the independence of Sri Lanka's NHRI. It also supported the establishment of an office of the High Commissioner there. Switzerland asserted that the fight against impunity is a priority, and asked Mr Nowak for additional comments on the case before British courts of a former member of the LTTE. It was especially interested in the principle of universal jurisdiction with regard to torture. Mr Nowak stressed the importance of universal jurisdiction. Sri Lanka, exercising its right of reply, stated that Switzerland's interest in the specific case was 'rather curious' and drew attention to the fact that Black Tiger day, a commemoration of suicide bombers, is permitted in several Swiss cities. It also criticised the fact that Mr Nowak's report makes no reference to 'underground prisons run by the LTTE'.

The Czech Republic expressed its concern about the large number of pending requests to States for invitations,<sup>29</sup> including several long-term requests to current members of the Council. It asked Mr Nowak whether he had noticed any increase in responses, especially from the latter States. Mr Nowak replied that some of the countries he has visited recently are members of the Council. Liechtenstein expressed its sincere hope that the universal periodic review (UPR) process will contribute to enhancing the political will of States in this respect. Switzerland called upon all States to extend standing invitations to all special procedures mandate holders. Algeria argued that its consistent compliance with Mr Nowak's requests for information made his request for a visit to the country unjustifiable.

Slovenia (on behalf of the EU) asked Mr Nowak for concrete suggestions on how the EU can support the follow-up to his latest missions. The Togo National Commission of Human Rights inquired how Mr Nowak himself envisages to follow up on his recommendations to ensure that they are implemented. Amnesty International asked Mr Nowak for his ideas on how the Council can better defend the absolute prohibition on torture.

Tunisia exercised its right of reply against the 'unjustifiable statement' by OMCT on the fate of an expelled Tunisian national. Tunisia refuted the claim that he had been tortured, and reiterated its commitment to the prohibition and punishment of torture.

---

<sup>29</sup> Echoed by Liechtenstein.

## **Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health**

Mr Paul Hunt, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (the Special Rapporteur), presented his annual report and several mission reports.<sup>30</sup> The report identifies a general right to health approach to strengthening of health systems. Because his mandate expires later this year, the Special Rapporteur gave an overview of his work since 2002 when he took up office.

In his oral presentation,<sup>31</sup> the Special Rapporteur particularly highlighted the importance of accountability, accessibility, and palliative care, including the lack of access to pain-relieving drugs. Mr Hunt explained that 11 October 2008 is the World Hospice and Palliative Care Day<sup>32</sup> and urged the Council to give this issue and day the attention it deserved.

Mr Hunt recalled the broad range of health issues he had covered in his thematic reports, including maternal mortality, essential medicines, water and sanitation, the skills drain, sexual and reproductive health, mental disability, the health-related millennium development goals (MDGs), neglected diseases, international assistance and cooperation and, most recently, health systems. Turning to methodological aspects of his work, the Special Rapporteur also recalled that the right to health is subject to ‘progressive realisation’. He pointed to the model of indicators and benchmarks developed in his third report to the then Commission on Human Rights to solve this ‘methodological problem’.<sup>33</sup> The Special Rapporteur stressed that the use of indicators and benchmarks effectively removed the possibility for States to argue that the progressive realisation of the right to health could be measured. Expanding on his analysis of the right to health over the years, the Special Rapporteur also elaborated on the definition of ‘maximum available resources’, to which the implementation of the right to health is subject. He encouraged the holding of a meeting of experts to further develop the meaning of the phrase.

Looking to the future, the Special Rapporteur said that the Council as an ‘assembly of diplomats is not the most appropriate group for discussion on the right to health’. He stressed that the Council needs the expertise of health workers to fully realise the right to the highest attainable standard of health.<sup>34</sup> He further suggested right to health reports to be considered by the World Health Assembly and the World Health Organization’s (WHO) Executive Board. In that context, Mr Hunt deplored the inconsistency States show in relation to the right to health in different fora.

Mr Hunt urged all States to take steps to mainstream human rights in their health-related national and international policy. To that effect, he reiterated a suggestion he had made at the 6<sup>th</sup> session that the Council hold a panel discussion or a special session on, for example, maternal mortality. The Special Rapporteur further reported that he would continue to consult and receive comments on the draft *Human Rights Guidelines for Pharmaceutical Companies in Relation to Access to Medicines*, and that he hoped to present the finished text before the end of July 2008.

---

<sup>30</sup> A/HRC/7/11, 31 January 2008 (annual report), Add. 1, 4 March 2008 (communications to and from governments), Add. 2, 5 March 2008 (mission report to Uganda), Add. 3, 4 March 2007 (preliminary note on the missions to Ecuador and Colombia), Add. 4, 29 February 2008 (preliminary note on the mission to India). ISHR has prepared unofficial summaries of the reports by special procedures (‘Reports in short’), available at [www.ishr.ch/hrm/council/reports\\_in\\_short](http://www.ishr.ch/hrm/council/reports_in_short).

<sup>31</sup> Oral statements made at the Council can be accessed on the OHCHR extranet at <http://portal.ohchr.org> (fill out the form on [www.ohchr.org/english/bodies/hrcouncil/form.htm](http://www.ohchr.org/english/bodies/hrcouncil/form.htm) to receive user name and password).

<sup>32</sup> He noted that the theme in 2008 is ‘Palliative Care is a Human Right’.

<sup>33</sup> E/CN.4/2006/48.

<sup>34</sup> By health workers the Special Rapporteur includes all those developing, managing, delivering, monitoring, and evaluating preventive, curative, and rehabilitative health in the private and public health sectors, including traditional healers.

The Special Rapporteur spent limited time on his country visits to India, Ecuador, Colombia, and Gaza. He mentioned a mission made last year to examine what Sweden does in practice to promote the right to health outside Sweden and his subsequent visit to Uganda. He emphasised that the report had relevance to all high-income countries, as it outlined and made recommendations on the content of human rights obligations of international cooperation in health. The Special Rapporteur also repeated his ‘profound concern’ about the humanitarian crisis in the Gaza Strip, explaining that the health situation is worse than he had previously reported.

Concluding, he drew attention to the issue of funding for special procedures by asserting that the present arrangement of unpaid and not sufficiently supported mandate holders ‘is not serious’ and ‘not sustainable’.

### *Interactive dialogue*

Uganda, as concerned country, thanked Mr Hunt for his comprehensive report and his attention to the country’s efforts to attain the highest attainable standards of health. Uganda went on to commend Sweden and the Swedish International Development Cooperation Agency (SIDA) for their development projects in the country. It explained that sectoral rather than project-based support was needed to promote the right to health, and mentioned that Uganda was presently engaged in multilateral negotiations on intellectual property rights and access to medicines.

As a concerned country, Colombia drew attention to the ongoing eradication of illicit drug crops.<sup>35</sup> It highlighted that the country’s policy on drugs is moving forward, which is recognised not only by the Special Rapporteur but also other international agencies. Ecuador, as a concerned country, noted that it had hoped and would have liked to see the report made public before the session. It appreciated Mr Hunt’s analysis and methodological work, and hoped that the Ecuador’s forthcoming written reply to the report would be valued and well received. It concluded that the Special Rapporteur’s report truthfully reflected the reality in the country.

Sweden, as a concerned country, noted that it spared no efforts in mainstreaming the right to health in its domestic and international development policies. However, faced with the relatively wide interpretation of international assistance by Mr Hunt, it stressed that there is no legal obligation on States for international assistance. This would risk leading to claims by some States that the protection of human rights is conditional on such international assistance. Sweden again affirmed the need to mainstream human rights in national as well as international policy making.

Many States joined the appreciation and praise of the Special Rapporteur’s work and professionalism during his six-year term.<sup>36</sup> Brazil fully supported the mandate of the right to health. It mentioned that it has co-sponsored the resolution on the mandate in 2002 as well as its renewal in 2004 and 2007, and found the mandate to be a key mechanism in achieving the highest attainable standard of health.<sup>37</sup> Egypt hit a slightly more critical tune, noting that it had always had a different view from the Special Rapporteur with regard to the scope of the mandate, but that this would, as before, be raised in private.

---

<sup>35</sup> The focus of the Special Rapporteur’s mission to Ecuador and Colombia, of which only a preliminary information note is available, was the aerial spraying of glyphosate along the Ecuador-Colombia border to destroy drug crops. The existing scientific evidence was reviewed, personal testimonies were received, and consultations were held with experts. All this material was then examined from the viewpoint of the right to the highest attainable standard of health (A/HRC/7/11/Add.3, para. 10). Before taking a final stance on the issue of aerial spraying with regard to the rights to health and submitting his report to the Council, the Special Rapporteur will consider all the information carefully (para. 26).

<sup>36</sup> Qatar, India, Pakistan (on behalf of the OIC), Egypt, the Holy See, Cuba, Brazil, Uruguay.

<sup>37</sup> A/HRC/RES/6/29, 14 December 2007 renewed the mandate in the context of the review, rationalisation and improvement of special procedures mandates.

A number of States commented on international cooperation towards realising the right to health. Qatar, on behalf of the Arab Group, highlighted that most Arab countries have ratified the relevant international treaties and were committed to reaching the highest attainable standards of health through cooperation and solidarity. It affirmed that national and international, human and financial efforts and visions are needed in order to achieve the goal. Pakistan (on behalf of the OIC) agreed with the idea of complementing national and international strategies. Similarly, Brazil strongly supported a multilateral approach to implementing the right to health.

Other comments included:

- India referred to the Special Rapporteur's visit to the country and welcomed the coming report on its maternal health care. It pointed out that the country's main areas of concern relate to rural health.
- Pakistan (on behalf of the OIC) also mentioned the forthcoming guidelines on pharmaceutical companies and looked forward to the finished text. It added that it would have appreciated more attention by the Special Rapporteur to international pressure against access to medicines in developing countries.
- The Holy See highlighted that Pope Benedict XVI recently affirmed that 'the provision of adequate health care and the elimination of pandemics like AIDS' was vital in order to build a more secure future. It drew attention to the policy framework for health care, the *Declaration of Alma-Ata* (1978), and recognised the need to assure access to 'spiritual assistance' and to give voice to 'faith-based service providers' during the formulation of health care plans. The Holy See was also pleased to note the inclusion of non-discrimination among the core State obligations with regard to healthcare.
- Cuba, commenting on the suggested proposal for right to health reports to be considered by WHO, strongly supported the idea.
- Egypt admired the integrity of Mr Hunt in addressing the situation in Palestine.

The interactive dialogue was not concluded, and will be pursued on 12 March 2008.

### Special Rapporteur on the right to food

Mr Jean Ziegler, the Special Rapporteur on right to food, presented his annual report as well as mission reports to Bolivia and Cuba.<sup>38</sup> In his oral presentation, he identified three principal challenges to protecting the right to food.<sup>39</sup> First, the cost of food has increased worldwide by approximately 41% between 2005 and 2008. Second, humanitarian agencies lack the resources to meet ever-growing demand for their services. Third, Mr Ziegler asked State parties to the *International Covenant on Economic, Social, and Cultural Rights* (the Covenant) to apply it extraterritorially.

Mr Ziegler named the United States (US) and the EU as the actors most responsible for raising food prices and thereby threatening the right to food. Their production and use of biofuels, he claimed, is extremely inefficient and further limits the already threatened access to food by vulnerable populations. However, the Special Rapporteur praised Brazil's biofuel programme,<sup>40</sup> which allows poor farmers to convert excess crop yields to bioethanol and supplement their incomes. Because of the inefficiencies of producing biofuels, Mr Ziegler asked for a five-year moratorium on their production.

---

<sup>38</sup> A/HRC/7/5, 10 January 2008 (annual report), Add. 1, 29 February 2008 (communications to and from governments), Add. 2, 30 January 2008 (mission report to Bolivia), Add. 3, 3 March 2008 (mission report to Cuba). ISHR has prepared unofficial summaries of the reports by special procedures ('Reports in short'), available at [www.ishr.ch/hrm/council/reports\\_in\\_short](http://www.ishr.ch/hrm/council/reports_in_short).

<sup>39</sup> Oral statements made at the Council can be accessed on the OHCHR extranet at <http://portal.ohchr.org> (fill out the form on [www.ohchr.org/english/bodies/hrcouncil/form.htm](http://www.ohchr.org/english/bodies/hrcouncil/form.htm) to receive user name and password).

<sup>40</sup> Brazil uses sugar cane for fuel instead of maize.

In relation to the extraterritorial applicability of the Covenant, he called on State parties to respect the right to food in all of their international activities, even when taking decisions at the International Monetary Fund (IMF) and World Trade Organisation (WTO). He urged countries that are influential at the IMF to assume greater responsibilities for human rights. The Special Rapporteur also called on the Council to create legal mechanisms to protect refugees who flee their homes in search of food – ‘a provisional non-refoulement<sup>41</sup> for food refugees policy’.<sup>42</sup>

Finally, the Special Rapporteur highlighted the structural contradiction in the UN system. He regretted that a powerful few control the resources of the many, given that 500 multinational corporations control 52% of the world’s gross domestic product. He stressed the need to maintain a normative and interventionist approach, guided by democratic principles, to protect the right to food.

Mr Ziegler then turned to specific comments on his missions to Bolivia and Cuba. He praised Bolivia for its efforts, and specifically for enshrining the right to food in its Constitution. He also welcomed President Evo Morales’ decision to retake control over his country’s gas and oil supplies – which Mr Ziegler claimed has generated \$1.5 billion in revenues and is now being used to fund programmes to combat malnutrition. The Special Rapporteur similarly applauded Cuba for incorporating the right to food into its Constitution. He stressed that despite its relative poverty, Cuba has a life expectancy equal to Switzerland. Mr Ziegler also criticised the US blockade against Cuba, which continues to have a devastating effect on Cuba’s economy, agriculture, and its people’s right to food.

### ***Interactive dialogue***

Bolivia, as a concerned country, echoed Mr Ziegler’s concerns about high concentrations of wealth in the country, which have complicated efforts to protect the right to food. In an attempt to fight poverty, Bolivia has undertaken several measures, including taxing foreign oil companies, implementing agrarian reforms, initiating food programmes for children, and incorporating the right to food and access to water into its Constitution. The delegation noted that it is awaiting the results of a referendum on the Constitution to further improve protections of economic, social, cultural, and environmental rights.

Cuba was equally appreciative of the Special Rapporteur’s efforts, particularly his ‘political courage’ and independence. Mr Ziegler was the first special procedure to be invited to the country after the former Commission Human Rights established what Cuba considered an illegal mandate against Cuba.<sup>43</sup> Cuba stated that it intends to continue inviting special procedures as long as the Council’s ‘constructive environment continues.’ Cuba applauded the Special Rapporteur’s criticism of the US blockade, the costs of which it estimated to be \$89 billion. While Cuba welcomed the decline in the rate of malnutrition, which dropped to less than 2% of the State’s population, it hoped to do more by expanding Socialist policies to improve protections of the right to food in particular, and human rights in general.<sup>44</sup>

---

<sup>41</sup> ‘Non-refoulement’ is a principle of international human rights law that is generally used in the context of torture. Countries that commit to *non-refoulement* will not remove persons from their jurisdictions if they will be returned to a State where it is likely that they will be tortured.

<sup>42</sup> Indonesia and Algeria also supported the creation of such a protective mechanism.

<sup>43</sup> The mandate on the situation of human rights in Cuba was discontinued as a result of the institution-building package (A/HRC/RES/5/1, 18 June 2007).

<sup>44</sup> China, India, Indonesia, and Pakistan also took time in their statements to applaud Cuba’s genuine cooperation with the Special Rapporteur, given recent history.

Many States supported the recognition of the right to food as a fundamental human right and regretted that other States have not done the same.<sup>45</sup> Uruguay welcomed the Special Rapporteur's call for more progress on the justiciability of economic, social, and cultural rights in general, including the right to food. Palestine asked the Special Rapporteur to explain why some countries do not recognise food as a fundamental right, given that it is essential to the success of social and economic development efforts.<sup>46</sup> It urged the international community to respond to requests for food aid in Gaza, as well as Africa. Egypt (on behalf of the African Group) specifically asked the Special Rapporteur to suggest ways to improve recognition of the right to food as a fundamental human right. Finally, Palestine also asked Mr Ziegler to comment on what international organisations are doing to protect the right to food, given that most Bretton Woods-initiated bodies<sup>47</sup> are not 'shaped' for that purpose.

Although speaking as a concerned country on the report of the Special Rapporteur on the right to the highest attainable standard of health (see above), the Ambassador of Sweden made a comment that seemed to be directed at Mr Ziegler's remarks. Sweden emphasised that each State is responsible for ensuring the implementing the *International Covenant on Economic, Social and Cultural Rights* within its own territory, and that Sweden did not believe in advocating the extraterritorial applicability of the Covenant. It warned that this could create an 'accountability vacuum' by blurring the responsibility for the protection of human rights.

The issue of biofuels was one of the main issues discussed. Though the Special Rapporteur praised Brazil for using sugar cane to generate fuel, Brazil rejected this praise and explicitly opposed the imposition of a five-year moratorium. The State argued that biofuels present many opportunities in the fight against poverty in developing countries, and that States would miss that opportunity if they did not invest in researching the potential of biofuel as an energy source. Algeria, on the other hand, supported the Special Rapporteur's call for a moratorium. The State noted that given the high prices of food, and the amounts of food wasted to create biofuel, a moratorium would restore food supplies. In that context, the Algerian Ambassador mentioned that the World Food Programme's buying power has dropped by 40% (due to increasing prices), and urged the Council to call on relevant agencies to return to calculating food aid by volume, rather than by cost.<sup>48</sup>

During the session, several countries engaged in a discussion tangential to the Council's mandate about the role of the IMF and World Bank with respect to the right to food. Pakistan (on behalf of the OIC) asked that the mandates of these institutions be redefined. While the State supported trade liberalisation, it suggested that these organisations develop a supervisory mechanism to assure that the activities of multinational corporations respect the right to food. Egypt (on behalf of the African Group) echoed this proposal, arguing that recent history has shown that the market-based paradigms of the IMF and World Bank has not worked. It asked Mr Ziegler to suggest economic policies that do not impede the work of these financial institutions, but that also protect the right to food.

The interactive dialogue was not completed, as many States could not take the floor due to time restraints. It will continue on 12 March 2008.

---

<sup>45</sup> States that supported the recognition of food as a human right included: Bolivia, China, Cuba, Egypt (on behalf of the African Group), India, Indonesia, Lesotho, Pakistan, Palestine, Uruguay.

<sup>46</sup> Indonesia argued that the right to food should be seen as a pre-condition to the right to life.

<sup>47</sup> The Bretton Woods Conference, officially known as the United Nations Monetary and Financial Conference, established a global finance management system after World War II. The conference also created a number of international financial institutions, including the International Monetary Fund (IMF) and the *General Agreement on Tariffs and Trade* (GATT), which was succeeded by the World Trade Organisation (WTO).

<sup>48</sup> Several countries also expressed concern over the rising cost of food, including Egypt (on behalf of the African Group), Algeria, China.

## Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Mr Ambeyi Ligabo, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, presented his annual report and a number of mission reports.<sup>49</sup> In his oral presentation, Mr Ligabo stressed that freedom of expression can be used as a reliable indicator of the general respect of human rights.<sup>50</sup> He regretted that violations of the freedom of expression remains one of the most widespread violation of human rights around the world, in particular through attacks on journalists and the media as a whole. The Special Rapporteur particularly welcomed the discussion in the Security Council about the protection of journalists in situations of armed conflicts. He expressed particular concern about censorship, including of new media such as the Internet. He deplored Internet corporations' complicity in such censorship through their collaboration with governments, and called for swift progress on global Internet governance to remedy this problem.

Touching on the complex issue of limitations of freedom of expression, in particular in relation to racial, ethnic and religious hatred, Mr Ligabo said that international instruments already establish permissible limitations. He said these provisions in international law are carefully designed to avoid any misuse of the right to freedom of expression.<sup>51</sup> Finally, the Special Rapporteur highlighted two particular challenges, namely the importance of freedom of expression and access to information in the fight against HIV/AIDS, and the need for a new type of education to narrow the 'digital divide'.<sup>52</sup>

In relation to his visit to Azerbaijan, Mr Ligabo expressed his support for the consolidation of democracy including through strengthening the right to freedom of opinion and expression. He called on the Government to decriminalise 'defamation offences', including by not criminalising the analysis of historical events and national affairs. He also urged the State to tackle the current impunity for crimes targeting media professionals. Turning to his visit to Ukraine, the Special Rapporteur noted the progress achieved since the country's independence from the Soviet Union. He recommended that the Government review its media legislation to strengthen the independence of the media.

In relation to both countries, he suggested more professional training for journalists and the development of a 'code of ethics' by journalists to ensure a high level of professionalism in their work.

### *Interactive dialogue*

Ukraine, as a concerned country, said that the promotion of freedom of expression was one of its priorities, and reported considerable progress since the 'orange revolution'. It acknowledged that much work remained to be done to fully implement international human rights standards, and to bring national legislation in line with these standards. The delegation accepted that many recommendations in the report are 'well-grounded' and could be used to further the promotion of freedom of expression. However, Ukraine regretted that the report contained some 'overstatements' that could not be accepted, and claimed that Mr Ligabo had used outdated information. In particular, Ukraine felt that the report failed to put the increased attacks on

---

<sup>49</sup> A/HRC/7/14, 28 February 2008 (annual report), A/HRC/7/14/Add.2, 28 February 2008 (mission to Ukraine), A/HRC/7/14/Add.3, 19 February 2008 (mission to Azerbaijan). Add.1 contains a summary of communications to governments and was not discussed. ISHR has prepared unofficial summaries of the reports by special procedures ('Reports in short'), available at [www.ishr.ch/hrm/council/reports\\_in\\_short](http://www.ishr.ch/hrm/council/reports_in_short).

<sup>50</sup> Oral statements made at the Council can be accessed on the OHCHR extranet at <http://portal.ohchr.org> (fill out the form on [www.ohchr.org/english/bodies/hrcouncil/form.htm](http://www.ohchr.org/english/bodies/hrcouncil/form.htm) to receive user name and password).

<sup>51</sup> In his report he noted that 'a broader interpretation of these limitations, which has been recently suggested in international forums, is not in line with existing international instruments and would ultimately jeopardize the full enjoyment of human rights.'

<sup>52</sup> The term digital divide refers to the gap between those people with effective access to digital and information technology and those without access to it.

journalists into context with the increased number of active journalists in the country. Finally, Ukraine complained that in the section of the report on racism, Mr Ligabo had exceeded the scope of his mandate.<sup>53</sup>

Azerbaijan, the second concerned country, also claimed that the guarantee for the free work for media was a priority in the transition of the country to a more democratic society. It agreed that the overall situation in Azerbaijan needed to be improved, but claimed that the Government does not control mass media as an indication of the level of freedom of expression. Azerbaijan shared the view that more financial investment in the media was required to allow it to operate freely. Regarding the call by the Special Rapporteur to decriminalise defamation,<sup>54</sup> Azerbaijan said the Government was considering a change in legislation. However, in this context it complained about the lack of professionalism of Azerbaijani journalists, which in the view of Azerbaijan leads to their ‘inability to differentiate between criticism and insult’.

The interactive dialogue was relatively short, since many States did not get an opportunity to speak.<sup>55</sup> Palestine (on behalf of the Arab Group) and Pakistan (on behalf of the OIC) disagreed with the Special Rapporteur on the issue of the relationship of freedom of expression and freedom of religion.<sup>56</sup> While the Special Rapporteur reiterated that he sees current international law as sufficient for balancing these two rights, Palestine felt that there are no international instruments to stop incitement to religious hatred, and Pakistan (on behalf of the OIC) called on the Council to initiate a dialogue aimed at filling this juridical gap. Egypt<sup>57</sup> referred to the ongoing informal consultations on the renewal of the mandate on freedom of opinion and expression, saying that it will insist on a reference to exclude ‘incitement, defamation or racial hatred’.<sup>58</sup>

India also condemned the ‘negative stereotyping of religions’ addressed in the report of the Special Rapporteur, but sought to balance the position taken by Palestine and Pakistan and that of the Special Rapporteur. It agreed with the Special Rapporteur that limitations on the freedom of expression have to be in accordance with international law, narrowly defined and applied by an independent judiciary.

The interactive dialogue will continue on 12 March 2008.

### Informal consultations

Canada convened informal consultations on its draft resolution on the mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. Canada explained that the mandate had been established by the Commission on Human Rights in 1993 and that the mandate had last been renewed in 2005. It further explained that the draft resolution was based on previously agreed texts with minor amendments to bring the draft up to date and reflect subsequent developments. It underlined that this

---

<sup>53</sup> In one of his recommendation (para. 69 of the report), Mr Ligabo ‘underlines that many extremist groups, particularly neo-Nazi organisations, have used their prerogative of freedom of expression to convey messages of racism and racial hatred’ and continues by recalling that international law ‘established clear limitations on free speech when incitement to racial, ethnic or religious hatred is in question’.

<sup>54</sup> ‘Criminalisation of defamation’ in the context of the Special Rapporteur’s report is to be understood as the use of criminal libel suits by government officials. Therefore, ‘defamation’ is used in its original legal sense, which is different from the ‘defamation’ used in the ‘defamation of religions’ raised by a number of States later in the dialogue.

<sup>55</sup> The Council is already almost two full three-hour meetings behind schedule.

<sup>56</sup> Palestine (on behalf of the Arab Group) enquired why the Special Rapporteur does not provide a framework for regulating the media in order to avoid it insulting others’ beliefs, while Pakistan (on behalf of the OIC) felt he failed to ‘take into account increasing instrumentalization of freedom of expression by extreme right groups’.

<sup>57</sup> Egypt spoke twice, once on behalf of the African Group and once in its national capacity. It only addressed Mr Ligabo’s report in its national capacity.

<sup>58</sup> See also the summary below on the informal consultations.

was a purely procedural text and that substantive issues related to freedom of expression would be addressed in a future resolution.

Several States expressed their support for Canada's approach to the renewal of the mandate of the Special Rapporteur.<sup>59</sup> Other States expressed general concerns with the draft resolution.<sup>60</sup> They stated that there was a need for more balance in the resolution, and in particular for reflection of the international legal limitations on the right to freedom of expression. Pakistan (on behalf of the OIC) stated that the group was still preparing their comments to the draft and noted that it would be difficult for the OIC to support the draft resolution if their concerns were not reflected.

The discussion of the resolution then proceeded paragraph by paragraph. States focused their comments on whether the Council should 'welcome' or merely 'take note of' the reports of the Special Rapporteur and his work. Several States argued that since they could not fully support the reports and the work, the Council should only note them.<sup>61</sup> There was also discussion of whether there was a need for a separate paragraph on the media and 'information-seeking professionals'. It was generally agreed that this particular issue could be incorporated into a similar but more general paragraph.<sup>62</sup> Some States expressed concern at the use of the word 'invite' in the description of the activities the mandate holder should undertake. They argued that since the special procedures are subordinated to the Council it would be appropriate instead to use the word 'request'. It was also suggested that the mandate holder should bring situations of concern to the Council's attention, and not, as suggested by the resolution, to that of the High Commissioner.

Finally, there was a lot of debate on the description of the activities of the mandate holder and the collaboration with other special procedures. Many States suggested that these paragraphs of the resolution should be streamlined.

#### Other issues – Bureau meeting with NGOs

At the end of the day, the Council Bureau held a meeting with NGOs. The President was the only member of the Bureau present. He recalled that this meeting was a weekly tradition during the Council's sessions.

He noted the delay in the Council's programme but said that some of it could perhaps be addressed through greater discipline. He then commended NGOs for their focus on the topics under discussion and for respecting the speaking time limits.

Questions and concerns were raised by NGOs in relation to: security checks and security refusing access to Room XVII to NGOs when many people are inside; the lack of an index to the webcast in the past week; the planned Panel on Intercultural Dialogue and the lack of diversity on the panel; the lack of dedicated time to discuss indigenous issues; modalities for the UPR; changes to the programme of work; support to NGOs from outside Geneva.

The President replied that the Bureau was committed to greater predictability in the programme of work but that changes were inevitable. He stated that the webcast was now broken up by individual speakers and that this would also be done for the statements of last week. In relation to the security issues raised, he promised that he would contact the security services. He explained that he has been having various consultations with

---

<sup>59</sup> Mexico, Liechtenstein, Norway, Portugal, US, Czech Republic (on behalf of the EU).

<sup>60</sup> Bangladesh, South Africa, Russian Federation, Singapore, China, Algeria, Pakistan (on behalf of the OIC).

<sup>61</sup> Bangladesh, South Africa, China, Pakistan (on behalf of the OIC), Saudi Arabia.

<sup>62</sup> Operative paragraphs 3, (a) and (b).

various groups of delegations on the UPR and that he believed the review process would be as transparent as possible.

## **COUNCIL MONITOR STAFF**

**Kaavya Asoka**, Fellow  
**Inmaculada Barcia**, Manager Regional and National Programme  
**Eléonore Dziurzynski**, Communications Officer  
**Michael Ineichen**, Human Rights Officer  
**Andrea Rocca**, Human Rights Officer  
**Yuri Saito**, Fellow  
**Rosa Sanz**, Fellow  
**Gareth Sweeney**, Deputy Manager  
**Katrine Thomasen**, Manager International Programme

## **Contributors**

**Annika Aaberg**, Intern  
**Janet McCaig**, Intern  
**Elena Gaino**, Intern  
**Ashwini Habbu**, Intern  
**Ana Carolina Vidal**, Intern  
**Tae-Hohn Lee**, Intern

## **ABOUT THE PUBLICATION**

The Council Monitor forms part of the Human Rights Monitor Series produced by ISHR. It provides you with information about all the key developments at the Human Rights Council, including Daily Updates during the session of the Council, an Overview of the session, briefings and updates on the major issues of concern in the transition from the Commission on Human Rights to the Council and other key reports. It is currently an online publication that can be found at [www.ishr.ch](http://www.ishr.ch)

## **SUBSCRIPTION**

If you wish to receive the Council Monitor Daily Updates by e-mail during the Council session, please e-mail [information@ishr.ch](mailto:information@ishr.ch) with 'subscribe' in the subject line. Your e-mail address and personal information will not be shared or sold to any third parties. We may from time to time send you a notification about other publications in the Human Rights Monitor Series that you may be interested in downloading or subscribing to.

## **COPYRIGHT, DISTRIBUTION AND USE**

Copyright © 2008 International Service for Human Rights. Material from this publication may be reproduced for training, teaching or other non-commercial purposes as long as ISHR is fully acknowledged. You can also distribute this publication and link to it from your website as long as ISHR is fully acknowledged as the source. No part of this publication may be reproduced for any commercial purpose without the prior express permission of the copyright holders. ISHR accepts no responsibility for any inaccuracies arising from or connected to unapproved or unofficial translations of its publications or parts thereof.

## **DISCLAIMER**

While every effort has been made to ensure the accuracy and reliability of the information contained in this publication, ISHR does not guarantee, and accepts no legal liability whatsoever arising from any possible mistakes in the information reported on, or any use of this publication. We are however happy to correct any errors you may come across so please notify [information@ishr.ch](mailto:information@ishr.ch).