

and encourage, through the educational system and other means, religious tolerance and respect; emphasized that restrictions on the freedom to manifest religion or belief are permitted only as prescribed by law, necessary on the bases set out in relevant international human rights instruments (e.g., public safety, public morals) and are applied in such a way as not to vitiate the right itself; stressed the need for the SR to apply a gender perspective, *inter alia*, through the identification of gender-specific abuses; extended the mandate of the SR for a further three years; stated the desirability of enhancing the UN's promotional and public information activities related to freedom of religion or belief and ensure the widest possible dissemination of the Declaration by UN information centres and others.



SPECIAL PROCEDURES OF THE COMMISSION ON HUMAN RIGHTS

During the preparatory process leading up to the 1993 World Conference on Human Rights, an informal meeting of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights was held in Geneva, and a second informal meeting was held in Vienna during the conference. The Vienna Declaration and Programme of Action, in its section entitled "Implementation and monitoring methods", underlined "the importance of preserving and strengthening the system of special procedures" and specified that "the procedures and mechanisms should be enabled to harmonize and rationalize their work through periodic meetings" (Part II, para. 95). Following the World Conference a system of annual meetings was established. The first meeting was held in May 1994 (E/CN.4/1995/5, Annex), the second in May 1995 (E/CN.4/1996/50, Annex) and the third in May 1996 (E/CN.4/1997/3).

In May 1997 the special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures again met in Geneva. The report of the fourth meeting (E/CN.4/ E/CN.4/1998/45, Annex) contains a summary of discussions on, *inter alia*: cooperation with the Commission on Human Rights; the independence, impartiality and coordination of the special procedures system; cooperation with the High Commissioner for Human Rights (HCHR); coordination with the treaty bodies; integrating HIV/AIDS; cooperation with the Secretary-General, including coordination between the special procedures system and the Security Council and General Assembly; and the draft manual for special rapporteurs/representatives, experts and working groups. There are six appendices to the report among which one refers to the mandates of the special procedures and another to the terms of reference for fact-finding missions by special rapporteurs and representatives.

On the question of coordination of the special procedures system, it was recalled that the third meeting had recommended the appointment of a focal point within the Office of the High Commissioner for Human Rights (OHCHR) (then, the Centre for Human Rights) who would act as a clearing-house regarding the *in situ* visits of special rapporteurs and the HCHR. The focal point was also suggested as a means to stimulate a dialogue between the special rapporteurs and the High Commissioner so that the special rapporteurs were able to contribute to the preparation of missions. The question of improved coordination among the procedures was also discussed. The meeting noted the need to develop techniques for ensuring that there was effective coordination among the various special procedures and advisory services mechanisms, and between them and the field operations.

In discussion on coordination with the human rights treaty bodies a number of points were made, including: the lack of support given to special rapporteurs by states; the need for a more organic cooperation between the treaty bodies and the special rapporteurs; a need to change the policy at UN Headquarters which suggested that political and humanitarian interests superseded human rights; a need to integrate economic, social and cultural rights more fully into the work of the special rapporteurs; and a need to integrate concerns related to HIV/AIDS into the work of special procedures.

The meeting also addressed administrative and budgetary issues, including: insurance while performing tasks related to the mandates; financial resources related to various areas of work and activities, including missions and consultations; staff assistance while on mission; absence of contract security for staff of the OHCHR, the associated lack of continuity in staffing and the multi-tasking of staff to several mandates; and failure to provide those on mission with the UN "*laissez-passer*" which, in some cases, hindered access to and movement within countries while on mission.

On the issue of independence and impartiality, the meeting recalled, *inter alia*, that: the World Conference on Human Rights had requested all states "to cooperate fully" with the special procedures and related mechanisms (A/CONF.157/24 (Part I), sect. II, para. 95); the procedures, owing to the public nature of their reports, had increased general awareness of respect for human rights and had won wide recognition among defenders of human rights, non-governmental organizations and individuals; and the special rapporteurs and working groups were guided by, and tried to reflect in their working methods, the principles of neutrality, non-selectivity and objectivity. Following on these and other points, the meeting reaffirmed general principles and criteria, including: the special rapporteurs are independent experts, as reflected in both the form and the substance of their communications; the special rapporteurs and working groups perform their tasks with strict impartiality and objectivity, the only guidelines or yardsticks for analysing the situations covered by their mandates being the Universal Declaration of Human Rights, the