

Statement by Katherine McDonald of Action Canada for Population and Development to the Human Rights Council, in response to the statement of the Chairperson of the Coordination Committee of Special Procedures. September 28, 2006.

I would like to address my question to the Chairperson of the Coordinating Committee of the Special Procedures.

The Special Rapporteur on Violence against Women, the Special Rapporteur on the Right to Health and other Special Procedures have done some significant, foundational work in certain areas of sexual rights and reproductive rights. For example, in the last report of the Special Rapporteur on violence against women, its causes and consequences, of 115 communications, no less than 73 of those involved violations of sexual and reproductive rights. Yet no existing mandate specifically includes sexual and reproductive rights as core issues to be monitored. Much of this work saw little action from the CHR. We have four recommendations on which we would like the Coordinating Committee's comments and thoughts.

First, States must focus on addressing the protection gaps that exist in the system rather than on overlaps between mandates. There are human rights issues that are not covered by any existing Special Procedure, or fall within an existing mandate only as a peripheral issue. One example of a protection gap that currently exists within the system is clearly identifiable. This is that there is no specific protection of non-discrimination based on sexual orientation and gender identity and for examining issues of violence on these bases. There are many other areas of sexual rights and reproductive rights which are also not protected by the system. States should focus on analyzing, identifying and closing protection gaps in the current system of Special Procedures.

Secondly, States should establish a Working Group on Emerging Issues which would identify and explore issues that do not fall into an existing mandate or which are only peripheral. It would recommend to the Council establishment of new mandates.

Third, the Council must establish a mechanism that will monitor the actions States have taken to implement country-specific recommendations of Special Procedures. A significant number of these recommendations relate to sexual or reproductive rights.

And finally, general recommendations of the Special Procedures must be incorporated as bases for the review of the human rights records of all States under the Universal Periodic Review. This would be an important step in promoting the responsibility of all UN Member States to uphold human rights by taking steps to implement these recommendations.

We appreciate your attention and look forward to your responses to these issues.