

**Statement by Sandeep Prasad of ACPD to the Working Group on the  
implementation of operative paragraph 6 of General Assembly resolution 60/251  
(review of mandates), February 7, 2007**

Mr. Facilitator, my organization wishes to thank you for the highly useful non-paper that was distributed last week; it is clear that this provides a useful basis for further discussion. We are delighted that there is consensus in these discussions as to the importance of effective follow-up to Special Procedure recommendations as reflected in paragraphs 49 and 59; certainly this is a key element if the system of Special Procedures is to be strengthened.

I also take note that your non-paper speaks generally of these recommendations and identifies, in paras. 51 and 101, that further discussion is still necessary as far as the actual measures to be chosen for follow-up. Your non-paper also identifies two such options and details a potential solution at paragraph 54.

I would suggest, Mr. Facilitator, for refining the discussion beyond this point, that the two broad types of Special Procedure recommendations be differentiated from each other, because they are different in nature and each potentially suggests a different means of follow-up. The first type consists of those recommendations addressed specifically to a particular State; the most significant source of which are reports following country visits. The second type consists of those recommendations directed generally towards all States; these tend to be found in the main part of annual reports of thematic procedures.

With the first type, it is not sufficient that the UPR be used as the sole means of follow-up to implementation of those recommendations directed at a particular country, as some States have suggested. When a thematic procedure undertakes a country visit, it is usually motivated from a particular concern as to the implementation or observance of rights within his or her mandate in that particular country. In most cases, the periodicity of the UPR of 3 – 5 years will in most cases not offer sufficient regularity of follow-up to recommendations directed at a specific country. This is not to imply that information from Special Procedures should not be used in the UPR. On the contrary, for the Council not to make use, within the UPR, of information provided by Special Procedures including information on the implementation of their recommendations is akin to a human being intentionally blinding him or herself. This *is* to say that the UPR is not sufficient as the sole means of follow-up of recommendations directed at a specific country. Another process offering regularity of follow-up is necessary. It is for this reason that the proposal you make at paragraph 54, is quite a useful one. In fact, as observed by Mr. Joinet during the last round of debates, mandate holders are well placed to monitor implementation of recommendations following country visits as they have been able to develop relationships with the various stakeholders in that country. For this to work, however, each mandate must be sufficiently resourced to allow for continual follow-up of recommendations after 2 – 4 country visits per year over many years. But it is clear that this follow-up will further constructive dialogue in human rights promotion.

As for recommendations directed towards all States generally, the need for follow-up is also important. There is a wealth of recommendations found in the main part of the reports of thematic procedures and these should be more than simply words on paper. The implementation of these recommendations by all UN Member States must be followed as this furthers the universal reach of the Special Procedures (which often seems more theoretical than real), and this would help alleviate problems with the practicality of mandate holders only being able to make 2 – 4 country visits a year. This proposal furthers the principles of non-discrimination, non-selectivity and the universality of human rights. For this type of recommendation, as the distinguished delegate of Norway yesterday suggested, the UPR is one potential mechanism for follow-up to these recommendations directed at all States, while of course focusing in on areas of recent improvement or needed improvement. However, certainly the Council or its Working groups must consider additional means of follow-up of general recommendations, including adopting a particular process or mechanism to track their implementation across all UN Member States.