

Broad support for first report by UN expert on transitional justice

19.09.2012

States in the Human Rights Council (the Council) overwhelmingly expressed support for the first [report](#) of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence during a clustered interactive dialogue on 11 and 12 September 2012 at the 21st session of the Council.

States in the Human Rights Council (the Council) overwhelmingly expressed support for the first [report](#) of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence during a clustered interactive dialogue on 11 and 12 September 2012 at the 21st session of the Council.

The first Special Rapporteur, Mr Pablo de Greiff, commended the Council on its adoption of Resolution 18/7 establishing his mandate. Adopted by consensus, the resolution was the initiative of a cross-regional group of countries including Argentina, Morocco and Switzerland (with the support of Côte d'Ivoire, Uruguay, Peru, Maldives, France and Austria). Mr de Greiff reminded the Council that the diversity of the States establishing the mandate was appropriate given that gross violations of human rights and international law, issues to which the mandate seeks to respond, 'know no boundaries'.

During the dialogue, States were willing to share their own experiences of conflict and transitional justice, especially Latin American States as well as Morocco, Nepal, and Sri Lanka, and welcomed the report's comprehensive approach of strengthening the links between each of the four elements of the mandate. The Special Rapporteur highlighted that the elements are complementary and share the fundamental aims of providing recognition to victims as rights-holders, promoting trust in institutions, strengthening the rule of law, and fostering social reconciliation.

States widely approved of the Special Rapporteur's proposal to enhance the links, not only between the four elements themselves, but also between the four elements and other areas of policy intervention, including security and development programmes. Mr de Greiff stated that the sustainable impact of his mandate depends on establishing external links of its core elements with concrete policy interventions.

The incorporation of a gender perspective to the issues in the report was supported by Switzerland, Belgium and Ecuador in particular. Most States, overwhelmingly from Latin America, warmly welcomed the adoption of a victim-centred perspective. Nevertheless, many requested practical guidance from the Special Rapporteur and a best practice model to effectively implement the approach.

Further comments from States, Sri Lanka, Paraguay and China in particular, reiterated the need to take into account the regional and historical context of a situation. States also requested further details on the Special Rapporteur's intention to coordinate with other mandates, mechanisms and bodies in the United Nations system and other institutions and civil society organisations.

Among the few criticisms raised was Egypt's claim that 'some academic arguments in the report are region-specific, which falls outside the thematic mandate of the Special Rapporteur'. China noted the views of the Special Rapporteur and reiterated the need to guarantee a country's independence and sovereignty in implementing the proposed measures.

Mr de Greiff clearly expressed that the hallmark of his mandate would be to focus on dialogue and engagement with the Council, States, and other relevant stakeholders, and to focus on establishing links with other special procedures where relevant.

Finally, the Special Rapporteur also announced that he would organise a series of regional consultations, two of which will be held by the end of 2012. This will form part of the process of translating the thematic areas described in the report into concrete activities. Such consultations will be a key opportunity for human rights defenders to engage with the mandate, and ensure the further work takes into account their specific challenges.

ISHR