



A NEW CHAPTER FOR HUMAN RIGHTS

A handbook on issues of transition  
from the Commission on Human Rights  
to the Human Rights Council



Annex 3.1

**Special Rapporteur on the independence of judges and lawyers**

**Current mandate holder:** Leandro Despouy  
**Mandate started:** 1994

**Term of mandate holder:** 2003-2006  
**Mandate up for renewal:** 2006

**Areas of focus**

- Monitor and inquire into attacks on the independence of the judiciary, lawyers and court officials, as well as follow progress achieved in protecting and enhancing their independence;
- The terms of reference of the mandate include the structural and functional aspects of the judiciary and cover both civil and military justice, ordinary and exceptional jurisdictions and developments related to the International Criminal Court;
- The terms of reference have also been extended to other issues such as the right to truth, transitional justice and the problems posed by terrorism in relation to the administration of justice;
- The legal framework includes the *International Covenant on Civil and Political Rights*, the *Basic Principles on the Independence of the Judiciary*, the *Basic Principles on the Role of Lawyers*, and the *Guidelines on the Role of Prosecutors*.

**Country visits**

Belarus (2000)	Kyrgyzstan (2005)
Belgium (1997)	Mexico (2001)
Brazil (2004)	Peru (1996)
Colombia (1996)	Saudi Arabia (2002)
Ecuador (2005)	Slovakia (2000)
Guatemala (1999 and 2001)	South Africa (2000)
Indonesia (2002)	Tajikistan (2005)
Italy (2002)	UK (1997)
Kazakhstan (2002)	

**Outstanding requests**

Cuba  
Egypt  
Sri Lanka  
Tunisia  
Turkey  
Turkmenistan  
USA (2004)  
Uzbekistan  
Zimbabwe (2002)

**Forthcoming visits**

Paraguay

**Visits agreed upon in principle**

Maldives  
Nigeria

**Pending reports:** Annual report, Summary of communications, Mission to Ecuador, Mission to Kyrgyzstan and Mission to Tajikistan (E/CN.4/2006/52, Add.1-4).

**Thematic research**

- The right to truth (2006);
- Counter-terrorism (2005, 2003, 2002);
- Judicial corruption (2001, 2000);
- Honour killings (2000, 1999).

**Communications (2005)**

- 85 communications were sent;
- 69 urgent appeals and 16 letters of allegation;
- 40 answers were received.