



COMPLAINT PROCEDURE OF THE HUMAN RIGHTS COUNCIL

The Complaint Procedure addresses consistent patterns of gross and reliably attested violations of all human rights and fundamental freedoms occurring in any part of the world and under any circumstances (Human Rights Council resolution 5/1 of 18 June 2007). It is based on the 1503 procedure of the former Commission of Human Rights, which has been revised to ensure that the procedure is impartial, objective, efficient, victim-oriented and conducted in a timely manner.

Two distinct working groups – the Working Group on Communications and the Working Group on Situations – are responsible, respectively, for examining written communications and bringing consistent patterns of gross and reliably attested violations of human rights and fundamental freedoms to the attention of the Council. The Complaint Procedure of the Human Rights Council is the only universal complaint procedure addressing all human rights and all fundamental freedoms in all United Nations Member States. It is confidential, with a view to enhance cooperation with the State concerned.

ANNUAL CALENDAR OF SESSIONS



COMPLAINT PROCEDURE

UNIVERSALITY

The only universal complaint procedure addressing all human rights and all fundamental freedoms in all United Nations Member States

A complaint can be submitted against any of the 193 Member States, irrespective of whether the country has ratified any particular treaty or made reservations under a particular instrument.



CONFIDENTIAL, VICTIM-ORIENTED APPROACH

Confidentiality enhances State cooperation with both working groups of the Complaint Procedure.

Impartial, objective, efficient, victim-oriented approach, & conducted in a timely manner

ACHIEVEMENTS

Increased synergy with national, regional & international human rights mechanisms

Measures taken by States to redress allegations of consistent patterns of gross human rights violations:

- conducting independent investigations
- aligning policies and legislation with international human rights standards
- releasing detainees and political opponents, and reducing prison sentences
- granting reparations to victims of human rights violations
- abolishing the death penalty for juvenile offenders
- prohibiting deprivation of nationality to avoid statelessness
- reinstating workers
- accepting country visits by special procedure mandate holders and/or United Nations personnel; and
- accepting and acting upon relevant recommendations resulting from the Universal Periodic Review of the Human Rights Council.



STATISTICS

Up to 15,000 communications are submitted to the Complaint Procedure each year:

90% by individuals/group of persons

10% by NGOs

90-100% response rate by States under review

READ MORE AT WWW.OHCHR.ORG/HRC/CP

Complaint Procedure in 4 steps

HRC resolution 5/1 (paras 85 & 86)

INITIAL SCREENING OF COMPLAINTS **STEP 1**

Done by the Chairperson of the Working Group on Communications with the assistance of the Secretariat

Only complaints meeting admissibility criteria are transmitted to the States concerned to obtain their views on the alleged violations.

CONSIDERATION BY THE WORKING GROUP ON SITUATIONS

Five representatives of Human Rights Council Member States appointed by each regional group to serve in their personal capacity - meet twice a year to consider cases referred to it by the Working Group on Communications.

Possible outcomes of consideration of a case:

- discontinue consideration
- keep under review & request additional information from the State concerned and/or complainant
- refer the case to the Council if it reveals patterns of gross and reliably attested violations of human rights and fundamental freedoms

STEP 2

CONSIDERATION BY THE WORKING GROUP ON COMMUNICATIONS

Five independent experts - members of the Human Rights Council Advisory Committee - one from each regional group - meet twice a year to review all complaints and all responses submitted by concerned State.

Possible outcomes of consideration of a complaint:

- discontinue consideration
- keep under review & request further information from the State concerned and/or complainant
- refer it to the Working Group on Situations

STEP 3

CONSIDERATION BY THE HUMAN RIGHTS COUNCIL

Possible outcomes of consideration of a case:

- discontinue consideration
- keep under review & request further information
- keep under review & appoint an independent, highly qualified expert to monitor the situation and to report back to the Council
- discontinue reviewing the matter confidentially in order to take up public consideration
- recommend OHCHR to provide technical cooperation, capacity building assistance or advisory services to the State concerned

STEP 4



[Online submission form](#)



Complaint Procedure Unit
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Complaint contains factual descriptions of alleged violations, including names of alleged victims, dates, location and other evidence.

Any person/group acting in good faith, not manifestly politically motivated, with direct and reliable knowledge of violations and clear evidence of such, can submit a complaint.

The complainant may make a request for confidentiality of some information, but the complaint must not be anonymous.

Submission is in writing in one of the six UN official languages (Arabic, Chinese, English, French, Russian and Spanish).

Admissibility Criteria

Language is not abusive & the complaint is not exclusively based on media reports.

Domestic remedies are exhausted— unless ineffective or unreasonably prolonged.

The principle of non-duplication—meaning the case is not already being dealt with by a special procedure, a treaty body or other UN or similar complaint procedure in the field of human rights— applies.