

INTIMIDATION AND REPRISALS

The ability of victims, their family members, witnesses, human rights defenders and members of civil society to raise concerns with special procedures without fear of retaliation is vital for them to discharge their respective mandates. Addressing reprisals and intimidation has been a priority for special procedures for many years. Reprisals are a critical challenge facing not only special procedures, but the whole UN system. Special procedures are one of the key UN human rights mechanisms proactively addressing cases of intimidation and reprisals against persons who seek to cooperate, are cooperating, or have cooperated with the UN in the field of human rights as defined in Human Rights Council resolutions 12/2, 24/24 and 36/21.

In accordance with the principle of do no harm, mandate holders use several different tools to highlight, address, and prevent acts of intimidation and reprisals, including, among other things:

- *Sending communications to States and non-State actors;*
- *Raising cases in public statements, press releases and reports presented to the Human Rights Council;*
- *Meeting bilaterally with Government officials; and*
- *Engaging with relevant UN representatives in the field.*

In addition, the Coordination Committee of special procedures appoints a focal point on reprisals on an annual basis and keeps a comprehensive record of all cases of intimidation and reprisals in relation to cooperation with special procedures.



Actions taken by mandate holders on this matter can be found at:
<https://www.ohchr.org/en/special-procedures-human-rights-council/acts-intimidation-and-reprisal-cooperation-special-procedures>

SPECIAL PROCEDURES OF THE HUMAN RIGHTS COUNCIL

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SPECIAL PROCEDURES OF THE HUMAN RIGHTS COUNCIL

HOW SPECIAL PROCEDURES MAKE A DIFFERENCE

Interventions by special procedures have resulted in, among other things:

- *Legislative and policy changes;*
- *Technical advice to assist UN, regional, and governmental processes in ensuring full respect for human rights;*
- *Providing assistance to victims of human rights violations;*
- *Preventing human rights violations;*
- *Stopping ongoing human rights violations;*
- *Raising awareness of human rights; and*
- *The development of new human rights standards.*



Further stories on the positive human rights impact of special procedures are available at:
<https://www.ohchr.org/en/special-procedures-human-rights-council/making-difference-special-procedures-human-rights-council>

COOPERATION WITH SPECIAL PROCEDURES

Ensuring cooperation with all concerned is a long-standing priority for special procedures. Genuine cooperation by States is essential for the fulfilment of their mandates. Cooperation can take many forms. It entails responses to communications, the acceptance of visits, responses to requests for input for annual reports, follow-up to the recommendations made by mandate holders or overall engagement with special procedures. Over the years, efforts have been made to better assess the various dimensions of cooperation by States with special procedures and illustrate that cooperation is mutually beneficial. Annual reports on special procedures contain information on the status of States' cooperation (number of standing invitations, number of visits, number of visits in the last five years, States never visited, number of communications by country and responses received, etc.). Similar information is also regularly updated on the Office of the High Commissioner for Human Rights (OHCHR) website.

"I strongly believe that the [Human Rights] Council must preserve and strengthen the system of Special Procedures – the crown jewel of the system ..."

Kofi Annan,
former Secretary-General, message to the 3rd session of the Human Rights Council on 29 November 2006

WHO THEY ARE

Special procedures are independent human rights experts (also called mandate holders) who have been mandated by the Human Rights Council to report and advise on human rights from a thematic or country-specific perspective. Special procedures are mandated to promote and protect all human rights: civil, cultural, economic, political, and social. The system of special procedures is a central element of the UN human rights machinery and one of the human rights mechanisms. As of January 2024, there are 46 thematic and 14 country-specific mandates.



Information about the existing mandates and related mandate holders

can be found at:

<https://www.ohchr.org/en/special-procedures-human-rights-council/current-and-former-mandate-holders-existing-mandates>

Special procedures are either individual experts (referred to as “Special Rapporteur” or “Independent Expert”) or Working Groups comprised of five experts, one from each of the five UN regional groups, who address thematic issues or specific country situations in all parts of the world.

Appointed by the Human Rights Council for a term of no more than six years, mandate holders serve in their personal capacities and undertake to uphold the principles of independence, efficiency, competence and integrity through probity, impartiality, honesty and good faith. They are not UN staff members and do not receive financial remuneration. Their independent status is essential for them to be able to fulfil their functions in all impartiality.

Special Rapporteur on the rights of persons with disabilities meeting with young people with disabilities during a country visit to Georgia, September 2023



WHAT THEY DO

Special procedures mandate holders regularly report to the Human Rights Council on their findings and recommendations; the majority of them also report to the General Assembly. At times, special procedures are the only mechanism alerting the international community to certain human rights issues.

With the support of OHCHR, special procedures protect and promote human rights by:

- *Undertaking country visits;*
- *Acting on individual cases of alleged violations and concerns of a broader, structural nature by sending communications to States and other stakeholders;*
- *Conducting thematic studies and convening expert consultations;*
- *Contributing to the development of international human rights standards;*
- *Engaging in advocacy;*
- *Raising public awareness of human rights through media engagement and other means; and*
- *Providing technical advice to assist States in implementing their human rights obligations.*

COUNTRY VISITS

Country visits are a key mandated activity through which special procedures mandate holders can exercise their human rights monitoring functions and provide advice and recommendations to States about how to implement their human rights obligations and improve their human rights situation.

At the invitation of a State’s government, mandate holders undertake country visits to assess the country’s human rights situation at the national level in accordance with their specific mandates. As of January 2024, 129 UN Member States and 1 non-Member Observer State have extended a standing country visit invitation, which means they are, in principle, prepared to receive a visit from any thematic mandate holder.

During these visits, mandate holders meet with all relevant stakeholders, including among others, governmental representatives; the UN and other intergovernmental agencies; non-governmental organizations; and victims of human rights violations. After each country visit, mandate holders present a country visit report to the Human Rights Council which contains their findings and recommendations to assist the State concerned in the fulfilment of its international human rights obligations.



A compilation of recommendations made to specific countries by mandate holders

can be found at:

<https://uhri.ohchr.org>

COMMUNICATIONS

Communications are letters sent by special procedures to Governments and others, such as intergovernmental organizations, businesses, the military or security companies. On a yearly average, mandate holders send more than 600 communications to more than 120 States and 100 non-State actors.

Based on information received from victims of human rights violations or other concerned parties, mandate holders use communications to intervene directly with Governments to address human rights violations that have already occurred, are ongoing, or which have a high risk of occurring. In particular, communications allow mandate holders to raise various concerns and questions in light of the factual allegations received and applicable international human rights standards, and to request specific follow-up actions.



Guidance on how to submit information to special procedures is available at:

<https://spsubmission.ohchr.org>

There are three types of communications: allegation letters, urgent appeals and other letters. Allegation letters address human rights situations that have already occurred, while urgent appeals, address time-sensitive violations involving loss of life, life-threatening situations or imminent damage of a grave nature to victims. Other letters typically provide an analysis of legislation and policies in the making, which according to the experts do not comply with international human rights norms and standards.



Public communications issued since 2011 are available at:

<https://spcommreports.ohchr.org>

COORDINATION OF SPECIAL PROCEDURES

In addition to their individual mandates, special procedures mandate holders also increasingly work as a system to maximize the impact of their work, to better coordinate amongst themselves and to improve cooperation with States, civil society, the other UN human rights mechanisms and the UN system globally.

In 2005, mandate holders established the Coordination Committee of special procedures, which is comprised of six mandate holders selected for one year to facilitate coordination among special procedures. The Coordination Committee also serves as a link between the special procedures, OHCHR, the broader UN human rights framework, States, civil society and other stakeholders.



More information is available at:

<https://www.ohchr.org/en/special-procedures-human-rights-council/coordination-committee-special-procedures>

The annual meeting of special procedures, established in 1994 and typically scheduled for June of every year, provides mandate holders with a platform to engage in discussions on shared concerns, coordinate their activities and engage with various stakeholders, including States and civil society organizations.



More information is available at:

<https://www.ohchr.org/en/special-procedures-human-rights-council/annual-meetings>

On a yearly basis, OHCHR produces annual reports on special procedures containing updated information on the system of special procedures as a whole, its achievements, as well as facts and figures, for example on country visits, thematic reports, etc. They give a comprehensive overview of the activities undertaken both individually and as a system, including country visits, communications, thematic reports, follow-up activities, joint actions, development of international standards and advocacy. The reports also outline the work of the Coordination Committee and give a summary of the main issues discussed at the annual meetings of special procedures.



More information is available at:

<https://www.ohchr.org/en/special-procedures-human-rights-council/annual-reports-special-procedures>