

# **Primer for Advocacy Opportunities with the United Nations Human Rights Council**



## **The Human Rights Council, Universal Periodic Review, and Special Procedures**

The [United Nations](#) (UN) system for human rights comprises two categories of bodies: Charter-based bodies and treaty-based bodies. This guide provides an introductory overview to the first category: Charter-based bodies established by UN resolutions pursuant to the [Charter of the United Nations](#).<sup>1</sup> The Charter-based bodies include the [Human Rights Council](#), [Universal Periodic Review](#), and [Special Procedures](#).

The Charter-based bodies seek to promote respect for human rights primarily through political dialogue; they have no mandate to settle individual cases or issue legally binding decisions. However, within the United Nations system these bodies are mandated to monitor human rights conditions in all 193 countries with membership in the United Nations and to promote all human rights standards, whether found in the UN resolutions, treaties, or other commitments.

The origins of these mechanisms can be found in the United Nations Charter, which created the UN Economic and Social Council (ECOSOC).<sup>2</sup> ECOSOC established the [Commission on Human Rights](#), which was later replaced by the Human Rights Council (the Council), a subsidiary body of the [General Assembly](#) that now manages the other Charter-based human rights mechanisms, namely, the Universal Periodic Review and the Special Procedures.

### **UN Charter-based Bodies**

- **Human Rights Council** – Established in 2006 by the UN General Assembly to promote universal respect for human rights and address human rights violations. Replaced the Commission on Human Rights. Manages a complaint mechanism through which consistent patterns of gross and reliably attested violations may be brought to the Council's attention.
- **Universal Periodic Review** – Designed to be a cooperative mechanism based on dialogue that reviews all UN Member States' fulfillment of human rights obligations in four-and-a-half-year cycles.
- **Special Procedures** – Includes Special Rapporteurs, Special Representatives, Independent Experts, and Working Groups charged with monitoring and promoting human rights conditions in specific countries or on particular thematic issues through in-country visits, reporting, and urgent appeals.

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<sup>1</sup> United Nations, *Charter of the United Nations*, 24 October 1945, 1 UNTS XVI. The Charter establishes the United Nations as an intergovernmental organization with specific organs for inter-State dialogue, cooperation, and oversight.

<sup>2</sup> *Charter of the United Nations*, Chapter X: The Economic and Social Council.

### **UN ECOSOC Consultative Status**

Although any individual or group can submit written information to [Special Procedures](#), the [Universal Periodic Review](#) and the Human Rights Council [Complaints Procedure](#), Human Rights Council [guidelines](#) still require UN consultative status for direct written submissions and oral statements to the Human Rights Council itself. Moreover, in-person presence and advocacy at Human Rights Council sessions in Geneva, Switzerland effectively requires [obtaining accreditation](#) for access with an organization holding [UN consultative status](#).

As outlined by [ECOSOC Resolution 1996/31](#), the basic eligibility requirements for consultative status require that an organization must have:

- Existed and “officially recognized” by a government for at least two years,
- Established headquarters,
- Democratically adopted constitution,
- Authority to speak for its members,
- Representative structure,
- Appropriate mechanisms of accountability, and
- Democratic and transparent decision-making processes.

Furthermore the organization must be supported “in the main part from contributions of the national affiliates or other components or from individual members.”

The UN review of an [application for consultative status](#) will typically take over a year before a final decision; therefore in practice many smaller organizations will instead work with a partner organization that holds similar human rights interests and already possesses UN consultative status. The [Civil Society Database](#) maintained by the UN Department of Economic and Social Affairs lists all non-governmental organizations with UN Consultative Status.

### **Human Rights Council**

The [Human Rights Council](#) (the Council) was established in 2006 by [Resolution 60/251](#) as a subsidiary body to the UN General Assembly and replaced the Commission on Human Rights which operated from 1946 to 2006.<sup>3</sup> The Council is an intergovernmental institution created

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<sup>3</sup> United Nations Office of the High Commission for Human Rights, About the Council, <http://www.ohchr.org/EN/HRBodies/HRC/Pages/AboutCouncil.aspx>. The Human Rights Commission was established in 1946 with the initial task of drafting the Universal Declaration of Human Rights and its UN mandate was then expanded over time. See, <http://www2.ohchr.org/english/bodies/chr/docs/brief-historic.doc>.

to promote “universal respect for the protection of all human rights and fundamental freedoms for all” and “address situations of violations of human rights, including gross and systematic violations, and make recommendations thereon.”<sup>4</sup> It serves as a forum for dialogue among states and also manages the Universal Periodic Review, Special Procedures (experts appointed to monitor thematic priority areas and states with serious human rights problems), and a complaint mechanism for individual communications of systemic human rights violations.

The creation of this new human rights body also sought to divest the many criticisms of the former Commission on Human Rights, which ranged from admitting Member States with failing human rights records to impartial, politically selective naming and shaming of some countries for human rights violations while overlooking the violations of other countries. One essential practice of the Commission on Human Rights continued by the Council was to grant standing for non-government actors to participate at Council Sessions, which was unprecedented for a UN body directly overseen by the UN General Assembly.<sup>5</sup>

The Council is composed of [47 Member States](#) elected from the UN General Assembly to staggered three-year terms, with a specified number of seats going to each major geographic region.<sup>6</sup> General Assembly Resolution 60/251 states that Members States should be elected considering “the contribution of candidates to the promotion and protection of human rights” and “members elected to the Council shall uphold the highest standards in the promotion and protection of human rights”.<sup>7</sup> In practice, these standards are open to wide

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<sup>4</sup> UN General Assembly resolution A/RES/60/251, decision paragraphs 2 and 3.

<sup>5</sup> UN General Assembly resolution A/RES/60/251, decision paragraph 11 holds that:  
“the participation of and consultation with observers, including states that are not members of the Council, the specialized agencies, other intergovernmental organizations and national human rights institutions, as well as non-governmental organizations, shall be based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996 and practices observed by the Commission on Human Rights, while ensuring the most effective contribution of these entities.”

<sup>6</sup> United Nations Office of the High Commission for Human Rights, Membership of the Human Rights Council, <http://www.ohchr.org/EN/HRBodies/HRC/Pages/Membership.aspx>, and UN General Assembly resolution A/RES/60/251, decision paragraphs 7. The 47 Member States have a fixed regional distribution of 13 African states, 13 Asia-Pacific states, 6 Eastern European states, 8 Latin American and Caribbean states, and 7 Western European and other states. As of July 2012, the current Council Member States (year term expires) are: Angola (2013), Austria (2014), Bangladesh (2012), Belgium (2012), Benin (2014), Botswana (2014), Burkina Faso (2014), Cameroon (2012), Chile (2014), China (2012), Congo (2014), Costa Rica (2014), Cuba (2012), Czech Republic (2014), Djibouti (2012), Ecuador (2013), Guatemala (2013), Hungary (2012), India (2014), Indonesia (2014), Italy (2014), Jordan (2012), Kuwait (2014), Kyrgyzstan (2012), Libya (2013), Malaysia (2013), Maldives (2013), Mauritania (2013), Mauritius (2012), Mexico (2012), Nigeria (2012), Norway (2012), Peru (2014), Philippines (2014), Poland (2013), Qatar (2013), Republic of Moldova (2013), Romania (2014), Russian Federation (2012), Saudi Arabia (2012), Senegal (2012), Spain (2013), Switzerland (2013), Thailand (2013), Uganda (2013), United States of America (2012), Uruguay (2012).

<sup>7</sup> UN General Assembly resolution A/RES/60/251, decision paragraphs 8 and 9.

interpretation with some less than exemplary Member States seeking election to the Council.<sup>8</sup>

Since the formation of the Council, the only suspension of a Council Member States occurred when Libya was suspended in March, 2011 in reaction to widespread government violence against civilian protests in the country.<sup>9</sup> A central and persistent challenge in the election of Council Member States is that governments, for the most part, remain reluctant to make political waves within their respective regional groups by forcing a competitive election. This leads to the predominance of no contest or “clean” slates where only one country is nominated for each membership seat available for the region.

The [Council Presidency](#) rotates annually among Council Member States.<sup>10</sup> The principle office of the Council is housed within the UN [Office of the High Commissioner for Human Rights](#) (OHCHR) in Geneva, Switzerland where OHCHR staff provides support to the Council President in organizing Council sessions and liaising with non-government actors seeking to engage with the Council.<sup>11</sup>

The substantive work of the Council takes place primarily in the arena of [Regular Sessions and Special Sessions](#). Council Regular Sessions are held no fewer than three times a year, usually in March, June, and September.<sup>12</sup> The agenda and program of work for each Session are established with respect to any adopted Council resolutions and in consultation among Member States. Regular Sessions take place for a total minimum of ten weeks annually and include the presentation of human rights reports and interactive dialogues with Special Procedure mandate holders or Member States, panel discussions and debates on a wide range of human rights issues, and consideration of Universal Periodic Review reports.<sup>13</sup> Each Session concludes with the adoption of formal Council resolutions, each by consensus or a majority vote.

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<sup>8</sup> As one example, Iran nominated itself in 2010 to represent the Asia-Pacific region on the Council, but later withdrew following Qatar also declaring its own nomination, rather than face a competitive election. Just days after its Council withdrawal, Iran was elected to the Commission on the Status of Women in what was understood to be a behind the scenes *quid pro quo*.

<sup>9</sup> Libya was reinstated as a Council Member State in 18 November 2011 following the fall and replacement of its government.

<sup>10</sup> As of July 2012, Uruguay serves as the Council President. Council President of the 6<sup>th</sup> Cycle, <http://www.ohchr.org/EN/HRBodies/HRC/Pages/Presidency.aspx>.

<sup>11</sup> About the Council, <http://www.ohchr.org/EN/HRBodies/HRC/Pages/AboutCouncil.aspx>.

<sup>12</sup> Council Sessions, <http://www.ohchr.org/EN/HRBodies/HRC/Pages/Sessions.aspx>; and UN General Assembly resolution A/RES/60/251, decision paragraph 10.

<sup>13</sup> See for reference, Council Session 19 (March 2012) agenda annotations

[http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-1\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-1_en.pdf), program of work

<http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/PoW19HRC.pdf>, and orders of the day

<http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session19/Pages/OrderOfDay.aspx>.

Council Special Sessions address urgent human rights situations arising between Regular Sessions and may be called at the request of any Council Member State with the support of at least one third of the Council membership.<sup>14</sup> Having a more narrow remit than Regular Sessions, Special Sessions usually occupy a few days, with programs of work focused on the discussion of the urgent human rights situation raised and deliberations around the concluding resolution to be adopted by the Council.

General Assembly Resolution 60/251 explicitly acknowledges that “non-governmental organizations play an important role at the national, regional and international levels, in the promotion and protection of human rights” and further determines that the Council should work “in close cooperation in the field of human rights with Governments, regional organizations, national human rights institutions and civil society.”<sup>15</sup>

There are [several practical channels](#) for achieving this access and cooperation. Prior to all Sessions, non-governmental organizations may submit [written reports and statements](#) relevant to a Session’s agenda.<sup>16</sup> The Council also sets aside time at both Regular and Special Sessions for non-governmental actors to [deliver oral statements](#) from the floor of the Council chamber. Oral statements are a key opportunity for direct advocacy on the agenda issues; however the priority given to oral statements by Member States limits the number of non-government actors able to speak at each Session.

Non-government actors are also permitted space in proximity to Sessions for holding side or [parallel events](#) where presentations of reports or panel discussions can be arranged to engage with governments and other non-government actors. Additionally, appointments can be scheduled with the [government representatives](#) of Council Members States, but as their time can be difficult to obtain, informal meetings - whether after side events or even in the halls adjacent to the Council chambers - are more common. Also due to the nature of government foreign policy, official remarks by Member States at the Council are generally prepared rigorously over a period of weeks or months prior to the Council Session. Therefore advocacy by civil society to influence or contribute to these official remarks needs to commence well ahead of the Council Session in order to be most effective.

However, significant barriers impede actual presence at Council Sessions, not only due to the travel costs involved but also because physical access to the UN buildings where Council Sessions take place is restricted to individuals accredited through organizations holding consultative status with ECOSOC. Organizations with consultative status can [request individual accreditations](#) through the OHCHR.

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<sup>14</sup> *Id.*, fn 12.

<sup>15</sup> UN General Assembly resolution A/RES/60/251, preamble paragraph 11 and decision paragraph 5 (h).

<sup>16</sup> The technical guidelines to follow for submitting written reports or statements can be found in *Working with the United Nations Human Rights Programme: A Handbook for Civil Society*, available at: <http://www.ohchr.org/EN/PublicationsResources/Pages/HumanRightsProgramme.aspx>.

In addition to the Universal Periodic Review and Special Procedures mechanisms described in greater detail below, the Council receives complaints alleging patterns of human rights violations, which are considered by the [Working Group on Communications](#) and may be referred to the Working Group on Situations. The [Working Group on Situations](#) reports substantiated claims of consistent patterns of gross violations to the Council and makes recommendations for action.<sup>17</sup> Complaints may be [submitted](#) by individuals, groups, or non-governmental organizations.

### **Universal Periodic Review**

UN General Assembly Resolution 60/251 in 2006 also established the [Universal Periodic Review](#) (UPR) as a peer review mechanism for the assessment and advancement of human rights in all 193 UN Member States. As set out by the General Assembly, the Council is mandated to:

Undertake a universal periodic review, based on objective and reliable information, of the fulfillment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States; the review shall be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs; such a mechanism shall complement and not duplicate the work of treaty bodies.<sup>18</sup>

The Council reviews UPR reports three times per year following the Council Regular Sessions in Geneva, with 14 countries being reviewed each session.<sup>19</sup> Each UPR is facilitated by a *troika* (group of three) of Council Member States, but UPR process is open to participation by all UN Member States whether or not elected members of the Council, as well as to non-

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<sup>17</sup> See Human Rights Council Resolution 5/1: Institution-building of the United Nations Human Rights Council § IV: Complaint Procedure. See also UN Office of the High Commissioner for Human Rights, Human Rights Bodies, Council, Complaint Procedure, <http://www.ohchr.org/EN/HRBodies/HRC/Pages/Complaint.aspx>; UN Human Rights Council, *Background Press Release: HRC Working Group on Communications to Hold 10<sup>th</sup> Session in Geneva from 23 to 27 April 2012*, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12077&LangID=E>.

<sup>18</sup> UN General Assembly resolution A/RES/60/251, decision paragraph 5 (e). Further details of UPR process, modalities and outcomes are established by resolution A/HRC/5/21.

<sup>19</sup> UPR reviews are formally conducted by the UPR Working Group of the Council, however the UPR Working Group comprises all 47 Council Member States, so for simplicity here Council will be used in lieu of UPR Working Group. See, UN resolution A/HRC/5/1, Annex section 1, Universal Periodic Review Mechanisms, paragraph 18.

governmental stakeholders.<sup>20</sup> OHCHR staff provides administrative support and serves as [liaison with non-government actors](#) throughout the UPR.

In the first UPR cycle, 48 Member States were reviewed each year over a four-year period, while in the second UPR cycle approximately 42 Member States are scheduled for review each year over a [four-and-a-half-year period](#).<sup>21</sup> The increased cycle duration was based on feedback gathered from Member States and non-government actors, with the objective that fewer states will be reviewed each UPR Session, but more time will be allocated to each review. The first cycle concluded in October, 2011 and a second cycle began in March, 2012.

The UPR process is composed of the following steps:

1. Preparation and submission of the [written reports](#) by the state, civil society, and the OHCHR which provide a foundation for the peer review.
2. During the UPR Session, the reports are presented orally, followed by an Interactive Dialogue where UN Member States make comments and recommendations to the state under review.
3. The Working Group prepares a summary report of the comments and recommendations; the state may indicate its acceptance or rejection of the recommendations.
4. The final outcome report is adopted by the Council and both States and civil society organizations with ECOSOC consultative status are permitted to deliver oral comments on the UPR outcome report.
5. The state reports on its implementation of the recommendations during the next UPR cycle.

The UPR process includes several formal engagement opportunities for non-government actors, such as during consultations on the national report submitted by the Member State under review, via [written submissions](#) to the Council, and through [oral statements](#) at the adoption of the UPR reports by the Council. These opportunities are explained in greater detail below.

#### Preparation of Written Reports

The Member State under review prepares and submits a national report on its own human rights record and developments. The UPR guidelines recommend that this national report be

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<sup>20</sup> UN resolution A/HRC/5/1, Annex section 1, Universal Periodic Review Mechanisms, paragraph 18.

<sup>21</sup> 48 Member States are scheduled for review in 2013, 2014 and 2015. Only 28 Member States are scheduled for review in 2012 and 45 Member States are scheduled for review in 2016. See the full schedule for reference at <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx>.

prepared “through a broad consultation process at the national level with all relevant stakeholders” including civil society and other local non-governmental actors.<sup>22</sup> However, such consultations have been frequently neglected owing to a lack of Member State willingness to engage with critical national voices, insufficient national resources allocated to support national consultations, or last-minute government attention to the preparation of the Member State national report. Civil society actors must often be proactive in obtaining information about the status of the national report and identifying or creating opportunities to contribute to its contents.

This national report is also supplemented by a compilation prepared by the OHCHR of country-specific information “contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents”.<sup>23</sup>

Apart from the national consultations on the Member State national report, the UPR process also enables non-governmental actors to [submit first hand information](#) on the situation of human rights in the Member State under review.<sup>24</sup> National human rights institutions are particularly encouraged to submit written reports. Non-governmental submissions should focus on covering the five-year period prior to the review and submissions for the second UPR cycle should further address relevant peer recommendations by Member States from the first UPR cycle.

The UPR [technical guidelines](#) call for non-government submissions to have a maximum length of 2,815 words for an individual submission and 5,630 words for a joint submission by a coalition.<sup>25</sup> The precise deadlines for non-government written submissions to each UPR Session are periodically announced by the OHCHR, but are roughly 8 months ahead of the UPR Session where national reports will be reviewed.<sup>26</sup> All non-government submissions are then compiled and condensed by OHCHR into a summary non-governmental report for distribution to all Member States.<sup>27</sup>

### UPR Session

Each [UPR Session](#) consists essentially of the oral presentation of national reports by the Member States under review along with the summaries prepared by the OHCHR, followed by

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<sup>22</sup> UN resolution A/HRC/5/21, Annex section 1, Universal Periodic Review Mechanisms, paragraph 15 (a).

<sup>23</sup> UN resolution A/HRC/5/21, Annex section 1, Universal Periodic Review Mechanisms, paragraph 15 (b).

<sup>24</sup> UN resolution A/HRC/5/21, Annex section 1, Universal Periodic Review Mechanisms, paragraph 15 (c).

<sup>25</sup> See, *UPR: Practical Guide for Civil Society* for the complete requirements pertaining to non-government submissions: <http://www.ohchr.org/EN/HRBodies/UPR/Documents/PracticalGuideCivilSociety.pdf>.

<sup>26</sup> Contributions and participation of “other stakeholders” in the UPR, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/NgosNhris.aspx>.

<sup>27</sup> UN resolution A/HRC/5/21, Annex section 1, Universal Periodic Review Mechanisms, paragraph 15 (c).

an Interactive Dialogue allowing for oral comments and peer recommendations by any UN Member State.

At UPR Sessions access to government representatives is available to non-government actors through space for holding side events and direct meetings in preparation for the Interactive Dialogue. Moreover non-government actors may chose to brief the embassies of Members States in their country's capital as a means to raise their issues. These engagements often take place with Member States who are supportive of a particular human rights issue and will frequently focus on advocating for particular language to be included in a Member State's peer recommendations to the Member State under review.

As noted previously, civil society advocacy to influence or contribute to a Member State's peer recommendations should begin well ahead of UPR Session in order to be most effective. For example, recent [survey of 31 countries](#) found that human rights information pertaining to a country's Universal Periodic Review should be share with peer countries an average of 1–4 months in advance of the UPR Session.<sup>28</sup> This advance notice enables Member States sufficient time to review and consider incorporating the shared information into their official comments and recommendations.

#### Outcome Report

Following the Interactive Dialogue, the troika of Council Member States, supported by the OHCHR, drafts a [written summary](#) of all oral statements and peer recommendations presented, and the Member State under review will commonly – although not always – indicate which peer recommendations are rejected or accepted.<sup>29</sup> Subsequently, the final outcome report is adopted by a plenary of all Council Member States.<sup>30</sup>

Although non-governmental actors are not permitted to speak during the Interactive Dialogue portion of the UPR, non-governmental actors can make oral statements at the adoption of the UPR reports by the Council. Again however, priority is given to oral statements by Member States, which currently limits this opportunity to 10 non-government actors with each given two minute to speak.

In-person advocacy with government representatives at UPR Sessions is vital for advocacy on Member State peer recommendations although challenges include travel costs and physical access to the UN buildings being restricted to organizations with ECOSOC consultative status. A further key shortcoming for UPR advocacy during the first cycle has been an unfortunate deficit of both government and non-government follow-up on the accepted and rejected peer recommendations. This indicates the tendency of the UPR to only focus

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<sup>28</sup> UPR-info.org, *31 States provide insights on their drafting process for UPR statements*, <http://www.upr-info.org/+31-States-provide-insights-on+.html>, June 3, 2012.

<sup>29</sup> UN resolution A/HRC/5/21, Annex section 1, Universal Periodic Review Mechanisms, paragraph 18.

<sup>30</sup> UN resolution A/HRC/5/21, Annex section 1, Universal Periodic Review Mechanisms, paragraph 32.

attention on a country situation once every five years and therefore highlights the need to break this temporal isolation by linking UPR advocacy efforts to other ongoing national and international advocacy channels.

## Special Procedures

In support of its efforts to monitor and promote human rights, the Council assumed the [Special Procedures](#) established by the Commission on Human Rights in the form of Special Rapporteurs, Special Representatives, Independent Experts, and Working Groups.<sup>31</sup> The Council President formally appoints [nominated individuals](#) to fulfill each mandate, with approval by the Council Member States.<sup>32</sup> The Council President will also seek nominations and advice on appointments from non-government actors actively engaged with the Council and many appointments come from academia, civil society, or other non-government sectors.<sup>33</sup>

A new Special Procedure mandate can be created by resolution at any Council Session if there is wide demand for the new mandate. As an informal rule, Council Member States favor thematic-focused rather than country-focused mandates. As of July, 2012 there are 36 [thematic mandate](#) Special Procedures and 12 [country mandate](#) Special Procedures.<sup>34</sup> A thematic Special Procedure mandate is limited to a three years and a country mandate is limited to a one-year period, at which point mandates are reviewed by the Council for renewal; a mandate holder may serve for up to six years.<sup>35</sup>

Although each Special Procedure mandate may vary according to the specific establishing Council Resolution, the Special Procedures are generally mandated to monitor report on, and make recommendations regarding with human rights either for a specific country or broad issue of concern. [Appointed Mandate Holders](#) use a wide range of activities to fulfill their mandates including through receiving information from non-governmental actors and other UN agencies; direct communications, such as [letters of allegation or urgent appeals](#), with governments on alleged violations; in-person [country visits](#) to assess a human rights situation; and conducting of thematic studies, seminars, and other [consultations](#). The Mandate Holders assessment of a particular human right situation may then lead to a range of responses, such as [recommendations](#) to a government to prevent, end or remedy the

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<sup>31</sup> Special Procedures of the HRC, <http://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx>.

<sup>32</sup> Nomination, Selection and Appointment of Mandate Holders, <http://www.ohchr.org/EN/HRBodies/SP/Pages/Nominations.aspx>. See also, UN resolution A/HRC/5/21, Annex section 2, Special Procedures, paragraphs 52 and 53.

<sup>33</sup> UN resolution A/HRC/5/21, Annex section 2, Special Procedures, paragraph 42.

<sup>34</sup> For a full list of all thematic mandates see <http://www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx> and for all country mandates see <http://www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx>.

<sup>35</sup> UN resolution A/HRC/5/21, Annex section 2, Special Procedures, paragraphs 45 and 60.

human rights violations; reports of their fact findings or thematic studies to the [Council](#) or UN [General Assembly](#); and public statements through the media.

Special Procedure mandate holders are not paid for their services; although they do receive some administrative and logistical support through the OHCHR.<sup>36</sup> As a result, appointed individuals usually maintain their professional occupations and also tend to be very open to, or even reliant on, collaboration with non-government actors to fulfill their far-reaching monitoring and reporting responsibilities. The Special Procedures, particularly Special Rapporteurs and Independent Experts, are therefore prime conduits for non-governmental organizations and individuals to have their testimonies heard in relation to human rights issues.

Regular submission of written reports and information relevant to a Special Procedure mandate are highly encouraged.<sup>37</sup> There are also often opportunities for in-person meetings on the sidelines of Council Sessions where a Special Procedure may present a periodic report, at expert seminars arranged by specific mandate holders, or at the [Annual Meeting](#) of all Special Procedures that occurs every June following the Council Regular Session.<sup>38</sup> The Special Procedures also undertake occasional country or regional visits where they seek to meet with both government representatives and a wide spectrum of non-government actors. Special Procedures may also participate as individuals when invited to public seminars or other human rights events.

Along with the many opportunities for engagement with the Special Procedures, advocates must recognize the limitations of these mechanisms. The voluntary nature of the work, combined with limited institutional support, results in inherently limited capacity. This can also lead Special Procedures to speak more frequently on global issues and to less directly address individual cases or human rights problems at a country level, except for in extraordinary circumstances. Country visits by a Special Procedure mandate holder in their official capacity also require a formal invitation from the host country's government.<sup>39</sup> A limited few Member States have [standing invitations](#) open to all Special Procedures. However, because invitations to Special Procedures are entirely voluntary, a Member State wishing to avoid scrutiny may simply decline to provide an invitation and ignore formal requests for conducting a country visit.

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<sup>36</sup> Special Procedures of the Council, Introduction, <http://www.ohchr.org/EN/HRBodies/SP/Pages/Introduction.aspx>.

<sup>37</sup> Guidelines for submitting specific information to the Special Procedures can be found at: <http://www.ohchr.org/EN/HRBodies/SP/Pages/Communications.aspx>.

<sup>38</sup> Expert seminars and consultations, <http://www.ohchr.org/EN/HRBodies/SP/Pages/SeminarsConsultations.aspx>, and Annual Meeting, <http://www2.ohchr.org/english/bodies/chr/special/meeting.htm>.

<sup>39</sup> *Id.*, fn 36.

As of July 2012, the following 36 [Thematic Special Procedures](#) have been established:

### **Working Groups**

- Working Group on people of [African descent](#)
- Working Group on [Arbitrary Detention](#)
- Working Group on [Enforced or Involuntary Disappearances](#)
- Working Group on the use of [mercenaries](#) as a means of impeding the exercise of the right of peoples to self-determination
- Working Group on [the issue of human rights and transnational corporations and other business enterprises](#)
- Working Group on the issue of discrimination against [women in law and in practice](#)

### **Independent Experts**

- Independent expert on the promotion of a democratic and equitable [international order](#)
- Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment
- Independent Expert on the effects of [foreign debt](#) and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights
- Independent Expert on [minority issues](#)
- Independent Expert on human rights and international [solidarity](#)

### **Special Rapporteurs**

- Special Rapporteur on [adequate housing](#) as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context
- Special Rapporteur on the [sale of children](#), child prostitution and child pornography
- Special Rapporteur in the field of [cultural rights](#)
- Special Rapporteur on the right to [education](#)
- Special Rapporteur on [extrajudicial, summary or arbitrary executions](#)
- Special Rapporteur on [extreme poverty and human rights](#)
- Special Rapporteur on the right to [food](#)
- Special Rapporteur on the rights to [freedom of peaceful assembly and of association](#)
- Special Rapporteur on the promotion and protection of the right to [freedom of opinion and expression](#)
- Special Rapporteur on [freedom of religion or belief](#)

- Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental [health](#)
- Special Rapporteur on the situation of [human rights defenders](#)
- Special Rapporteur on the [independence of judges and lawyers](#)
- Special Rapporteur on the rights of [indigenous peoples](#)
- Special Rapporteur on the human rights of [internally displaced persons](#)
- Special Rapporteur on the human rights of [migrants](#)
- Special Rapporteur on the promotion of truth, justice, reparation & guarantees of non-recurrence
- Special Rapporteur on contemporary forms of [racism](#), racial discrimination, xenophobia and related intolerance
- Special Rapporteur on contemporary forms of [slavery](#), including its causes and its consequences
- Special Rapporteur on the promotion and protection of human rights while countering [terrorism](#)
- Special Rapporteur on [torture](#) and other cruel, inhuman or degrading treatment or punishment
- Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous [substances and wastes](#)
- Special Rapporteur on [trafficking in persons](#), especially women and children
- Special Rapporteur on the human right to safe drinking [water](#) and sanitation
- Special Rapporteur on violence against [women](#), its causes and consequences

As of July 2012, the following 12 [Country Special Procedures](#) have been established:

#### **Independent Experts**

- Independent Expert on the situation of human rights in [Côte d'Ivoire](#)
- Independent Expert on the situation of human rights in [Haiti](#)
- Independent Expert on the situation of human rights in [Somalia](#)
- Independent Expert on the situation of human rights in the [Sudan](#)

#### **Special Rapporteurs**

- Special Rapporteur on the situation of human rights in [Cambodia](#)
- Special Rapporteur on the situation of human rights in Eritrea
- Special Rapporteur on the situation of human rights in the [Democratic People's Republic of Korea](#)

- Special Rapporteur on the situation of human rights in [the Islamic Republic of Iran](#)
- Special Rapporteur on the situation of human rights in [Myanmar](#)
- Special Rapporteur on the situation of human rights in the [Palestinian territories occupied since 1967](#)
- Special Rapporteur on the situation of human rights in the Syrian Arab Republic

### *Civil Society Engagement with the UN Charter-based Bodies*

#### **Human Rights Council**

- ✓ Submitting written reports and statements relevant to the Session agenda
- ✓ Making oral statements during the Session
- ✓ Holding side events to engage with governments and non-governmental actors
- ✓ Meeting with Member States' Human Rights Council representatives

#### **Universal Periodic Review**

- ✓ Consulting with the state under review in the preparation of its national report
- ✓ Submitting information on the state's human rights record, for inclusion in the Summary of Stakeholders' Information
- ✓ Suggesting questions or recommendations that other states should make to the state under review
- ✓ Making an oral statement at the adoption of the UPR reports by the Council

#### **Special Procedures**

- ✓ Submitting written reports and information relevant to the mandate
- ✓ Meeting with the mandate holders during Human Rights Council Sessions, Annual Meeting of Special Procedures or expert seminars
- ✓ Helping organize and participating in a Special Procedure's in-country visit

**Civil society can also follow up on implementation of these bodies' recommendations.**