

**The Special Procedures: Strengthening the Mechanism and Working Methods**  
**A civil society submission to the 30th annual meeting of Special Procedures of the UN**  
**Human Rights Council**  
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Endorsed by:

1. International Service for Human Rights
2. CHOICE for Youth and Sexuality
3. AKAHATA
4. Sexual Rights Initiative
5. Centre for Reproductive Rights
6. International Planned Parenthood Federation
7. GATE - Global Action for Trans Equality
8. International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA World)
9. UN Program, Occidental College

### **Introduction**

The work of the Special Procedures of the Human Rights Council is essential to promote, protect and contribute to the realisation of human rights, as well as accountability for violations and abuses. For many human rights defenders and victims and survivors of violations, the Special Procedures provide an indispensable avenue to expose violations and seek justice. Special Procedures also provide expert guidance to both State and non-State actors on their obligations under international human rights law. We reaffirm our commitment to constructive engagement with the system of Special Procedures and reiterate our calls for States to respect, protect and promote the independence and effectiveness of mandate holders, including by ensuring the resources necessary to fulfil their vital mandates.

This joint submission to the 2024 Annual Meeting of Special Procedures builds on submissions made in prior years both by individual organisations and as part of a coalition of civil society organisations. While progress has been made over the years in particular areas, we believe that **many of the central recommendations about the system and its working methods remain relevant.**

Specifically, this submission provides recommendations aimed at the institutional strengthening of the Special Procedures, including **enhancing transparency, coordination and cooperation with all stakeholders.** It also suggests means of strengthening the system's working methods to **improve its effectiveness and enhance civil society engagement and the system's relevance to actors on the ground.**

From the beginning, we have seen the annual meeting of Special Procedures as an important commitment by the system **to reflect on its internal workings and capacity to improve coordination.** It is also a critical

opportunity for interaction between mandate holders and various stakeholders on a range of procedural and substantive issues.

We welcome the mandate holders who have taken up their roles in 2024 and we look forward to continuing our collaboration. We sincerely hope that the recommendations contained in this submission will be considered during the 2024 annual meeting, by the Coordination Committee and individual mandate holders as relevant over the next year in their efforts to ensure human rights and fundamental freedoms are a global reality.

### **Consistency, predictability, and accessibility**

Coherence and consistency in working methods and robust and pluralistic participation avenues across Special Procedures mandates are essential to **diverse civil society participation**. Predictability is especially important for **groups with less access to or familiarity with the Special Procedures and their processes**. This is also in line with the key principles of a human rights-based approach, **including transparency, participation, accountability, non-discrimination and attention to the most marginalised**, among others, which should also guide the work of Special Procedures.

In addition to these principles and to the recommendations outlined below, we encourage Special Procedures and the Secretariat to mainstream **accessibility for persons with disabilities** in their work, including for the format of reports, calls for inputs, as well as meeting and consultation modalities, and to ensure these are also available in all UN languages.

In light of the need “to confront and rectify the pervasive obstacles and barriers hampering recognition, justice, and development for people of African descent” as highlighted in a UN experts’ statement issued this year on the **International Day for the Elimination of Racial Discrimination, as well as the results of the recent Stocktaking report on Indigenous Peoples participation** at the UN<sup>1</sup>, **we invite all mandates to act on these messages**. We also urge that the mechanisms continue to support the call for a **Second Decade for People of African Descent** and pay particular attention to **reparations for People of African Descent and Indigenous communities**, in its diverse and community-oriented meanings.

### **Civil society participation and engagement in the Annual Meeting**

We welcome the opportunity to engage with the Annual Meeting once more, despite the liquidity crisis and its postponement from June to December. The meeting of Special Procedures with civil society during the Annual Meeting is a unique opportunity for organisations to interact with the Special Procedures system as a whole, and to raise suggestions and issues of concern with mandate-holders. However, diverse civil society participation, particularly from human rights defenders, underrepresented communities and civil society organisations based outside of Geneva, cannot be an afterthought and **efforts should be made to ensure that those who wish to engage have the possibility of doing so remotely**.

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<sup>1</sup> Which recommends that the Human Rights Council and other UN bodies create structures to support Indigenous Peoples’ participation without requiring something called ECOSOC consultative status.

### Recommendations:

- Ensure that all collective interactions between Special Procedures and civil society organisations **prioritise the use of hybrid modalities allowing for remote participation**, including through video statements, with interpretation in UN languages, and accessibility measures such as sign language interpretation and closed captioning.
- **Widely disseminate the meeting announcement and participation information** (including on the OHCHR events page, the Annual Meetings page, and the weekly civil society newsletter) well in advance (at least a month) to allow civil society to adequately prepare inputs, consult with regional and local social movements, and participate meaningfully.
- Continue the previous good practice of **issuing public documents relating to the content and/or outcomes of discussions**, which is important for transparency, accountability and facilitating civil society's ability to follow developments regarding working methods and issues of concern, among others.

### **Overall engagement with civil society**

An area that requires attention is the need to increase the visibility of the work of the Special Procedures and the ability of stakeholders to access the Special Procedures and to engage in and inform their work. This is key given their global mandates and the obstacles many organisations face, including **prohibitive travel costs, visa requirements and overall logistics required to ensure participation in meetings** - including and beyond Human Rights Council regular sessions - particularly for smaller organisations and activists from the Global South.

Some good practices in this regard are the efforts made by several mandates to **extend deadlines when needed or to issue longer timelines**; as well as **open consultations to inform thematic reports**, including public and online meetings, with interpretation, which accommodate different time zones and interpretation beyond official UN languages.

Additionally, **restricting participation to in-person modalities** instead of hybrid **contributes to the climate crisis and is at odds with the UN's mandate**, and the human rights standards issued by Special Procedures in the areas of climate change and the environment.

### Recommendations:

- Issue **public calls for input for all thematic reports**, and allow for longer timelines for submitting information to facilitate broader participation, particularly from smaller and less-resourced organisations which do not have dedicated staff for UN-related work.
- Mandate-holders and the Secretariat should continue the good practice of **publishing the submissions received to inform thematic reports** consistently and in a timely manner.
- **Mainstream open consultations with remote participation modalities**, including the option to participate via video statements, interpretation in UN languages, sign language interpretation, closed captioning and other accessibility measures for persons with disabilities.
- Establish, as a standard practice, calls for inputs by new mandate-holders **to inform the priorities for their mandate**.

## Liquidity crisis

The cuts to Special Procedures' activities due to the ongoing liquidity crisis, including limitations to follow-up and consultations, restricted the possibilities for rights holders to directly engage with what has typically been one of the UN's most accessible mechanisms. **We welcome the efforts undertaken to enable all mandates to conduct the standard two visits per mandate in 2024**, which allow access to situations on the ground and the engagement with authorities at the domestic level for positive human rights change and to promote the rights of victims and rights holders.

The Coordination Committee had stated its intention earlier in 2024 to track, document and share with States the impacts of the liquidity crisis on Special Procedures. **We welcome this initiative and urge the Coordination Committee and the Secretariat to make this information public.** This would also be important to inform advocacy with States to pay their dues in full and on time.<sup>2</sup>

### Recommendation:

- Disclose a list of impacted mandated activities in 2025 and an assessment of the impact of the liquidity crisis on mandate activities of Special Procedures in 2024.
- Regularly update and consult civil society on these impacts and on ways to mitigate their effect on participation in the work of Special Procedures.

## Collaboration and coordination amongst mandate holders and at the regional level

We stress the importance of **coordination among mandate holders** and their ongoing efforts to address human rights situations from an intersectional perspective, including at the regional level. We also **emphasise the importance of mandate holders grounding their work in international human rights law** and interpreting and applying that law in a principled, consistent and progressive way. For example, we welcome the **coordinated work of several Special Procedures on Palestine** and statements against Israel's commission of [genocide against Palestinians in Gaza](#) and other States' complicity. The ICJ proceedings' references to these statements are an important testament to that impact. We also stress the importance of coordination between the Special Procedures system and regional human rights systems and continued engagement with international justice processes.

### Recommendations:

- Continue to work collaboratively and in coordination, including by **presenting joint statements and reports on human rights situations that merit distinct but complementary perspectives** and underline the indivisibility and interdependence of human rights.
- **Share learnings and knowledge between the regional and international levels**, in both directions, to ensure that policies and procedures are coherent and effectively strengthen regional and international human rights standards.
- Ensure that work is grounded in international human rights laws and standards and **interpret and apply human rights laws and standards in a principled, consistent and progressive manner.**

## Transparency and accountability

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<sup>2</sup> <https://ishr.ch/latest-updates/un-liquidity-crisis-rights-groups-call-on-states-to-payyourdues/>

One element of the work of Special Procedures that has received particular attention from States and civil society over the years is the need for **transparency regarding the activities and working methods** of the Special Procedures.

We welcome the **improvements made to the OHCHR website**, and the ongoing efforts to make information easier to access. We work continuously with the Coordination Committee and individual mandate holders to identify examples of good practices and ways to improve the functioning of the Special Procedures. We similarly engage with the Human Rights Council and individual States, **being particularly conscious of the fact that the greatest factors impacting the effectiveness are the resources at their disposal, lack of good faith cooperation by some States, and acts of intimidation and reprisals against those who engage with mandate holders by States and against mandate holders themselves.**

The Special Procedures system can, of course, be strengthened and we welcome the efforts by mandate holders to adopt **working methods that ensure a greater impact of their work.**

**We believe that mandate holders are also accountable to rights holders.** We stand in support of the Special Procedures' self-regulatory powers, but we note that little public information is available about the actual workings of the Internal Advisory Procedure (IAP).

We are concerned about attempts to intimidate<sup>3</sup> civil society organisations in public statements sent by a mandate holder to States and posted on UN platforms. This establishes a dangerous precedent for the role and safety of civil society actors in UN spaces, and civil society participation in the work of Special Procedures. As a body of mandate-holders that does not exert State or Secretariat oversight over Special Procedures, the **Coordination Committee is uniquely placed to take action and consider the current challenges and ways forward to protect the integrity and independence of Special Procedures as well as their responsibility vis-a-vis rights-holders.**

#### Recommendations:

- Publish more **substantial information about the Internal Advisory Procedure**, including a. steps that will be followed by the Coordination Committee; b. estimated timelines; c. how decisions taken are communicated and to whom, even if the decision itself is not made public.
- While preserving Special Procedures' independence, **the Coordination Committee must establish safeguards against attempts to intimidate civil society organisations** by mandate holders through the Internal Advisory Procedure and work to prevent and address acts that may cause safety concerns and create a chilling effect on civil society's advocacy work.

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<sup>3</sup> Statement by Special Rapporteur on violence against women and girls, in response to the Sexual Rights Initiative, 4 April 2023. <https://www.ohchr.org/sites/default/files/documents/issues/women/sr/activities/SR-VAWG-statement-response-SRI.pdf> ; Statement by Special Rapporteur on violence against women and girls, on AWID 's open letter of 18 May 2023 "There Is No Place for Anti-Trans Agendas in the UN." 6 September 2023. <https://www.ohchr.org/sites/default/files/documents/issues/women/sr/activities/SR-VAWG-Response-AWID.pdf> ; Response by the Special Rapporteur on violence against women and girls to WHO call for inputs on proposed guidelines on the health of trans and gender diverse people, 4 January 2024. <https://www.ohchr.org/sites/default/files/documents/issues/women/sr/statements/sr-vaw-letter-04-01-2024-04-01-2024-3.pdf> )

- Ensure that the OHCHR website and communication channels **are not used to host or disseminate public statements** seeking to discredit or intimidate human rights defenders or civil society organisations.
- Ensure that mandate holders **give prior notice to any civil society organisation named in public statements**, so that the organisation can make arrangements for the potential implications on their security, safety, reputation, funding, advocacy work, and the significant time and resources necessary to respond.

### **Update of manual of operations: Civil society consultations and information sharing**

In 2019, the Chair of the Coordination Committee mentioned that an update of the Manual of operations had been initiated. This update must be consistent with working methods and avenues for participation that reflect the input of civil society.

#### Recommendations:

- Civil society must be regularly consulted and kept informed about the update of the Manual of Operations and other rules and principles regarding Special Procedures' working methods, including at the Annual Meeting.
- The Manual of Operations should be available in all UN languages and in accessible formats for persons with disabilities, including people who use screen readers.
- Any new version of the Manual should be uploaded on the OHCHR website once published.

### **Selection and appointment of mandate holders**

We welcome the current practice of the Chair of the Coordination Committee [requesting former mandate holders to share their insights](#) on the skills they believe are essential for new mandate holders to effectively fulfil their roles. Past recommendations from different mandates have highlighted the importance of cooperation and engagement with civil society as a key criterion in the selection of new mandate holders. We endorse this recommendation and encourage its inclusion in the consideration of all new mandate holders.

#### Recommendation:

- We encourage the Coordination Committee to make all letters publicly available and easily accessible and ensure this is a standing practice.

### **Follow-up initiatives**

We particularly welcome initiatives aimed at enhancing practices of follow-up, such as follow-up visits or desk-based assessments of the implementation of country visit recommendations. **In the absence of standard follow-up procedures or guidelines**, follow-up initiatives remain at the discretion of the mandate holders or States. We emphasise that follow-up should be a standard practice undertaken by all mandate holders, in consultation with all interested parties.

### Recommendation:

- Establish a standardised mechanism and a set of guidelines to ensure a follow-up process as an integral part of the work of all mandates.

### **Rationalisation initiatives**

The Special Procedures form the most effective links between human rights situations on the ground and the work of the Human Rights Council. They are integral in ensuring that the Council remains informed, relevant and able to fulfil its mandate to prevent, protect and promote human rights.

In this context, we express our deep concern at the initiatives seeking to “rationalise the work of the Human Rights Council” in an attempt to save resources and time. We are particularly concerned about the proposals made under the ongoing “HRC efficiency exercise” which led to the recent adoption of [PRST18/01](#), particularly the various proposals aimed at addressing the so-called “duplication of initiative and mandates”.

Distinctive yet complementary mechanisms and mandates allow for a **more nuanced understanding of issues**, encourage a multifaceted approach, enhance responses to complex situations and can lead to more thorough recommendations and a stronger push for action. The idea of avoiding overlapping mandates can set a precedent that may hinder the creation of new mandates needed to respond to critical issues. **The goal should always be to maximise effectiveness, including justice and accountability for victims of violations, and ensure a comprehensive and holistic approach to human rights crises.**

Along similar lines, we regret that a resolution on the **Working Methods of the Third Committee** was adopted in November at the UNGA Third Committee in New York, which has crucial implications beyond the Committee itself. Some elements seek to impact the engagement of other UN human rights bodies and mechanisms with the Committee - including those created by the Human Rights Council, as well as Treaty Bodies. In particular, OP3 proposes,<sup>4</sup> *‘in consultation with the Council Bureau, to progressively **reduce the number of interactive dialogues at the Committee with Special procedure mandate holders, Chairs of treaty bodies, experts and other mechanisms aiming to reduce the workload of the Committee**’*. We emphasise the importance of maintaining robust engagement of human rights mechanisms at the Third Committee, as contributions from human rights experts are essential in these discussions.

### **The role of special procedures in strengthening international human rights standards**

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<sup>4</sup> OP 3. Also requests the Bureau of the Third Committee to address the increasing number of interactive dialogues with the Committee in consultation with the Bureau of the Human Rights Council, as well as by holding inclusive and transparent consultations with Member States, and, in this regard, to coordinate on the schedule of interactive dialogues with special procedure mandate holders, Chairs of treaty bodies, experts and other mechanisms in the Committee, with a view to mutually deciding on a road map aimed at developing a programme to progressively reduce the interactive dialogues to a manageable number at each annual session, including by considering: (a) Establishing a recommended ceiling capacity of interactive dialogues at each annual session; (b) Scheduling, including through rotation, of interactive dialogues at each session, while ensuring balance on substance, and without compromise to the quality of the work of the Third Committee; (c) Presenting the road map at the eightieth session of the General Assembly, with targets to effect its implementation by the eighty-fourth session of the Assembly, for consideration and approval by Member States;

The **UN Declaration on Human Rights Defenders** was adopted 25 years ago, affirming the right to defend human rights and outlining the roles of States and other actors in protecting human rights defenders. Despite its significance, implementation has been incomplete, with evolving laws and new challenges facing defenders. To commemorate the 25th anniversary, a coalition of 18 organisations consulted over 700 defenders to address current risks and enhance protection strategies. The resulting [Declaration +25](#), launched this year, supplements the UN Declaration and is meant to be read alongside it. It is grounded in international law and takes into account international jurisprudence over the last 25 years, the evolutions of movements and activism, as well as defenders' lived experiences. Together, they set the parameters and standards to protect the right to defend rights and those who exercise it. We hope it can also serve as a useful resource for mandate holders and guide their work around the protection of human rights defenders globally.

Recommendation:

- Draw on and cite the Declaration +25, as well as the Declaration on Human Rights Defenders, in work and communications regarding the rights of defenders and the duties of both State and non-State actors to respect and protect defenders.

**Conclusion**

We look forward to continuing to work with the Coordination Committee, all Special Procedure mandate holders and other stakeholders with a view to further strengthen the Special Procedures' contribution to the promotion and protection of human rights on the ground. While doing so we will do our utmost to defend their independence.