

SPECIAL PROCEDURES



Introduction

The "Special Procedures" refer to the mechanisms set up by the Human Rights Council (HRC) to examine, monitor, report and make recommendations on the human rights situation in a specific country or territory (country mandate) or on a given topic (thematic mandate). The HRC can thus monitor the state of human rights within the scope of specific mandates. These are independent mechanisms carried out by individual experts (called Special Rapporteurs or Independent Experts) or groups of experts (called Working Groups). In addition, thematic mandates have the advantage of being able to cover issues related to their theme in all States, regardless of the ratification of a particular treaty or instrument.

In 2021, there were 55 special procedures (44 thematic mandates and 11 country mandates).

- [Updated list of thematic mandates](https://tinyurl.com/2p87ebtb) - <https://tinyurl.com/2p87ebtb>
- [Updated list of country mandates](https://tinyurl.com/2p84ahf7) - <https://tinyurl.com/2p84ahf7>

How do the Special Procedures work?



1) Communications

It is the intervention of one or more special procedures on specific cases, either concerning one or more individuals or denouncing a more global situation such as the adoption of a law that violates human rights. The Special Procedures will act on the basis of information received from relevant and credible sources. They will then communicate with the targeted State to request information on the allegations reported. A distinction is made between urgent appeals

where time is of the essence and where the prevention or cessation of a human rights violation can be achieved, and allegation letters where there is no proven and immediate emergency.

2) Country visits



Country visits allow Special Rapporteur to travel to a country to observe the situation there him or herself. A country visit is only undertaken at the invitation of the country concerned. In order to strengthen their collaboration with the Special Procedures, many States have issued a standing invitation for any mandate holder to visit. Some countries where ACATs are active have issued such a standing invitation.

- [Updated list of States that have issued a standing invitation to Special Procedures](https://tinyurl.com/8483saed) - <https://tinyurl.com/8483saed>

3) Annual reports and thematic studies



Each year, mandate-holders must submit a written report to the Human Rights Council showing the activities carried out during the year, including communications and country visits. The reports are presented in plenary by the mandate-holders and are subject to an interactive dialogue with States and NGOs. These reports often contain a study on a topic related to their mandate. These thematic studies are based on information from their investigations and dialogue with States or civil society. Some Special Procedures are also required to report to the UN General Assembly.

4) Press releases

To alert the international community about certain issues or serious human rights violations, the Special Procedures - one or more of them - sometimes resort to press releases.

Opportunities for action by FIACAT and the ACATs

Main thematic mandates related to the FIACAT and ACATs' mandate:

- [Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#)
- [Working Group on Arbitrary Detention](#)
- [Special Rapporteur on extrajudicial, summary or arbitrary executions](#)
- [Working Group on Enforced or Involuntary Disappearances](#)

1) Transmission of communications



FIACAT and the ACATs can alert mandate-holders to one or more cases of alleged violations or situations of concern that they have identified and monitored.

Admissibility:

- About a violation falling within the mandate of the relevant procedure(s)
- With the consent of the victim, if possible, and on the basis of information from reliable sources
- Against any State
- No exhaustion of domestic remedies required

Content of the communication:

Some special procedures have established questionnaires to be completed in order to send them a communication, so it is important to refer to the page of each mandate. However, as a

general rule, it is necessary that all communications contain the following elements

- Identification of the alleged victim(s) ;
- Identification of the alleged perpetrator(s) of the violation ;
- Identification of the person(s) or organisation(s) submitting the communication (this information is confidential) ;
- Place and date of the incident ;
- A detailed description of the circumstances in which the alleged violation took place.

2) Preparation, participation and follow-up of country visits



Prior to the visit, ACATs can advocate for their State to extend an invitation to one or more Special Procedures or even a standing invitation to all mandates. Similarly, they can encourage the Special Procedures to request a visit from their State by conveying their concerns related to their mandate. When a visit is planned to a country, the ACATs can assist the Special Procedure concerned by providing information to help it organise its visit (e.g. legal or practical developments affecting human rights, or information on certain crucial places to be included in the programme of the official visit, such as certain places of detention, etc.).

During the visit, when possible, a meeting is organised between national civil society and the Special Procedure; it is very relevant for the ACATs to take part in this meeting when it is related to their mandate.

After the visit, the ACATs can ensure the dissemination of the mandate holder's visit report and the follow-up of his or her recommendations.

3) Contributions to thematic studies

As actors from the field, the ACATs and FIACAT have expertise that is highly valuable for the thematic reports. For the elaboration of these reports, the Special Procedures regularly issue calls for inputs, which are relayed by FIACAT when the subjects are connected to the concerns and work of the ACATs. The ACATs can thus share their concerns on the subject in question, based on accurate, reliable and first-hand information reflecting the reality on the ground.



Find out more

- [Presentation of the Special Procedures - OHCHR Handbook for Civil Society](#) - <https://tinyurl.com/5ej6nw3h>

