

## Special Procedures: Enhance access, transparency and security for human rights defenders

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The UN Special Procedures, experts appointed by the Human Rights Council, are a vital tool for civil society and defenders. To continue in to play that role, a group of six leading NGOs have called for them to reflect on what more can be done to capitalise on past improvements and catalyse human rights change on the ground.



(Geneva) - The Special Procedures, or independent experts, mandated and appointed by the UN Human Rights Council, play a vital role in monitoring, reporting on and contributing to the promotion and protection of human rights around the world. More could be done, however, to enhance their accessibility and impact, and to protect those human rights defenders and victims who provide them with information, testimony and evidence, says a [joint civil society submission](#) ahead of the annual meeting of the UN Special Procedures mandate holders of the Council.

The submission, coordinated by ISHR and reflecting the views of leading international and regional NGOs, outlines practical changes that would further enhance the Special Procedures' efforts to ensure an effective and accessible platform for the promotion and protection of human rights globally.

'The UN Special Procedures are a critical tool of advocacy and accountability for activists on the ground,' said Sarah Brooks, Asia Programme Manager and Human Rights Advocate at ISHR. 'An effective and responsive mechanism relies both on strong internal processes, as well as on transparent public reporting. While the system has come a long way in the last few years, we hope to see that progress continue.'

### **Developments to build on**

The Annual Meeting, which brings together the vast majority of mandate holders, staff of the Office of the High Commissioner for Human Rights (OHCHR) and others, is an important opportunity for the system as a whole to reflect on progress and to identify ways forward. The practice of meeting with civil society is well-established, and this submission focuses on honing and shaping that conversation to accommodate a constructive exchange during the meeting, and among the Coordination Committee following.

The recommendations, which address both structural elements of the Special Procedures as well as working methods and public engagement, aim to strengthen the system and enhance its value for victims of human rights violations. They include:

- Set transparent minimum qualification criteria for to inform the selection of mandate holders
- Create baseline set of warning indicators on implementation of Council decisions and resolutions that, if met, would initiate a mandatory follow-up process
- Use public reporting and Council engagement to increase the political cost to States of failing to cooperate with Council's mechanisms, including [follow up on recommendations of the Special Procedures](#)
- Standardise the information mandate holders provide in their annual reports regarding, in particular, country visit requests and Communications
- Continue to refine the new online Communications questionnaire and consider means of expanding its reach
- Provide clear, disaggregated, timely and accessible data and information on victim communications and country visit requests made
- Emphasise and incentivise engagement by the Special Procedures with international and regional fora, as independent thematic and regional human rights experts

Says Ms. Brooks, 'The recently published [joint civil society paper](#) reflecting on the 10th anniversary of the Human Rights Council shows us that the Council could be more than, and risks be limited to, the sum of its parts. The Special Procedures have a major role to play in strengthening the impact of the Council's work, and we have used this submission to highlight that potential.'

## **Increasing victim accessibility to the mandate holders**

The recent launch by the OHCHR of its [online questionnaire](#) is a timely, but overdue, first step towards expanding victim's options to submit their communications to mandate holders.

'Victims of human rights abuses and civil society groups monitoring threats to fundamental freedoms must have a usable, clear and easily accessible way to communicate the situation on the ground to mandate holders,' says Anita Goh, policy and programme manager for Child Rights Connect.

The submission advanced a number of practical points that would enhance accessibility for people from diverse backgrounds - in terms of age, culture, language, education and geography - or for whom the system, despite its streamlining, might continue to pose barriers - such as persons who are visually impaired.

Adds Lucy McKernan, the Geneva representative of the Global Initiative for ESC Rights, 'When engaging with defenders, the Special Procedures have an obligation to protect, to maintain ongoing contact about their cases, and to act in a timely and effective way to seek change by the government concerned. For defenders of ESC rights, who may face intersecting forms of discrimination in accessing justice, this is even more critical.'

## **Reprisals must remain a focus**

In light of [the obligation of the Council to respond to the threats of reprisals](#) facing defenders and civil society, the submission acknowledges positive steps taken since last year's meeting, such as the establishment of a reprisals focal point and the suggested actions for mandate holders, including in the context of their country visits.

Says Ms. Brooks, 'Full and prompt investigation, documentation of cases, public statements condemning intimidation and reprisals for engaging with the Special Procedures, and structured, concrete follow-up with the state concerned can all help prevent recurrence.'

The joint submission urged continued efforts in this regard, and encouraged further consideration of the tools available to mandate holders to address the role of private companies and other non-state actors who engage in this conduct.

Following the Coordination Committee's report, which notes that reprisals often occur as a result of Communications, the submission puts a strong focus on the need to increase digital security and to ensure protection of sensitive information.

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