

Manual of the United Nations Human Rights Special Procedures

This Manual aims to provide guidance to the mandate-holders appointed under the various United Nations human rights Special Procedures. It also seeks to facilitate a better understanding of their work by all other stakeholders in the process. The Manual endeavours to reflect best practice and to assist the mandate-holders in their efforts to promote and protect human rights. It does so in light of the relevant mandates by which the various Special Procedures have been established and of the overall mandate given to the Human Rights Council in General Assembly resolution 60/251.

This Manual was originally adopted at the 6th Annual Meeting of Special Procedures mandate-holders, in 1999. Since that time it has been revised to reflect the changing structure of the United Nations human rights machinery, new developments in relation to mandates, and the evolving working methods of the mandate-holders. It is subject to periodic review and updating by the mandate-holders. They are responsible for its content and for its revision. The current version of the Manual was adopted by the mandate-holders on [...].

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I. Role and functions of Special Procedures

A. The scope of Special Procedures

1. The term Special Procedures has been developed in light of the practice of the Commission on Human Rights, the Economic and Social Council (ECOSOC) and the General Assembly to describe a diverse range of procedures established to promote human rights in relation to specific themes or issues, or to examine the situation in specific countries. While the specific mandates and methods of work of the various Special Procedures differ, there are a great many commonalities in the ways in which they work. The purpose of this Manual is to explain and elaborate upon these methods of work with a view to assisting the mandate-holders themselves, Governments, civil society and all other interested parties.

2. As of June 2006 there are 28 thematic mandates (on thematic issues)¹ and 13 country-specific mandates.² The thematic mandates range across the full spectrum of civil, cultural, economic, political and social rights.

3. As of June 2006 most mandates had been created at the initiative of the Commission on Human Rights, with the subsequent approval of the ECOSOC. With the establishment of the Human Rights Council, which replaced the Commission on Human Rights as of 19 June 2006, the Council has been called upon to assume, review and, where necessary, improve and rationalize all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights in order to maintain a system of Special Procedures.

B. Main characteristics of Special Procedures

4. Thematic Special Procedures are mandated to investigate the situation of human rights in all parts of the world, irrespective of whether a particular government is a party to any of the relevant human rights treaties. This requires them to take the measures necessary to monitor and respond quickly to allegations of human rights violations against individuals or groups, either globally or in a specific country or territory, and to report on their activities. In the case of country mandates, mandate-holders are called upon to take full account of all human rights (civil, cultural, economic, political and social) unless directed otherwise.

¹ These are: enforced or involuntary disappearances (established in 1980), extrajudicial, summary or arbitrary executions (1982), torture (1985), freedom of religion or belief (1986), sale of children, child prostitution and child pornography (1990), arbitrary detention (1991), freedom of opinion and expression (1993), racism, racial discrimination (1993), independence of judges and lawyers (1994), violence against women (1994), toxic wastes (1995), right to education (1998), extreme poverty (1998), migrants (1999), right to food (2000), adequate housing (2000), human rights defenders (2000), economic reform policies and foreign debt (2000), indigenous people (2001), people of African descent (2002), physical and mental health (2002), internally displaced persons (2004), trafficking in persons (2004), mercenaries (2005), minority issues (2005), international solidarity (2005), countering terrorism (2005), and transnational corporations (2005).

² These are: Myanmar (in operation since 1992), Cambodia (1993), Palestinian Occupied Territories (1993), Somalia (1993), Haiti (1995), Cuba (2002), Liberia (2003), Belarus (2004), Burundi (2004), Democratic People's Republic of Korea (2004), Democratic Republic of the Congo (2004), Sudan (2005) and Uzbekistan (2005).

5. The principal functions of Special Procedures include to:
- **analyse** the relevant thematic issue or country situation on behalf of the international community;
 - **advise** on the measures which should be taken by the Government(s) concerned and other relevant actors;
 - **alert** United Nations organs and agencies and the international community in general to the need to address specific situations and issues. In this regard they have a role in providing “early warning” and encouraging preventive measures;
 - **advocate** on behalf of the victims of violations through measures such as requesting urgent action by relevant States and calling upon Governments to respond to specific allegations of human rights violations and provide redress;
 - **activate** and mobilize the international and national communities to address particular human rights issues and to encourage cooperation among Governments, civil society and inter-governmental organizations.

C. Establishment of mandates

1. Terminology and duration of mandates

6. The term “Special Procedures” includes individuals variously denominated as “Special Rapporteur”, “Special Representative of the Secretary-General”, “Representative of the Secretary-General”, “Representative of the Commission on Human Rights” or “Independent Expert”, and Working Groups usually composed of five independent experts.³

7. While the body establishing the mandate retains discretion as to the duration of each individual mandate, the general practice as of mid-2006 has been for country mandates to be established for one year and thus to require annual renewal, while thematic mandates have been established for three year periods.

2. Appointment of mandate-holders

8. The relevant resolution can provide for the appointment of a mandate-holder by the Chairperson of the Commission on Human Rights, by the Secretary-General⁴, or by the High Commissioner. The individual mandate-holders are selected on the basis of their expertise, professionalism and independence. The requisite independence and impartiality are not compatible with the appointment of individuals currently holding decision-making positions within the executive or legislative branches of their Governments. While overall regional diversity is important, any link between a given region and any particular mandate would undermine the

³ Although the titles vary, there are no major differences in the general responsibilities and methods of work of Special Rapporteurs, Independent Experts, Working Groups and Special Representatives of the Secretary-General.

⁴ The Representatives of the Secretary-General and some independent experts are selected by the United Nations Secretary-General upon the recommendation of the High Commissioner for Human Rights.

necessary emphasis on expertise and impartiality. It is, however, important that a gender balance be achieved in relation to the overall number of mandate-holders.

9. Mandate-holders serve in their personal capacities, and are not staff of the UN. They do not receive salaries or any other financial rewards for their work, although their expenses are defrayed by the UN.

10. At present the rule is that experts, including those serving on Working Groups,⁵ should serve a maximum term of 6 years.⁶ Nor are they eligible for appointment to a different mandate until three years after their previous mandate has expired.

D. Status of mandate-holders

1. Independence

11. Mandate-holders are selected based on their expertise and experience in the area of the mandate, integrity, independence and impartiality.⁷ The independent status of the mandate-holders is crucial in order to enable them to fulfill their functions in all impartiality. As observed by the Secretary-General, “in the absence of complete independence, human rights mandate-holders and special rapporteurs would hesitate to speak out against and report violations of international human rights standards”.⁸ This independence is, however, in no way inconsistent with mandate-holders right to engage in dialogue with, and to seek information and support from, a wide range of actors.

2. Privileges and Immunities

12. The Charter of the United Nations empowers the General Assembly to make recommendations with a view to determining, *inter alia*, the privileges and immunities of “officials” of the Organisation or to propose conventions to Member States for this purpose.⁹ Accordingly, the Assembly adopted the Convention on the Privileges and Immunities of the United Nations on 13 February 1946.¹⁰

13. Mandate-holders are legally classified as “experts on mission” for the purposes of the Convention. While they are working on their mandates, experts enjoy functional privileges and immunities that are specified, *inter alia*, in article VI, section 22 of the Convention. These include:

⁵ See CHR Dec. 2000/109 (2000).

⁶ See UN Doc. E/CN.4/1999/104, recommendation 6.

⁷ See CHR resolution 2004/76 “Human rights and Special Procedures”; Report of the inter-sessional open-ended Working Group on Enhancing the Effectiveness of the Mechanisms of the Commission on Human Rights (E/CN.4/2000/112, paras.7 and 10); and the Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials and Experts on Mission (ST/SGB/2002/9) (reproduced in Annex 5 below).

⁸ “Written statement submitted to the International Court of Justice on behalf of the Secretary-General of the United Nations” in the Advisory Opinion on *Difference Relation to the Immunity From Legal Process of a Special Rapporteur of the United Nations Commission on Human Rights*, para. 55.

⁹ Article 105, para. 3.

¹⁰ The full text is available in Annex 6.

- (a) Immunity from personal arrest and detention and from seizure of their personal baggage;
- (b) In respect of words spoken or written and acts done by them in the course of the performance of their mission, immunity from legal process of every kind. This immunity is to be accorded notwithstanding that the persons concerned are no longer employed on missions for the United Nations;
- (c) Inviolability for all papers and documents;
- (d) For the purpose of their communications with the United Nations, the right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (e) The same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;
- (f) The same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys.

14. In 1989 and 1999 issues relating to the privileges and immunities of experts were the subject of advisory opinions given by the International Court of Justice (ICJ). The case of Mr. D. Mazilu concerned a Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of the Minorities who had been denied permission to travel to Geneva by the then Romanian Government to attend the Sub-Commission in order to present a report prepared in his capacity as Special Rapporteur. The ICJ, in its advisory opinion of 15 December 1989, confirmed that Article VI, Section 22 of the 1946 Convention:

is applicable to persons (other than United Nations officials) to whom a mission has been entrusted by the Organization and who are therefore entitled to enjoy the privileges and immunities provided for in this Section with a view to the independent exercise of their functions. During the whole period of such missions, experts enjoy these functional privileges and immunities whether or not they travel. They may be invoked as against the State of nationality or of residence unless a reservation to Section 22 of the General Convention has been validly made by that State.

15. The case of Dato' Param Cumaraswamy concerned the Special Rapporteur on Independence of Judges and Lawyers who was sued for having used allegedly defamatory language in an interview concerning his work as an expert which was published in the November 1995 issue of *International Commercial Litigation*. In its Advisory Opinion of April 1999 the ICJ re-affirmed the integrity of the work of the rapporteurs and experts of the Commission. It held that article VI, Section 22, of the Convention was "applicable" in the case of Mr. Cumaraswamy, and that he was "entitled to immunity from legal process of every kind" for the words spoken by him during the interview. The Court also stated that Mr. Cumaraswamy should be "held financially harmless for any costs imposed upon him by the Malaysian courts, in particular taxed costs". The Court found that the Government of Malaysia was

obligated “to communicate the advisory opinion to the Malaysian courts, in order that Malaysia’s international obligations are given effect and Mr. Kumaraswamy’s immunity be respected”.¹¹

3. Security and insurance arrangements

16. The UN’s comprehensive Security Management System encompasses all United Nations Departments, Agencies, Programs and Funds and aims to ensure the safety and security of all staff worldwide and to eliminate as much risk as possible from their work. For the purposes of the Security Management System, anyone who has any kind of contractual status or travels on official business for the United Nations is considered as “staff”, and mandate-holders are thus covered.¹²

17. As for insurance coverage, the United Nations has entered into an agreement with an agency to obtain life/accident insurance from Lloyds of London for staff required to serve at hazardous duty stations. In 1980 the ILO Administrative Tribunal adjudged that international organizations bear responsibility for the assignment or travel of staff members to potentially dangerous areas, and ruled that an employee is not obliged to run abnormal risks for the benefit of his employer, at any rate, unless he/she is given adequate insurance coverage.

18. The coverage provided applies to malicious acts, i.e. for death or disability caused directly or indirectly by war, invasion, acts of foreign enemies, revolution, rebellion, insurrection, military or usurped power, riot or civil commotion, sabotage, explosion of war weapons, terrorist activities (whether terrorists are the country's own nationals or not), murder, or assault by foreign enemies or any attempt thereat.

19. As from 1 April 1990, coverage extends to professional experts, including mandate-holders, on official mission/travel/Daily Subsistence Allowance (DSA) status and other official visitors in the designated countries. Coverage and benefits are identical to that for Professional staff members assigned to the duty station. Since it is the Organization that bears responsibility for the travel of experts on mission, the cost of obtaining the malicious acts insurance policy is absorbed by the United Nations.¹³

E. OHCHR support

20. In 2002, “Guiding principles regarding the working relations between Special Procedures mandate-holders and OHCHR staff” were adopted to determine the division of work and responsibilities between OHCHR and mandate-holders. This document details all aspects of the working relationship between mandate-holders and staff of OHCHR.

21. The Special Procedures Branch (SPB) provides support to thematic Special Procedures with thematic, fact-finding, and legal expertise, research and analytical work, and administrative and logistical services. In addition to the specific support

¹¹ See Annex 7 below for a summary of the Advisory Opinion.

¹² See Annex 4 below on Security briefing.

¹³ See Annex 5 below on the Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials and Experts on Mission (ST/SGB/2002/9).

provided to each mandate, SPB provides a number of common services to enhance the effectiveness of Special Procedures. In the area of communications, the Quick Response Desk processes communications sent by mandate-holders through the database on communications and the dedicated e-mail urgent-action@ohchr.org, which centralizes incoming information to be submitted to the attention of mandate-holders. The Branch assists mandate-holders in the development of tools and methodologies to improve coordination among mandate-holders and to strengthen linkages between Special Procedures and OHCHR, the United Nations system and other partners. The Branch developed tools to raise awareness about Special Procedures and to analyze and present in a reader-friendly way the work of mandate-holders.

22. While direct assistance to thematic mandate-holders is provided by SPB, other parts of OHCHR contribute to and benefit from the work of Special Procedures. The Capacity Building and Field Operations Branch (CBB) supports the work of country Special Procedures and links the work of all mandate-holders to country engagement strategies of OHCHR. The Research and Right to Development Branch (RRDB) supported mandates on economic, social and cultural rights until June 2006 and will continue to provide direct assistance to some mandates. The collaboration between Special Procedures and RRDB is mutually beneficial for the strengthening of thematic expertise. The Treaties and Council Branch (TCB) facilitates the interaction between Special Procedures and treaty-bodies. The Communications Section assists mandate-holders in their contact with the media. The Administration Section processes the administrative arrangements linked to the activities of mandate-holders.

II. Methods of work

A. Sources of information

23. Mandate-holders are called upon to take account of all available sources of information that they consider to be credible and relevant. This includes information emanating from Governments, inter-governmental organizations, non-governmental organizations, national human rights institutions, the victims of alleged human rights abuses, relatives of victims, and witnesses. Wherever feasible and appropriate mandate-holders should endeavour to consult and meet with such sources.

24. Because of the sensitivity of many of the issues that arise mandate-holders should be guided in their information-gathering activities by the principles of discretion, transparency and even-handedness. Appropriate opportunities should be provided for Government representatives to comment on allegations made against them and for those alleging violations to comment on Governmental responses thereto.

25. Mandate-holders are not required to inform those who provide information about any subsequent measures they have taken. They may, however, choose to provide some information, but this would normally not involve disclosure of the specific contents of communications with Governments, unless an issue has been definitively dealt with by the government in question.

26. In the case of country visits full details of the action taken will be provided in the mandate-holder's official report on his or her visit. In the case of communications a summary of the exchange of information will be provided in the report on communications submitted periodically to the Council.

27. Mandate-holders will take all feasible precautions to ensure that sources of information are not subjected to retaliation (Specific examples are contained in the sections below on Communications and Country Visits). Mandate-holders shall invite individuals and groups which have provided information and have suffered any form of reprisals or retaliation as a result to report all such incidents to the mandate-holder so that appropriate follow-up action can be taken.

B. Communications

1. Definition and purpose

28. Most Special Procedures provide for the relevant mandate-holders to receive information from different sources and to act on credible information by sending a communication to the relevant Government(s) in relation to any actual or anticipated human rights violations which fall within the scope of their mandate.

29. Communications may deal with cases concerning individuals, groups or communities, with general trends and patterns of human rights violations in a particular country or more generally, or with the content of existing or draft legislation considered to be a matter of concern.

30. Communications do not imply any kind of value judgment on the part of the Special Procedure concerned and are thus not per se accusatory. They are not intended as a substitute for judicial or other proceedings at the national level. Their purpose is to obtain clarification in response to allegations of violations and to promote measures designed to protect human rights.

31. The Quick Response Desk (QRD) of OHCHR coordinates the sending of communications by all mandates. Information available to the Office is provided to relevant mandate-holders in order to ascertain whether they wish to take action on them. In the case of an affirmative response a draft communication is prepared and circulated for approval. The Quick response Desk also provides information on any previous action taken in relation to the case in question.

32. Mandate-holders are encouraged to send joint communications whenever this seems appropriate. Communications by thematic mandate-holders in relation to a State for which a country rapporteur exists shall be prepared in consultation with the latter. Where agreement between the thematic and country Special Procedures cannot be reached the advice of the Coordination Committee shall be sought.

33. OHCHR desk officers and relevant United Nations field offices should also be consulted, to the extent feasible, in the preparation of communications concerning the areas of their responsibility. In order to ensure necessary coordination they should also be provided with copies of any relevant communications which have been sent.

34. Each communication must be expressly authorized by the relevant mandate-holder(s).¹⁴ Communications usually take the form of a letter transmitted by the OHCHR to the Permanent Representative of the country concerned to the Office of the United Nations in Geneva. In the absence of such representation the letter shall be transmitted to the relevant Permanent Representative at United Nations Headquarters in New York, or to the Ministry of Foreign Affairs of the country or countries concerned.

35. In communications sent to Governments, the source is normally kept confidential in order to protect against reprisals or retaliation. An information source may, however, request that its identity be revealed.

36. In light of information received in response from the Government concerned, or of further information from other sources, the mandate-holder will determine how best to proceed. This might include the initiation of further inquiries, the elaboration of recommendations or observations to be published in the relevant report, or other appropriate steps designed to achieve the objectives of the mandate.

37. All communications sent and responses received thereon are confidential until such time as they are published in the relevant report of the mandate-holder or the mandate-holder determines that the specific circumstances require action to be taken before that time. Periodic reports issued by the Special Procedures should reflect the communications sent by the mandate-holder and the governments' responses thereto. They may also contain observations of the mandate-holders in relation to the outcome of the exchange of views. The names of alleged victims are reflected in the reports, although exceptions may be made in relation to children and other victims of violence in relation to whom publication would be problematic.

2. Criteria for taking action

38. Communications submitted to the Special Procedures alleging violations should be in written, printed or electronic form and include full details of the sender's identity and address, and full details of the relevant incident or situation. Anonymous communications are not considered.

39. A decision to take action on a case or situation rests in the discretion of the mandate-holder, in light of the mandate entrusted to him or her. For this purpose each mandate-holder may adopt criteria or guidelines governing the acceptance of information or the taking of action.

40. Allegations should ideally contain: the name of individual victim(s) or other identifying information, such as date of birth, sex, passport no. and place of residence; the name of any community or organization subject to alleged violations, information as to the circumstances, including available information as to the date and place of any incident(s), alleged perpetrators, suspected motives, contextual information; and any steps already taken at the national, regional or international level in relation to the case.

¹⁴ The procedures for sending communications of the Working Group on arbitrary detention and the Working Group on enforced or involuntary disappearances has several specificities which are reflected in their methods of work. See fact Sheet No. 26, Annex IV and E/CN.4/2002/79, Annex I.

41. A number of Special Procedures have developed standard requirements/questionnaires to facilitate the collection of relevant information.

42. In determining whether to act the mandate-holder will generally take account of the reliability of the source, the internal consistency of the information received, the precision of the factual details, and the relevance of the issues raised in terms of the mandate. It is up to mandate-holders to seek additional information from the original source or from other appropriate sources in order to clarify the issues or verify the credibility of the information.

43. Unlike the requirements of communication procedures established under human rights treaties, the exhaustion of domestic remedies is not a pre-requisite for the consideration of an allegation by the Special Procedures. The Special Procedures are not quasi-judicial mechanisms. Rather, they are premised upon the need for rapid action, designed to protect victims and potential victims, and do not preclude in any way the taking of appropriate judicial measures at the national level.

3. Letters of Allegation

44. Letters of allegation are used to communicate information about violations that are alleged to have already occurred and whose impact on the alleged victim can no longer be changed.

45. Letters of allegation generally follow a standard format consisting of four parts: (i) a reference to the resolution creating the mandates concerned; (ii) a summary of the available facts, and when applicable an indication of previous action taken on the same case; (iii) an indication of the specific concerns of the mandate-holder in light of the provisions of relevant international instruments and case law; and (iv) a request to the Government to provide information on: (a) the substance of the allegations; (b) measures taken to investigate and punish alleged perpetrators; (c) compensation, protection, or assistance provided to the alleged victims; (d) legislative, administrative and other steps taken to avoid the recurrence of such violations in the future; and (e) other relevant information. The content of the specific questions or requests addressed to the Government may vary considerably according to the substance of the allegations.

46. Governments are usually requested to provide a substantive response to communication letters within two months. Some mandate-holders forward the substance of the replies received to the source for its comments.

4. Urgent Appeals

47. Urgent appeals are used to communicate information about an alleged violation that is ongoing or imminent. The intention is to ensure that the appropriate State authorities are informed as quickly as possible of the circumstances so that they can intervene to end or prevent a human rights violation.

48. Urgent appeals are transmitted by appropriate means (including, for example, by fax) addressed directly to the Minister of Foreign Affairs of the State concerned

with a copy to the Permanent Mission. Such appeals are sent on humanitarian grounds to ensure protection of the persons involved and do not prejudice any conclusions on the merits of the case.

49. Urgent appeals also generally follow a standard format consisting of four parts: (i) a reference to the resolution creating the mandates concerned; (ii) a summary of the available facts, and when applicable an indication of previous action taken on the same case; (iii) an indication of the specific concerns of the mandate-holder in light of the provisions of relevant international instruments and case law; and (iv) a request to the Government to provide information on the substance of the allegations and to take urgent measures to prevent or stop the alleged violations. The content of the questions or requests addressed to the Government will vary significantly according to the situation in each case. Governments are generally requested to provide a substantive response within thirty days. In appropriate cases mandate-holders may decide to make such urgent appeals public by issuing press releases or public statements.

5. Press Statements

50. In appropriate situations, including those of grave concern or in which a Government has repeatedly failed to provide a substantive response, a Special Procedure mandate-holder may issue a press statement or hold a press conference, either individually or jointly with other mandate-holders.

51. Press releases and statements are processed by the Communications section of the OHCHR and posted on the OHCHR's web-site.

52. As a measure of courtesy, but for information purposes only, a copy of the press statement should be transmitted to the Permanent Mission of the country concerned shortly before its public release.

C. COUNTRY VISITS

1. Definition and purpose

53. Country visits are an essential means to obtain direct and first-hand information. They allow for direct observation of the human rights situation and facilitate an intensive dialogue with all relevant state authorities, including those in the executive, legislative and judicial branches. They also allow for contact with and information gathering from victims, witnesses, international and local NGOs and other members of civil society, the academic community, and officials of international agencies present in the country concerned.

54. Country visits generally vary in duration between one and two weeks but can be either shorter or longer if the circumstances so require. The visit occurs at the invitation of a State. Its purpose is to assess the actual human rights situation in the country concerned, including an examination of the relevant institutional, legal, judicial, and administrative aspects and to make recommendations thereon in relation to issues that arise under the relevant mandate.

55. Country visits by mandate-holders provide an opportunity to enhance awareness at the country, regional and international levels of the specific problems under consideration. This is done, *inter alia*, through meetings, briefings, press coverage of the visit and dissemination of the report.

2. Invitations and requests for visits

56. A Government may invite a mandate-holder on its own initiative. Alternatively a mandate-holder may solicit an invitation by communicating with the Government concerned, by discussions with members of the diplomatic service of the country concerned, including especially the Permanent Representative to the United Nations Office in Geneva or at Headquarters, or by other appropriate means. The General Assembly, the Human Rights Council, or the High Commissioner for Human Rights might also suggest or request that a visit be undertaken.

57. In instances in which an invitation is not forthcoming it is appropriate for a mandate-holder to remind the Government concerned, to draw the attention of the Council to the outstanding request, and to take other appropriate measures designed to promote respect for human rights. An updated table of the status of requests for country visits is maintained on the website of the OHCHR.

58. Considerations which might lead a mandate-holder to request to visit a country include, *inter alia*, human rights developments at the national level (whether positive or negative), the availability of substantive information giving rise to concern, or a wish to pursue a particular thematic interest. Other factors which might be taken into account in determining which visits to undertake at any particular time might include considerations of geographical balance, the expected impact of the visit and the willingness of national actors to cooperate with the mandate-holder, the likelihood of follow-up on any recommendations made, the recent adoption by one or more treaty bodies of relevant concluding observations, the upcoming examination of the situation by one or more treaty bodies, recent or proposed visits by other Special Procedure mandate-holders, the list of countries scheduled for consideration under the Council's Universal Periodic Review (UPR) mechanism, and the priorities reflected in OHCHR's country engagement strategy.

59. The Commission on Human Rights strongly encouraged all States to extend a "standing invitation" to all thematic Special Procedures. By extending such an invitation States announce that they will automatically accept a request to visit by any of the Special Procedures.¹⁵ In such cases, mandate-holders will proceed to ask the State concerned to agree to proposed dates for a visit. The extension of a standing invitation, and the overall cooperation afforded to Special Procedures,¹⁶ are

¹⁵ A list of states that have extended a standing invitation to thematic procedures can be found on the OHCHR's web-site: <http://www.ohchr.org/english/bodies/chr/special/invitations.htm>

¹⁶ Commission on Human Rights Resolution 2004/76 reiterated states' obligations to cooperate with Special Procedures:

Urges all Governments to cooperate with the Commission through the pertinent Special Procedures, including by:

- (a) Responding without undue delay to requests for information made to them through the Special Procedures, so that the procedures may carry out their mandates effectively;
- (b) Considering Special Procedures to visit their countries and considering favourably accepting visits from Special Procedures when requested;

appropriately taken into account in considering the “pledges and commitments” made by States seeking election to the Human Rights Council.

60. Where appropriate country visits might be undertaken by several mandate-holders acting together, or by mandate-holders in conjunction with other representatives of the international community.

3. Preparation

61. The preparation of country visits is carried out on the basis of close consultation and cooperation among the mandate-holder(s), OHCHR and other relevant United Nations entities.

62. In advance of their visit, mandate-holders are provided with a “country assessment” prepared by OHCHR, which is a briefing document on the situation in the country covering legislation, relevant policies and programmes, institutions, administrative practices, and case law, as well as specific information relating to alleged violations or particular situations of concern.

63. The actual agenda for a country visit is a matter to be determined by the mandate-holder.

64. Those parts of the programme involving meetings with public authorities and institutions are negotiated between the mandate-holder and the Government concerned, usually through their mission to the United Nations. These discussions usually cover the timing of the mission, the list of official meetings requested with relevant authorities, and the nomination of an official from the host country as focal point throughout the visit (usually from the Ministry of Foreign Affairs or the Office of the Prime Minister or President). In this connection Governments must offer appropriate guarantees, preferably in writing, to ensure the protection of witnesses and the absence of all reprisals against any person cooperating with the mission in any way.

65. Those parts of the programme involving meetings with civil society are prepared by the mandate-holder with the support of the UNCT and OHCHR field presence as well as NGOs and national institutions. The details of this part of the programme may be shared with state authorities at the discretion of the mandate-holder. As specified in the Terms of Reference (see b) iii and iv.), the authorities commit to allow the mandate-holder to meet with NGOs and witnesses and to refrain from creating obstacles in that regard. Any person or group who cooperates with a Special Procedure is entitled to protection by the State from harassment, threats or any other form of intimidation or retaliation.

(c) Facilitating follow-up visits as appropriate in order to help to contribute to the effective implementation of recommendations by the Special Procedures concerned;
3. *Calls upon* the Governments concerned to study carefully the recommendations addressed to them by Special Procedures and to keep the relevant mechanisms informed without undue delay on the progress made towards their implementation;
4. *Calls upon* all States to protect individuals, organizations or groups of persons who provide information to, meet with, or otherwise cooperate with the Special Procedures from any type of violence, coercion, harassment, or other form of intimidation or reprisal (...)

66. Security arrangements are made by OHCHR, and due respect for United Nations security regulations should be paid in the planning of visits. The Government has the primary responsibility of ensuring the security of the mission. This may require military or bodyguard escort. In such cases, careful consideration should be given to offers for security measures that may have an impact on the conduct of the mission. Advice in this regard should be sought from the local United Nations official in charge of security questions. Should the host Government be unable to provide the requisite security, under rare and exceptional circumstances, the United Nations system may protect experts on mission by employing security service companies providing armed guards. In the alternative, armed United Nations security officers may accompany a mandate-holder. The United Nations Security Coordinator must authorize such protection well in advance of the mission.

67. The necessary visas for the countries to be visited are to be obtained by mandate-holders, usually in their places of residence. When needed, the OHCHR shall cooperate with the appropriate authorities to facilitate the obtaining of a visa for the mandate-holder. Visa fees incurred will be reimbursed as part of the final settlement of travel expenses. In cases in which mandate-holders propose to undertake a mission in their countries of origin or residence, visas are not required. In such cases, they should simply notify their Government of nationality or residence.

68. In most cases mandate-holders will issue a brief press release, perhaps one week before the start of the mission, through the Communications Section of OHCHR, providing essential information on the mandate, the mandate-holder and the objectives of the visit. This press release should be made available on the website of the OHCHR and publicized in the country to be visited.

4. Conduct of the visit

69. The minimum standards that Governments are expected to apply in the context of a country visit by mandate-holders are reflected in the 'Terms of reference for fact-finding missions by Special Rapporteurs/Representatives of the Commission on Human Rights' which are reproduced in Annex 3 of this Manual. Additional guarantees may be agreed upon between the mandate-holder and the Government when the specificities of the particular situation or mandate so require.

70. The OHCHR will make the necessary arrangements to ensure that mandate-holders have the staff support needed to conduct their mission effectively. Mandate-holders are usually accompanied in their meetings by OHCHR staff.

71. In terms of logistics, OHCHR works closely with the United Nations Resident Coordinator or Representative in the country. Where specific agencies have a major role in relation to the human rights situation, they are also consulted and may be requested to provide support. In addition, mandate-holders sometimes request one or more NGOs to coordinate some or all meetings with NGOs and individuals.

72. At the beginning and at the end of their visit, mandate-holders usually organize a meeting with the Government authority in charge of the visit, which is normally the Ministry of Foreign Affairs. During the initial briefing the Government

should be informed about the purpose of the visit, the most significant issues to be addressed and the anticipated approach of the mandate-holder. During the departure briefing, the mandate-holder shares with the Government his or her preliminary findings and recommendations. The process for preparing the report, as well as the means of follow-up, may also be discussed.

73. At the end of a visit, mandate-holders will generally organize a press conference during which they will make a press statement and share their preliminary conclusions. The organization of the press conference is facilitated by the UNCTs.

74. When conducting interviews with victims and witnesses of human rights violations mandate-holders will be guided by principles of objectivity, respect, confidentiality, and verifiability. They should explain the mandate and avoid raising unrealistic expectations. They should also assess the reliability of the information and of the person(s) providing the information. Interviews should always be private and confidential. Where available and appropriate, United Nations premises should be used for interviews. Wherever interviews are held Government neither military nor civilian authorities should be present during the interview. Testimonies should not be reproduced in such a way that they can be attributed and real names should not be cited in the report without the explicit consent of the person concerned.

5. Reporting on the visit

75. The mission report prepared by a mandate-holder will generally contain details of the itinerary and of the principal meetings, an analysis of the situation, and a set of conclusions and recommendations directed towards the Government and other relevant actors. The draft report is first submitted to the Government with a view to the correction of any misunderstandings or factual inaccuracies. A time limit of at least four weeks will be specified during which Governmental comments can be taken into account. Mandate-holders might also opt to solicit comments on the draft report from UNCTs and other appropriate sources. The final reports are generally published as a separate document but might also be included as a part of a general report by the mandate-holder. Comments by the Government concerned on the substance of the report may, upon request, also be issued as an official document.

D. Other activities

1. Thematic studies

76. In addition to any other reports, mandate-holders may opt to devote a separate report to a particular topic of relevance to the mandate. Such studies may be initiated by the mandate-holder or undertaken pursuant to a specific request by relevant bodies. The practical arrangements in relation to the drafting and publication of these reports will be determined in consultation with OHCHR.

77. Such studies should be thoroughly researched and where appropriate take account of replies to questionnaires or other requests for information transmitted to governments, United Nations agencies, NGOs, treaty bodies, regional organizations, other experts, or partners.

2. Participation in seminars and conferences

78. Mandate-holders are frequently invited in their official capacity to participate in conferences, seminars and other events. OHCHR staff should be kept informed about such activities and should, both as a matter of courtesy and for reasons of transparency, inform the state concerned of the visit.

3. Awareness raising

79. Awareness raising is an important element in relation to the conduct of most Special Procedures, but the precise nature of measures taken will vary from one mandate to another. All mandate-holders have a webpage on the OHCHR website that provides information about the mandate as well as links to their reports and other relevant documents.

80. Three times each year the OHCHR publishes the “Special Procedures Bulletin”, aimed at providing a general overview of the main activities of Special Procedures.

81. The Communications Section of OHCHR issues press releases and responds to questions in relation to the activities and reports of mandate-holders. In addition, the Special Procedure Branch, and other branches, of OHCHR undertake appropriate promotional and informational activities to make the work of the Special Procedures better known and understood.

E. Relations with Non-State actors

82. International law focuses upon the legal responsibility of the State for violations of human rights committed on its territory or within its jurisdiction, whether by State agents or by non-State actors ranging from national liberation movements to private corporate or other actors. In appropriate circumstances, however, non-State actors can also be held to account for human rights violations and may be relevant interlocutors in the quest to restore respect for human rights and to establish accountability for violations. It might thus be appropriate for mandate-holders to engage in a dialogue with such actors.

83. In a State in which a peace process is under way, a cease-fire has been proclaimed by all relevant parties, or where territory is de-facto controlled by a non-State actor, interaction between the mandate-holder and representatives of the non-State actor might take place within the country concerned. The context of such meetings and the conditions under which they are held should seek to ensure that the involvement of the mandate-holder is not understood as an endorsement of any particular claim made by the non-State actor as to representativity, legitimacy, or other matters. In other contexts, such contacts should preferably be organized outside the territory of the State concerned and should avoid the appearance of a clandestine meeting. Practice indicates that many mandate-holders have made recommendations addressed to non-State actors and that some have sent communications to such actors.

84. In addition, mandate-holders also communicate regularly with a range of other non-State actors including international organizations such as the World Bank,

business entities, and other entities such as United Nations mandated peacekeeping forces.

F. Reporting on activities and interaction with Governments

85. Mandate-holders report on their activities on a regular basis to the relevant United Nations bodies, and particularly the Human Rights Council and the General Assembly. The relevant deadlines and word limits are set by Conference Services in light of the relevant legislative mandates. Advanced edited versions of reports are posted on the OHCHR's web-site as soon as they are available.

86. An inter-active dialogue constitutes an important element in the presentation of reports by mandate-holders. Such dialogues take place with the General Assembly and the Commission on Human Rights and are expected to be maintained by the Human Rights Council.

87. Mandate-holders also maintain contact with relevant Governments through meetings and consultations in Geneva, New York, or elsewhere. Such meetings might focus on requests for visits, follow-up to visits, individual cases, or any other question related to the mandate. Such contacts are designed to facilitate smooth and fruitful cooperation between Governments and mandate-holders.

III. Follow-up and interaction with other international and regional human rights mechanisms

88. Follow-up to the work of the Special Procedures includes the full range of "measures taken to encourage, facilitate and monitor the implementation of recommendations by any of the Special Procedures".¹⁷ It is considered to be a crucial element in ensuring that appropriate measures are taken in response to the work of the Special Procedures. The precise approach adopted varies from one mandate to another.¹⁸

89. One of the most important forms of follow-up consists of the interactive dialogue between mandate-holders who are presenting their reports and the Human Rights Council. As of June 2005 the modalities of this interaction remain to be determined. Around one third of the mandate-holders also report to the General Assembly, and some have informally briefed the Security Council.¹⁹

A. Follow-up to communications

¹⁷ Report of the 12th Annual meeting of Special Procedures mandate-holders, E/CN.4/2006/4, Paragraph 85.

¹⁸ Examples of well-developed follow-up arrangements can be found, for example, in the work of the Working Group on Enforced and Involuntary Disappearances, the Special Rapporteur on the question of torture, and the Special Rapporteur on extrajudicial, summary or arbitrary executions.

¹⁹ Under the Arria formula, Special Procedures mandate-holders may be invited by the President of the Security Council in order to provide informal briefings to interested Security Council members in relation to thematic and specific country situations.

90. Follow-up to communications is undertaken in several ways, including: (i) through reporting to the Human Rights Council and other appropriate bodies on communications sent and replies received, and on observations on the relevant information; (ii) through the analysis of general trends, including the documentation of positive developments; and (iii) by maintaining a systematic and constructive dialogue with Governments concerned, the sources of communications and other partners.

1. Reporting

91. Summaries of communications and the essence of Governments' replies to communications are compiled in reports submitted to the Council²⁰. In addition, although the approach varies from mandate to mandate, the general practice is for the mandate-holder to provide some response to, or evaluation of, the exchange. The main principle is that of effectiveness, and this will often call for going beyond a straightforward exchange of correspondence.

2. Statistical information and tools for analysis

92. The OHCHR database on communications can be used to provide statistical information that allows for qualitative and quantitative analysis of trends of communications. This serves as a basis to plan and monitor initiatives to follow-up on communications.

93. OHCHR produces a *Monthly Communications Bulletin* which gives information on the number of communications, the mandate(s) involved, the number of individual situations addressed, disaggregated by sex, region and country, the responsiveness of governments, further information received from the sources; and follow-up. The OHCHR Special Procedures Branch (SPB) also provides qualitative analysis of three aspects of the communications system:

(i) Country analyses of the main trends reflected in communications, as a means of assisting the activities of mandate-holders and informing the country engagement activities of the Office.

(ii) Thematic analyses illustrating how particular cross-cutting themes, such as the situation of women, children, minorities, and counter-terrorism, have been dealt with in communications.

(iii) "Good news stories" (positive developments) arising out of communications sent by mandate-holders. Such information may come from different sources including the Government concerned, the original source, the UNCT, reliable media, or from those affected by the alleged violation.

3. Constructive dialogue with Governments, sources, and other partners

²⁰ Many mandate-holders issue a separate report on communications as an addendum to their main report.

94. The aim of the communications procedure is to ensure a constructive dialogue with Governments in order to promote respect for human rights. It is thus appropriate that reminders be sent to Governments in relation to unanswered correspondence. Similarly, where it would enhance the quality of the dialogue and understanding of the situation, mandate-holders can follow-up on replies provided by Governments in order to request further clarification or information or to take the issue further.

95. Information on communications sent by each mandate-holder is available on the OHCHR website, and this information should be kept as up to date as possible. Mandate-holders are encouraged to share reports on communications on a regular basis with the relevant sources of information and to inform the latter of positive or negative developments in relation to the relevant cases. This provides the necessary feedback to those concerned and facilitates the adoption of follow-up measures designed to reinforce the objectives of the procedure.

96. Efforts to raise awareness and understanding of the procedure and to build an expanded network of sources of information are an essential component of the activities of the OHCHR and mandate-holders. The latter are encouraged to work with OHCHR, including its field presences, to identify additional means by which to promote follow-up.

B. Follow-up to country visits

97. Mandate-holders can seek to enhance the effectiveness of their country visits in various ways, including by: 1) formulating their recommendations in ways that facilitate implementation and monitoring; 2) undertaking follow-up initiatives through communications and further visits; and 3) cooperating with relevant partners.

1. Shaping recommendations

98. Recommendations should be SMART: specific, measurable, attainable, realistic, and time-bound. Not all issues that arise in the context of a visit may be best addressed through a specific recommendation, and mandate-holders should generally give priority to those proposals which meet the SMART criteria.

99. In formulating recommendations advice should be sought from a wide range of sources, including in particular those who might be in a position to contribute to following up in relation to implementation and monitoring. The identification of actors who might play a specific role in this regard is also important.

2. Follow-up initiatives

100. Follow-up to reports is of central importance. For this purpose mandate-holders can request information from the Government(s) concerned, from civil society, and from other appropriate sources, in order to assess the status of implementation of the recommendations made following recent country visits. A questionnaire, or other tools, can be used for the purpose of obtaining the information necessary to enable a mandate-holder to evaluate the extent to which effect has been given to the relevant recommendations. The resulting report might be issued in a

dedicated follow-up report, in the mandate-holder's main report, or in other appropriate forms.

101. Follow-up visits to countries already visited might be considered, depending in part on budgetary considerations. Another approach, to the extent that mandates or issues dealt with overlap, is for other mandate-holders subsequently visiting the country concerned to address issues highlighted and build on recommendations formulated by a previous mandate-holder on the basis of his or her visit to the country. In addition, a mandate-holder reporting on a country visit might recommend future visits by other mandate-holders to the country to address situations that fall within the scope of their mandates.

102. Mandate-holders may follow-up on country visits by all appropriate means including through follow-up seminars organized at the initiative of mandate-holders themselves, the government(s) concerned, UNCTs, national institutions, NGOs and other partners.

3. Partners working on follow-up

103. Mandate-holders play an important role in catalyzing initiatives designed to follow-up on their recommendations and to document subsequent developments. Because the operational capacity and resources of mandate-holders are limited, the contribution of potential partners becomes especially important.

104. In addition to Governments, which have the main responsibility of implementing the recommendations contained in country reports, key national level partners who might be involved in follow-up include national human rights institutions, national NGOs and UNCTs. Geographic desk officers in OHCHR should play a role in ensuring that recommendations are integrated in country engagement strategies and in facilitating contacts and coordination with national counterparts.

105. Collaborative activities which might strengthen the likelihood of follow-up at the national level include: a) sharing the draft mission report with UNCTs and/or relevant agencies and programmes; b) seeking advice and suggestions in formulating recommendations so as to ensure that they fit in country engagement strategies of OHCHR and are relevant to the work of partners in the field; c) sharing final mission reports with partners, encouraging wide dissemination of the report, and supporting initiatives to raise awareness of the issues, including translation of the report into national language(s); d) encouraging partners to follow-up with the Government on recommendations and to keep mandate-holders informed of developments; e) when appropriate, encouraging UNCTs to monitor the situation of individuals and organizations which have cooperated with the mission in order to avoid retaliation and to report on any such problems; and f) informing partners about ways in which mandate-holders can provide support to their work through their personal intervention.

C. Follow-up to thematic studies

106. Thematic studies undertaken by Special Procedures mandate-holders can make important contributions to the overall body of knowledge in the field and to the

understanding of complex problems and their possible solutions. Such studies can be used to raise awareness of particular problems and to shed light on the types of laws, policies and programmes which might best ensure the respect for human rights in such circumstances.

107. As noted above the information gathered in the preparation of thematic reports can be made available on the OHCHR website in a variety of formats. The reports themselves should also be widely disseminated by all appropriate means, including press releases, press conferences, and presentations to conferences and to meetings convened by other relevant groups such as civil society, academia and others.

108. Thematic studies can also be used to provide human rights input into the formulation of legislative, policy and other initiatives in the relevant fields.

D. Interaction with other international and regional human rights mechanisms

109. Cross-fertilization between the work of Special Procedures and that of the treaty bodies is highly desirable in order to strengthen and reinforce the overall human rights system. One way of promoting this is to encourage the use of concluding observations, general comments, and final views adopted by treaty bodies by the Special Procedures in their work, and the use of the findings and recommendations of mandate-holders in the work of the treaty bodies wherever relevant.

110. Interaction between Special Procedures and treaty bodies can be facilitated by: 1) briefings by mandate-holders for treaty bodies in relation to both country situations and thematic issues; 2) participation of mandate-holders in days of general discussion organized by treaty bodies; 3) contributions by mandate-holders to the elaboration of general comments; and 4) the incorporation of information and jurisprudence generated by the treaty bodies in the work of Special Procedures.

111. Regional human rights mechanisms are also of considerable importance. Mandate-holders are thus encouraged to establish and maintain contacts with regional human rights mechanisms working on issues related to their mandate to ensure exchanges of information, coordination, and mutual support in common areas of work. In this spirit mandate-holders should also make use, wherever relevant and appropriate, of the jurisprudence, standards, resolutions and other official documents of regional organizations to reinforce their analyses and recommendations.

IV. Coordination and cooperation

A. Coordination among Special Procedures

1. The Coordination Committee

112. In June 2005 the annual meeting of mandate-holders created a Coordination Committee, the principal role of which is to contribute to the ability of the individual experts to carry out their mandates in the most effective way and to promote the standing of the Special Procedures system within the broader framework of the United Nations and its human rights programmes.

113. The Committee's role is essentially facilitative and its interventions are of a recommendatory nature. It has no role in relation to the substantive issues being dealt with by each Special Procedure. Its overall role is limited in order to avoid an excessive workload for its members and to ensure the independence and autonomy of mandate-holders.

114. The Committee's main function is to seek to assist coordination among mandate-holders and to act as a bridge between them and the OHCHR, the broader United Nations human rights framework, and civil society. Consequently, it should play a role in:

- (a) enhancing the effectiveness and independence of mandate-holders and facilitating their work;
- (b) being available to mandate-holders to share experience concerning methods of work;
- (c) ensuring that the concerns of the Special Procedures system are taken into account in the reform process, and reporting on the developments and progress in this regard;
- (d) proactively identifying issues of concern to groups of mandates and facilitating joint action on cross-cutting issues or issues of shared concern;
- (e) structuring the exchange of information and in particular keeping mandate-holders informed of the activities carried out by colleagues; and
- (f) proposing a draft agenda for the Annual Meeting of the Special Procedures and presenting a report to the Meeting.

115. The Coordination Committee consists of five members, including the Chairperson and the Rapporteur of the Annual Meeting. The Chairperson and the Rapporteur then select three more members from a list of nominees submitted to them by mandate-holders. Those members shall be selected with a view to ensuring appropriate balance and diversity in terms of country and thematic mandates, geographical balance, gender, and experience in the Special Procedure system. There should be some continuity over time in the composition of the Committee.

116. The Coordination Committee members should be in touch via internet and conference calls. If need be, they should meet at an appropriate time during the course of the year, and should meet informally one day before the annual meeting. The Committee should oversee the development of a more effective system of communicating among mandate-holders involving an interactive webpage or message board open only to the experts themselves.

2. Joint communications

117. The issuance of joint communications is one method by which to promote coordinated action by Special Procedures in situations which implicate the mandate of more than one mandate-holder. While there is no obligation on an individual mandate-holder to participate jointly with others, it should be recognized that joint action can facilitate better coordination at all levels and reduce the burden imposed upon Governments in cases in which multiple communications might otherwise be sent. The OHCHR's Quick Response Desk (QRD) has an important role to play in

facilitating joint communications. In 2005, 53 per cent of communications sent were joint communications.

3. Annual meetings of mandate-holders

118. The 1993 Vienna World Conference on Human Rights underlined the importance of strengthening and harmonizing the system of Special Procedures. As a result, since 1994 annual meetings of all of the mandate-holders have been convened.

119. The Annual Meeting is an opportunity for mandate-holders to meet each other and to exchange views with Member States, NGOs and representatives of international organizations. It is also used to facilitate a dialogue with the Chairpersons of the various treaty bodies.

B. Cooperation with partners

120. As made clear in the previous sections of this Manual, Special Procedures mandate-holders work in close cooperation with a range of partners. They include the following.

1. Cooperation with OHCHR

121. The role of the OHCHR is to facilitate and support the work of mandate-holders. At the same time the output from that work constitutes an important input into the programs and priorities of both the OHCHR and the broader United Nations system.

122. This includes the work of the treaty bodies which are provided with the findings of the Special Procedures and whose outputs are, in turn, fed into the background materials used by the mandate-holders in their work. During the Annual Meeting of Special Procedures mandate-holders, the experts and the chairpersons of the treaty bodies hold a joint meeting to discuss issues of common concern and explore opportunities for enhanced cooperation. In this spirit, mandate-holders are encouraged to take account of the general comments, concluding observations and final views of the treaty bodies in so far as they are relevant to reporting on a particular country.

123. In addition, the work of the Special Procedures should be integrated into, and draw upon, the work of the OHCHR at the country level.

2. Cooperation with UNCT

124. Action 2 of the 2002 Reform Programme put forward by the Secretary-General emphasized the importance of integrating human rights into the work of the United Nations as a whole, particularly at the country level. In this spirit, it is essential to ensure appropriate linkages, in both directions, between the work of the United Nations Country Teams and that of the Special Procedures. A Memorandum of Understanding on country visits was signed between OHCHR and UNDP in 1998, and a Guidance Note for United Nations Country Teams in relation to Special Procedures and the treaty bodies was issued in May 2005. It identifies opportunities

for cooperation between Special Procedures and UNCTs and provides examples of good practices in the following three main areas of cooperation:

Mission preparation and conduct

125. Substantive participation by UNCTs in mission preparation and the conduct of the mission provides an opportunity for the Team to update and contextualize the information already received by the mandate-holder, and assists the latter in identifying persons, sites and material of particular relevance. It can also provide opportunities for the UNCT to engage in a dialogue on human rights issues, with a range of partners including the mandate-holders themselves, relevant Governmental authorities, NGOs, and others. To facilitate this process, information on the mandates and the mandate-holders should be provided in advance of the mission to the UNCT.

Follow-up to missions

126. Mandate-holders can engage with the UNCTs in drawing up their recommendations, in gathering additional information, in seeking advice on the accuracy of their analyses and on the appropriateness of their proposed recommendations, and in identifying the most appropriate measures to take in order to encourage meaningful follow-up. It is also appropriate for UNCTs, which should receive a copy of all reports as soon as they are finalized, to undertake appropriate publicity for those reports, and to maintain contact with the mandate-holder in order to maintain momentum on the relevant issues.

Advocacy and programming

127. UNCTs can encourage the government to invite and cooperate with mandate-holders and to implement the recommendations which result from the visit. Mandate-holders can encourage these practices through regular contact and cooperation with UNCTs.

3. Cooperation with United Nations agencies and other institutions

United Nations agencies, other international or regional organizations or bodies

128. Special Procedures benefit from cooperation with other parts of the United Nations system, including the various United Nations specialised agencies and other bodies. This might extend to working closely together in the preparatory stages of a mission, during the mission or in the context of follow-up.

129. Mandate-holders may be solicited to join advocacy activities and campaigns, to participate in conferences and other events, to contribute to interagency studies, and to work on the drafting of policy tools and guidelines. Such contributions must respect the different mandates and roles of the Special Procedures on the one hand and the United Nations agencies on the other, and every effort should be made to keep the OHCHR fully informed of, and where appropriate, involved in, such activities.

National Human Rights Institutions

130. Independent national human rights institutions are usually ideally placed to interact with, and facilitate, the work of mandate-holders, as well as to contribute to the implementation of, and the follow-up to, their recommendations. The roles of the two actors should be mutually reinforcing in various respects.

131. Mandate-holders are well placed to support the establishment or strengthening of national institutions, to facilitate and encourage their work in specific areas, to reinforce their need for independence in accordance with the Paris Principles, to promote the provision of adequate resources to enable them to function effectively and to take action when they are under threat from any source. They can also call attention to any shortcomings in their role in relation to relevant issues.

4. Cooperation with civil society

132. Civil society in general, and international, regional and national NGOs in particular, provide invaluable support to the Special Procedures system. They provide information and analysis, help to disseminate the findings of the Special Procedures, and assist in follow-up activities. Meetings with their representatives are appropriate in all aspects of the work of the Special Procedures including in their activities in Geneva and New York, on field missions, and more generally. It is thus appropriate for mandate-holders to give careful and timely consideration to invitations from NGOs and academic institutions to participate in activities such as conferences, debates, and seminars. The OHCHR should generally be kept informed of the relevant activities of mandate-holders as they relate to civil society.