

Background

The special procedures consist of a number of individual experts who bear different titles such as special rapporteurs, special representatives, independent experts or working groups and are appointed usually by the United Nations Commission on Human Rights. Although the titles of the special procedures vary, there are no major differences in their general responsibilities and methods of work.¹ The experts are entrusted with the mandate to examine, monitor, advise and publicly report on human rights situations in specific countries or on major human rights related themes worldwide.

The work of the special rapporteurs is usually organized around the following activities: submitting thematic reports to the Commission on Human Rights (and for some of them also to the General Assembly) at its annual session; undertaking country visits on which reports are submitted to the annual session of the Commission as addenda to the thematic reports; sending communications on alleged violations of human rights (urgent appeals and letters of allegation) to the Governments concerned; and issuing press releases on specific matters of grave concern.

Urgent appeals and letters of allegation

When does a special rapporteur take action?

Admissibility criteria of information received

Some special rapporteurs are entrusted by their mandate to receive information from different sources: Governments, intergovernmental organizations, non-governmental organizations, alleged victims of human rights abuses, and witnesses. When they receive credible information that a human rights violation has occurred that comes within the scope of their mandate, some special rapporteurs intervene directly with Governments. The intervention can relate to a human rights violation that has already occurred, one that is ongoing, or one that will very likely take place if no action is taken. The decision to intervene is at the discretion of the special procedure mandate-holder and will depend on various criteria established by him or her.

The admissibility criteria will generally relate to: the reliability of the source; the internal consistency of the information received; the precision of the factual details included in the information; and the scope of the mandate itself. However, it must be emphasized that the criteria and the procedure involved in responding to an individual complaint vary, so it is necessary to submit a complaint in accordance with the specific requirements established by each special rapporteur.

What type of action can a special rapporteur take?

Sending communications to Governments

When a special rapporteur receives credible information on alleged human rights violations, s/he can send a communication, usually taking the form of a letter, transmitted through the Office of the High Commissioner for Human Rights, to the Government concerned requesting information and comments on the allegation and that preventive or investigatory action be taken.

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

Communications will usually take the form of either “urgent appeals” or “letters of allegation”. Special rapporteurs may send joint communications when cases fall under the scope of more than one mandate.

“**Urgent appeals**” are used to communicate information about a violation that is allegedly ongoing or about to occur. 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.

“**Letters of allegation**” are used to communicate information about violations that are said to have already occurred and whose impact on the alleged victim can no longer be changed. This kind of letter is used, for example, in cases where information reaches the special rapporteur after the human rights abuse has already been committed.

In both types of letter, the special rapporteur asks the Government concerned to take all appropriate action to investigate and address the alleged events and to communicate the results of its investigation and actions. Depending on the response received, the special rapporteur may decide to inquire further or make recommendations.

Communications are not accusatory per se, cannot replace a judicial proceeding, and do not imply any kind of value judgement on the part of the special rapporteur; rather they are a means of requesting clarification on alleged violations with a view to trying to ensure, along with the Government concerned, the protection of human rights.

All communications sent and received are confidential and remain so until the end of the reporting cycle, when the special rapporteur submits an annual report to the Commission on Human Rights on communications sent and replies received from Governments on specific cases. The names of the alleged victims are reflected in the reports to the Commission, except in the case of children or specific circumstances.

How to submit a complaint

The following minimum information must be provided to all special procedures in order for the complaint to be assessed:

- Identification of the person(s) or organization(s) submitting the communication;
- The full name of the alleged victim(s), their age, sex, and place of residence or origin;
- Identification of as many details as possible (name, age, sex, place of residence or origin) in cases involving a group or community;
- Date and place of incident (approximate, if exact date is not known);
- A detailed description of the circumstances of the incident in which the alleged violation occurred;

¹ All special procedures are referred to here as either experts or special rapporteurs, although they bear different names.

- Identification of the alleged perpetrator(s), name(s) if known and/or title/function, and suspected motive;
- Where relevant, specify if steps have been taken at the national level (e.g. have police been contacted, are other national authorities involved, the position - if any - of the Government);*
- Where relevant, specify if steps have been taken at the international level (e.g. if other international mechanisms have been activated).*

It should be stressed that the identity of the source of information will be kept confidential.

Cases of alleged human rights violations can be submitted either by providing the above-mentioned information or by completing the relevant questionnaire available on the OHCHR web site:

<http://www.ohchr.org/english/bodies/chr/special/index.htm>.

The information or complaint form should be sent by fax to:
+41 22 917 90 06

by e-mail to: urgent-action@ohchr.org

or by postal mail to:

Quick Response Desk
Office of the High Commissioner for Human Rights
United Nations Office at Geneva
8-14 avenue de la Paix
1211 Geneva 10
Switzerland

* The latter two are not required but may provide useful additional information.

List of thematic special procedures sending urgent appeals and letters of allegation:

- Working Group on enforced or involuntary disappearances
- Working Group on arbitrary detention
- Special Rapporteur on extrajudicial, summary or arbitrary executions
- Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment
- Special Rapporteur on the right to freedom of religion or belief
- Special Rapporteur on the sale of children, child prostitution and child pornography
- Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression
- Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance
- Special Rapporteur on the independence of judges and lawyers
- Special Rapporteur on violence against women, its causes and consequences
- Special Rapporteur on the situation of human rights of migrants
- Special Representative of the Secretary-General on the situation of human rights defenders
- Special Rapporteur on the right to adequate housing as a component of the right to an adequate standard of living
- Special Rapporteur on the right to education
- Special Rapporteur on the right to food
- Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights
- Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health
- Special Rapporteur on trafficking in persons, especially in women and children
- Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples

**Office of the United Nations
High Commissioner for
Human Rights**



**Special procedures of the Commission
on Human Rights**
**Urgent appeals and letters of allegation on
human rights violations**