

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

A Handbook for NGOs

The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area, or of its authorities, or concerning the delimitation of its frontiers or boundaries.

HR/PUB/06/10

Abbreviations and acronyms

ACT	Assisting Communities Together
APWLD	Asia Pacific Forum on Women, Law and Development
ARIS	Anti-Racism Information Service
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child
CRTF	Country report task force
ECOSOC	Economic and Social Council
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
IWRAW	International Women's Rights Action Watch
MDGs	Millennium Development Goals
NHRI	National human rights institution
OHCHR	Office of the United Nations High Commissioner for Human Rights
UNCT	United Nations country team
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UN-HABITAT	United Nations Human Settlements Programme

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Introduction

“Looking ahead, I see a world of opportunities for stronger ties between us. I see a United Nations keenly aware that if the global agenda is to be properly addressed, a partnership with civil society is not an option; it is a necessity. I see a United Nations which recognizes that the NGO revolution—the new global people-power—is the best thing that has happened to our Organization in a long time” (remarks by Secretary-General Kofi Annan to civil society in Wellington, New Zealand, on 29 February 2000).

Since its establishment, the United Nations has been dedicated to improving the standard of living and the enjoyment of fundamental rights and freedoms of all people. The Office of the United Nations High Commissioner for Human Rights (OHCHR), set up in 1993 following the Vienna World Conference on Human Rights, is the United Nations office with primary responsibility for promoting and protecting the enjoyment and full realization of human rights for all.

Much has been achieved since 1945. At the 2005 World Summit, Governments of the world reaffirmed that all human rights were universal, indivisible, interrelated and interdependent. They also said that human rights were one of the foundations for collective security and well-being, and that “the promotion and protection of the full enjoyment of all human rights and fundamental freedoms for all are essential to advance development and peace and security.”¹

However, despite the fact that legal standards that define the rights of individuals and the responsibilities of Governments have been adopted, every day people in every country face enormous obstacles to the realization of their rights.

Civil society, especially non-governmental organizations (NGOs), has been crucial in the process of defining and realizing human rights throughout the world. Playing a multiplicity of roles, NGOs are helping to build, drive and strengthen the international human rights system. The effectiveness of the work of OHCHR depends on the collection and dissemination of accurate information, and NGOs are a valuable link between the grass roots and the national and international levels of action.

OHCHR provides and supports mechanisms that are able to respond to human rights concerns highlighted by NGOs. It also provides tools, standards and frameworks that NGOs can use to further human rights within their own areas of work. This *Handbook* aims to facilitate the participation of NGOs as essential partners in the United Nations human rights system and to guide their interaction with OHCHR.

United Nations reform towards greater realization of human rights

The United Nations is currently involved in a far-reaching reform that will streamline and strengthen the international mechanisms that deal with human rights. This reform is changing some key human rights institutions and mechanisms.

At the time of writing this *Handbook*, historic changes are taking place. These include the establishment of the Human Rights Council to replace the Commission on Human Rights, the intergovernmental entity that guided the United Nations human rights programme for over 60 years. In June 2006, the Human Rights Council held its

¹ General Assembly [resolution 60/1](#) of 16 September 2005, para. 12.

first session and took over all mandates, mechanisms, functions and responsibilities of the Commission. During its first year, the Council will set up its own modalities of operation and also review the human rights machinery it inherited from the Commission with the goal of improving and rationalizing it.

The treaty bodies are also being reformed, and progress continues to be made in harmonizing their working methods and procedures.

Over the past year, OHCHR has also worked on defining and implementing a new vision.² The High Commissioner's Plan of Action,³ released in May 2005, presents a strategic vision for the future direction of OHCHR, building on the assertion that the international community needs to do much more to address today's threats to human rights. A key strategy of this reform is building closer partnerships with civil society, recognizing that human rights are most effectively realized when the United Nations and civil society work together towards common goals.

This *Handbook* is an important part of this strategy. It aims to provide NGOs with a comprehensive guide to the work of OHCHR, including key information on human rights mechanisms, entry points for NGOs, contact details and links to additional information to help NGOs identify areas of cooperation and partnership with OHCHR.

While the information provided reflects the work of OHCHR today, the *Handbook* also anticipates the changes expected to issue from the reform and includes hyperlinks to the OHCHR website for ongoing information updates.

Structure of the *Handbook*

Each chapter of the *Handbook*, discussing the various mechanisms, tools or programmes that NGOs may want to access or use, is arranged around four core questions, modified as required by the subject matter:

- What is it?
- How does it work?
- Which NGOs can access it?
- How can NGOs work with it?

The *Handbook* should not be seen as a stand-alone or a static guide. Wherever possible, hyperlinks to the OHCHR website are provided for further information, allowing for regular electronic updates to accompany this framework text.

Important note: This *Handbook* has been compiled during a period of transformation of the United Nations human rights programme, particularly in relation to the new Human Rights Council, which has replaced the Commission on Human Rights. Regular updates on changes affecting OHCHR human rights mechanisms will be posted on the OHCHR website: <http://www.ohchr.org>.

² As mandated by the United Nations Secretary-General in his report "In larger freedom: towards development, security and human rights for all" (A/59/2005).

³ [A/59/2005/Add.3](http://www.ohchr.org).

Chapter overview

Chapter I—The Office of the United Nations High Commissioner for Human Rights presents an overview of the United Nations human rights machinery, the role of OHCHR and of the High Commissioner. This chapter sets out the mandate and types of activities for which OHCHR is responsible and presents an overview of the Office's structure, including its field presences. It summarizes the main reform documents, including the High Commissioner's Plan of Action.

Chapter II—Field presences and country engagement reviews the types and roles of OHCHR field presences and indicates opportunities for NGOs to interact with them.

Chapter III—Engagement with human rights issues discusses the work of OHCHR on thematic human rights issues, including research, standard-setting and information gathering.

Chapter IV—The Human Rights Council looks at the new Human Rights Council, which has succeeded the Commission on Human Rights as the key United Nations intergovernmental body entrusted with the task of dealing with human rights.

Chapter V—Special procedures provides an overview of the so-called special mechanisms of the former Commission, which the new Council has assumed within its mandate. Currently, there are 41 special procedures, including special rapporteurs, special representatives, independent experts and working groups (all known as "special procedures mandate-holders").

Chapter VI—Treaty bodies provides detailed information on the committees of experts established under the United Nations human rights treaties. Their primary mandate is to monitor the implementation of each treaty by reviewing the reports submitted periodically by States parties. Some treaty bodies can receive individual complaints or conduct inquiries.

Chapter VII—Submitting a complaint on an alleged human rights violation provides information on the three mechanisms through which individual cases of human rights violations can be brought to the attention of the United Nations:

- (a) Individual complaints under the international human rights treaties (petitions);
- (b) Individual complaints under special procedures; and
- (c) The "1503 procedure".

Chapter VIII—Funds, grants, fellowship and training programmes focuses on funds and programmes directly for the benefit of NGOs or that can be accessed by NGOs. Funds and grants provide financial support for activities within the mandate of the fund or grant project. Fellowship programmes and the Training Workshop for Minorities provide selected individuals with an opportunity to learn about human rights mechanisms and international institutions and facilitate their participation in relevant working groups.

Chapter IX—Publications and resource material provides information on the different types of publications produced by OHCHR and how they can be obtained, and on the OHCHR Library.

I. THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

The Office of the United Nations High Commissioner for Human Rights at a glance

What is it?

The Office of the United Nations High Commissioner for Human Rights (OHCHR) is the United Nations office with primary responsibility for promoting and protecting the enjoyment and full realization, by all people, of all rights established in the Charter of the United Nations and in international human rights laws and treaties.

How does it work?

OHCHR undertakes a number of activities in the context of its human rights mandate and to support the broader United Nations human rights programme. It serves as the secretariat to all human rights treaty bodies, except the Committee on the Elimination of Discrimination against Women. It also serves as the secretariat to the new Human Rights Council. OHCHR undertakes research and organizes consultations on key human rights issues and works towards achieving the realization of human rights in individual countries through country-level engagement.

Which NGOs can access it?

As a general rule, there are no specific criteria for the interaction of NGOs with OHCHR. With the exception of the Human Rights Council, consultative status with the Economic and Social Council (ECOSOC) is generally not a requirement for NGOs to work with OHCHR.

How can NGOs work with it?

There are many ways in which NGOs can work with OHCHR to promote, protect and implement human rights. NGOs can engage with the human rights mechanisms for which OHCHR provides secretariat support, such as treaty bodies, special procedures, complaints mechanisms and trust funds. In addition, NGOs can provide information to OHCHR, work with it as partners in training and education, and follow up on human rights recommendations or observations made by special procedures mandate-holders and treaty bodies.

How to contact OHCHR:

Visiting address:

OHCHR – Palais Wilson
52, rue des Pâquis
CH-1201 Geneva
Switzerland

Postal address:

Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8-14, avenue de la Paix
CH-1211 Geneva 10

Phone: +41 (0)22 917 90 00

E-mail: InfoDesk@ohchr.org

Website: <http://www.ohchr.org>

A. What is OHCHR?

1. The Office of the United Nations High Commissioner for Human Rights

The Office of the United Nations High Commissioner for Human Rights (OHCHR) is the United Nations office mandated to promote and protect the enjoyment and full realization, by all people, of all rights established in the Charter of the United Nations and in international human rights laws and treaties.

The position of High Commissioner for Human Rights was created to lead the international human rights movement after the World Conference on Human Rights in Vienna in 1993.⁴ The specific responsibilities of the High Commissioner, as set out in the mandate given by the United Nations General Assembly, are:

- To promote and protect the effective enjoyment by all of all civil, cultural, economic, political and social rights;
- To provide advisory services and technical and financial assistance in the field of human rights to States that request them;
- To coordinate United Nations education and public information programmes in the field of human rights;
- To play an active role in removing the obstacles to the full realization of all human rights and in preventing the continuation of human rights violations throughout the world;
- To engage in a dialogue with Governments in order to secure respect for all human rights;
- To enhance international cooperation for the promotion and protection of all human rights;
- To coordinate the national human rights promotion and protection activities throughout the United Nations system;
- To rationalize, adapt, strengthen and streamline the United Nations machinery in the field of human rights in order to improve its efficiency and effectiveness.⁵

The mandate is wide and gives the High Commissioner the freedom to take initiatives to promote human rights and confront violations when they occur.

The High Commissioner makes frequent public statements and appeals on human rights crises. The High Commissioner also travels widely to ensure that the human rights message is heard in all parts of the globe, and engages in dialogue and builds constructive cooperation with Governments to strengthen national human rights protection.

The current High Commissioner, Louise Arbour, was appointed in July 2004; Mehr Khan Williams joined the Office as its Deputy High Commissioner in October 2004. Ms. Arbour was preceded by Sergio Vieira de Mello (2002–2003),⁶ Mary Robinson

⁴ General Assembly [resolution 48/141](#) of 20 December 1993. The work of OHCHR is also guided by the Charter of the United Nations, the [Universal Declaration of Human Rights](#) (General Assembly resolution 217 A (III) of 10 December 1948) and subsequent human rights instruments, the 1993 [Vienna Declaration and Programme of Action](#) and the 2005 World Summit Outcome Document (General Assembly [resolution 60/1](#) of 16 September 2005).

⁵ General Assembly [resolution 48/141](#).

⁶ On 19 August 2003, Sergio Vieira de Mello was murdered along with 21 other United Nations staff in Baghdad, where he was serving the United Nations as the Secretary-General's Special Representative in Iraq.

(1997–2002) and José Ayala Lasso (1994–1997). Bertrand G. Ramcharan was Acting High Commissioner from 2003 to 2004.

Recently, the United Nations Secretary-General and various high-level initiatives have called for greater engagement between the United Nations and civil society.⁷ In 2004, the Secretary-General stated that “NGOs now act as fully fledged partners in programme design and implementation and increasingly provide policy advice, analysis and advocacy.”⁸

OHCHR works with Governments, national human rights institutions (NHRIs) and civil society to develop and strengthen capacity, particularly at the national level, for the promotion and protection of human rights in accordance with international norms. OHCHR also works closely with its United Nations partners with a view to strengthening the **United Nations human rights programme**.

For more information on the work of OHCHR, visit its website: <http://www.ohchr.org>.

2. **The United Nations human rights programme**

Human rights are at the heart of everything the United Nations does. As the Secretary-General has said, “[w]e will not enjoy development without security, we will not enjoy security without development, and we will not enjoy either without respect for human rights.”⁹

Main elements of the United Nations human rights programme

- Office of the United Nations High Commissioner for Human Rights (OHCHR)
- Human Rights Council
- Special procedures of the Human Rights Council
- Human rights treaty bodies
- Programme of technical cooperation
- Support funds (victims of torture, indigenous populations and victims of slavery)

A number of bodies have been established within the United Nations system to monitor and enforce human rights. These bodies are either *Charter-based* or *treaty-based*.

Charter-based bodies are created under the Charter of the United Nations.¹⁰ The main ones are:

- The Security Council
- The General Assembly
- The Economic and Social Council (ECOSOC)
- The Human Rights Council
- The Commission on the Status of Women
- The Commission on Crime Prevention and Criminal Justice

⁷ See, in particular, the report of the Panel of Eminent Persons on United Nations–Civil Society Relations (the so-called Cardoso report) (A/58/817 and Corr.1) and the Secretary-General’s response to it (A/59/354).

⁸ A/59/354, para. 38.

⁹ A/59/2005, para. 17.

¹⁰ The *Charter* was signed in San Francisco, United States of America, on 26 June 1945, and came into force on 24 October 1945.

Charter-based bodies are political bodies consisting of State representatives. These bodies provide a forum for States to discuss and make decisions on human rights or other issues. The work of Charter-based bodies is not dependent on whether or not a State has accepted a treaty. Often marked by strong debate and newly emerging issues, Charter-based bodies can produce powerful statements of State commitment to human rights and State interpretation and application of human rights standards.

The Human Rights Council, established by General Assembly resolution 60/251 of 15 March 2006 to replace the Commission on Human Rights, is the key United Nations intergovernmental body responsible for human rights. All mandates, mechanisms, functions and responsibilities previously entrusted to the Commission will be maintained by the Council. Further information on the Council is provided in chapter IV.

Treaty-based bodies are created under international human rights treaties. They are committees of independent experts specifically mandated to monitor the implementation of these treaties. Treaties create legal obligations for States to promote and protect human rights at the national level. When a country accepts a treaty, it assumes the legal obligation to implement the rights set out in that treaty. A treaty body reviews reports presented to it periodically by the countries that have accepted the treaty on measures that they have taken to implement its provisions. At present there are seven human rights treaty-based United Nations bodies. They are described in detail in chapter VI.

OHCHR supports most of the United Nations human rights programme. It supports the Human Rights Council and all treaty bodies except the Committee on the Elimination of Discrimination against Women, which is serviced by the Division for the Advancement of Women of the Department of Economic and Social Affairs in New York. Therefore, OHCHR is the main entry point for NGOs wanting to access many of the human rights mechanisms within the United Nations system.

B. How does OHCHR work?

1. An overview of the work of OHCHR

The principal goals of OHCHR are:

- ✓ Preventing human rights violations
- ✓ Securing respect for all human rights
- ✓ Enhancing international cooperation for human rights
- ✓ Coordinating relevant activities throughout the United Nations
- ✓ Strengthening and servicing the United Nations human rights programme

To meet these goals, OHCHR employs about 580 staff, of whom approximately 300 are based at its headquarters in Geneva (Switzerland), with the rest deployed in country offices and regional offices.

The work of OHCHR is carried out, within two Divisions, by four main branches:

Human Rights Procedures Division:

- The Treaties and Council Branch
- The Special Procedures Branch

Operations, Programmes and Research Division:

- The Research and Right to Development Branch
- The Capacity-building and Field Operations Branch

(a) The *Treaties and Council Branch* provides secretariat support to the human rights treaty bodies, the Human Rights Council and its subsidiary bodies, and the United Nations Voluntary Fund for Victims of Torture. It prepares and submits documentation to treaty bodies, processes communications submitted to treaty bodies under optional complaints procedures, follows up on recommendations and decisions taken by treaty bodies, assists in building national capacities to implement recommendations of treaty bodies and maintains databases on human rights documentation for the bodies that it services. The OHCHR NGO Liaison Officer works with the Branch to facilitate the effective participation of NGOs in these bodies. In addition, the Branch coordinates all official documentation prepared by OHCHR.

(b) The *Special Procedures Branch* provides support to the special procedures mechanisms of the Human Rights Council, including the special rapporteurs, special representatives, independent experts and working groups. Its core activities include coordinating the work of special procedures and supporting their collaboration with States, members of the Human Rights Council, the General Assembly, treaty bodies, national institutions and NGOs, as well as partner organizations and bodies within the United Nations system. The Branch develops methodologies to improve the work of special procedures and disseminate its knowledge base.

(c) The *Research and Right to Development Branch* builds and helps to apply expertise in selected cross-cutting themes of particular importance to the United Nations human rights programme, such as: equality and non-discrimination; the right to development; human rights and economic and social issues; the rule of law and democracy; a rights-based approach to development including the Millennium Development Goals and poverty reduction; indigenous peoples and minorities; women's human rights and gender equality. In addressing these themes, the Branch undertakes applied research and analysis; develops policies, programmes and methodological tools; and advises partners within and outside the United Nations. The Branch also manages the OHCHR documentation centre and publications programme.

(d) The *Capacity-building and Field Operations Branch* focuses primarily on engaging countries in human rights work on the ground. It does so by developing OHCHR country engagement strategies and supporting OHCHR work in the field, including OHCHR regional and country offices, human rights components of United Nations peace missions and human rights advisers to United Nations country teams (UNCTs). The Branch supports country-specific special procedures¹¹ and assists the High Commissioner, United Nations human rights mechanisms and other United Nations policymaking bodies in investigations into situations in particular countries, including fact-finding missions and examination of country reports.

Through its field operations, the Branch provides technical cooperation and advisory services to Governments, NHRIs and NGOs; assists United Nations agencies in the field in integrating human rights into their activities; and responds to human rights concerns in crises when these arise. It also develops partnerships with regional organizations to bring human rights issues to the forefront of regional efforts.

Under its *executive direction and management programme*, OHCHR develops policies, sets its strategic direction, identifies priorities and manages the Office. The

¹¹ Further information on country-specific special procedures is set out in chapter V.

programme is implemented by the High Commissioner, the Deputy High Commissioner, the Executive Office, the New York Office, the Policy, Planning, Monitoring and Evaluation Section, the Communications Section, the Resource Mobilization Unit, and the Civil Society Unit.

To date, the modest one-person NGO Liaison Unit, renamed the Civil Society Unit, has worked towards strengthening OHCHR interactions and partnerships with NGOs, internationally and nationally. A task force on civil society has been established to further define how OHCHR can improve its partnerships with civil society.

The *OHCHR New York Office* works to ensure that human rights issues are fully integrated into the United Nations agenda for development and security. It provides substantive support on human rights issues to the General Assembly, ECOSOC, the Security Council and other intergovernmental bodies.

2. Working in the field

As set out in the High Commissioner's Plan of Action (see sect. B.3 below), OHCHR is increasingly focused at the country level because that is where international norms can be translated into reality and reflected in national legislation and practice, where human rights violations can be prevented and where links can be forged between different actors, including civil society, to develop systems and institutions for the protection and promotion of human rights.

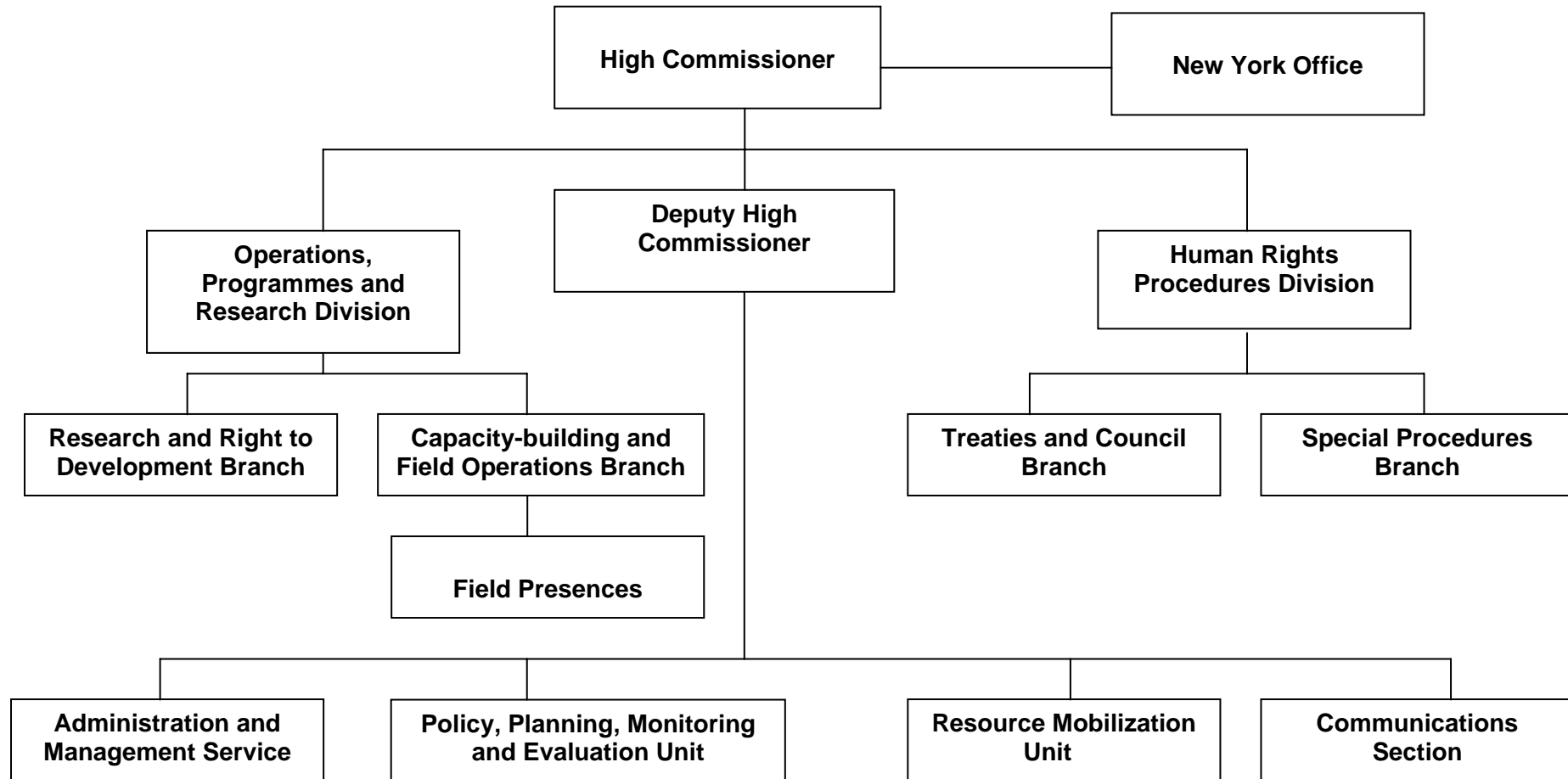
OHCHR has established an increasing number of field presences, some of which are mandated to monitor human rights practices and investigate human rights abuses. Others work on implementing technical cooperation projects aimed at strengthening a State's capacity to fulfil its human rights obligations. Others may have both promotion and protection roles. OHCHR also supports special procedures with country-specific mandates, which are discussed further in chapter V.

Generally speaking, OHCHR field presences worldwide can be divided into four categories:

- **Regional offices**
- **OHCHR country offices**
- **Human rights components of United Nations peace missions**
- **Human rights advisers to UNCTs**

More information on the work of OHCHR in the field can be found in chapter II.

Office of the United Nations High Commissioner for Human Rights



3. *Improving the international human rights system*

The United Nations human rights system was born almost 60 years ago with the drafting of the Universal Declaration of Human Rights.¹² Since then, the treaties, mechanisms and United Nations agencies working with human rights have grown in number and complexity. At present, the international community is grappling with the challenge of making the human rights system more effective. “Action 2” and the High Commissioner’s Plan of Action are core reform documents that will guide the work of OHCHR into the future.

“Action 2” of the Secretary-General’s 2002 United Nations reform plan tasked the whole of the United Nations system to work on the creation of strong, national human rights protection systems and institutions.¹³ In particular, the Action 2 programme aims at building the capacity of UNCTs to support Member States in developing such systems and institutions. It also aims at integrating human rights into United Nations development and humanitarian activities. As part of the Action 2 programme, OHCHR is called on to support UNCTs with advice and training. This is often achieved through the deployment by OHCHR of a human rights adviser in UNCTs.

The High Commissioner’s Plan of Action was inspired by the United Nations Secretary-General’s report “In larger freedom”,¹⁴ in which he asked the High Commissioner to draft an action plan laying out a strategic vision for the future of her Office. The Plan of Action builds on his conviction, shared by many, that the international community needs to do much more to address today’s threats to human rights.

The High Commissioner’s Plan of Action sets out a programme for the transformation of OHCHR broken down into five action points:

1. Greater country engagement through an expansion of geographic desks, increased deployment of human rights staff to countries and regions, the establishment of standing capacities for rapid deployment, investigations, field support, human rights capacity-building, advice and assistance, and work on transitional justice and the rule of law;
2. An enhanced human rights leadership role for the High Commissioner, including through greater interaction with relevant United Nations bodies and actors and regular system-wide human rights consultations, a reinforced New York presence, an annual thematic human rights report, a global campaign for human rights, and more involvement in efforts to advance poverty reduction and the Millennium Development Goals;
3. Closer partnerships with civil society and United Nations agencies through the establishment of a civil society support function; support for human rights defenders; increased commitment to a rights-based approach and national protection systems, and human rights guidance to the resident coordinator system;
4. More synergy in the relationship between OHCHR and the various United Nations human rights bodies, an intergovernmental meeting to consider options for a unified standing human rights treaty body, including the possible relocation of the

¹² General Assembly [resolution 217 A \(III\)](#) of 10 December 1948.

¹³ Strengthening of the United Nations: an agenda for further change ([A/57/387](#) and [Corr.1](#)).

¹⁴ [A/59/2005](#).

Committee on the Elimination of Discrimination against Women to Geneva, and a review of the special procedures; and

5. Strengthened management and planning for OHCHR through the establishment of a policy, planning, monitoring and evaluation unit, significantly increased staffing levels, staff diversity initiatives, updated staff training, a staff field rotation policy, and new administrative procedures.

The High Commissioner's first *Strategic Management Plan* for the 2006–2007 biennium aims to articulate how OHCHR intends to play a role in ensuring that human rights are protected. It maps out how the Office will change and organize itself, what projects it will implement and how activities have been prioritized for the next two years. The *Strategic Management Plan* presents the means by which OHCHR, with the support of Member States, will fulfil its mandate and put into practice the vision presented in the Plan of Action. The *Strategic Management Plan* is a results-based management tool that focuses on achievable tangible results in the protection of human rights and empowerment of all people.

C. Which NGOs can access it?

As in other parts of the United Nations, NGOs and other civil society actors are increasingly partners in the work of OHCHR towards the full realization of human rights.

NGOs do not generally need to be in consultative status with ECOSOC in order to work with OHCHR, except if they wish to participate in the Human Rights Council.

D. How can NGOs work with OHCHR?

The relationship between OHCHR and civil society, in particular NGOs and human rights defenders, is strong and has been a priority of the Office since it was set up. Historically, NGOs were key actors in the establishment of OHCHR and the creation of various special mechanisms of the Commission on Human Rights. The work of the entire human rights programme, and OHCHR in particular, would be impossible without the inputs, expertise and advice of international, regional and national NGOs.

NGOs are often the best, and sometimes the only, conduit for the submission of complaints on alleged violations of human rights. They also provide the United Nations human rights system, as well as OHCHR, with valuable studies and reports. NGOs are often partners of OHCHR in training and human rights education, and play a key role in the follow-up at the country level of recommendations and observations made by the United Nations treaty bodies and special procedures. In particular circumstances NGOs also benefit from funds managed by OHCHR.

In 2004 OHCHR appointed an NGO liaison officer to provide support for NGOs in their interface with OHCHR. This function will be expanded to strengthen OHCHR partnerships with civil society actors.

Contact details for the OHCHR NGO Liaison Officer:

By post:

NGO Liaison Officer
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10

Phone: +41 (0)22 917 90 00

E-mail: ngo.liaison@ohchr.org

II. FIELD PRESENCES AND COUNTRY ENGAGEMENT

Field presences at a glance

What are they?

OHCHR has established an increasing number of field presences. Some are mandated to monitor human rights practices and investigate human rights abuses. Others carry out technical cooperation projects to strengthen a State's capacity to fulfil its human rights obligations. Others may have both promotion and protection roles. OHCHR has four categories of field presences in more than 40 countries:

- Regional offices
- OHCHR country offices
- Human rights components of United Nations peace missions
- Human rights advisers to UNCTs

In addition, OHCHR may establish a short-term country presence as a rapid response to an emergency. OHCHR also provides support for the establishment and strengthening of NHRIs.

Which NGOs can access them?

As a general rule, OHCHR does not apply specific criteria for NGOs to interact with it.

How can NGOs work with them?

International, regional and national NGOs can be active partners of OHCHR field presences. Ongoing interaction between NGOs and OHCHR provides important links between the work of the Office and actual human rights conditions. NGOs provide regular input into OHCHR field work, for instance by:

- Providing information on alleged human rights abuses (field presences may act as a conduit to OHCHR headquarters and human rights mechanisms);
- Promoting human rights education through seminars and workshops;
- Following up on recommendations of special procedures and treaty bodies to individual countries.

A. What are they?

The Office of the United Nations High Commissioner for Human Rights (OHCHR) aims for the implementation of human rights at the country level through a dialogue with Governments and others involved in national efforts to protect and promote human rights. At the country level, international norms can be translated into reality and reflected in national legislation and practice; human rights violations can be directly addressed; and links can be forged between different actors, including civil society, in order to develop systems and institutions for the protection and promotion of human rights.

OHCHR has established a field presence in over 40 countries. The role of each office differs according to the needs of the country or region and the mandate of the office. In addition to its headquarters in Geneva, OHCHR has 13 regional and 15 country offices currently operating or being set up, and supports 17 human rights components of United Nations peace missions and 14 human rights advisers to United Nations country teams (UNCTs). In countries where OHCHR does not have a field presence, it is the responsibility of UNCT to follow the national human rights situation and to propose actions for the Government and society to move towards human rights implementation.

B. How do they work?

The United Nations human rights programme is implemented through the work of OHCHR headquarters and the support of its field presences. These work together in complementary and supportive roles.

The OHCHR strategy for human rights engagement in the field is aimed at bridging the protection gaps in knowledge, capacity, commitment and security. The priority is to make sure that:

- National authorities are better informed of international human rights standards and how to translate these into laws, regulations and policies;
- Officials and civil society have greater capacities to address human rights problems;
- Authorities are more aware of their human rights obligations and can design ways to overcome obstacles to the realization of human rights; and
- Individuals are better protected from policies that threaten their personal security.

1. Country engagement at headquarters

Within OHCHR headquarters, the Capacity-building and Field Operations Branch supports OHCHR operations in the field, including human rights components of United Nations peace missions. It provides expertise on the human rights situations throughout the world, coordinates OHCHR country engagement efforts, develops country assessments and implements strategies for action in the field.

Within the Capacity-building and Field Operations Branch, a number of units provide expertise and coordination for priority areas, including:

- *Geographic desks* provide expertise on specific regions and countries where OHCHR is active. Their work includes supporting field officers assisting UNCTs and United Nations peace missions to integrate human rights into their activities, and responding to human rights concerns in crises. They develop national and regional activities to bring human rights issues to the forefront of country and regional efforts. In addition, they provide support to the High Commissioner and country-specific special procedures in their activities in the field, including investigations into situations in particular countries. There are currently five geographic units for: Africa; the Arab region; the Asia-Pacific region; Europe, North America and Central Asia; and Latin America and the Caribbean.
- The *Peace Missions Support Unit* provides assistance to OHCHR geographic desks in supporting human rights components of peace missions. They support the planning, design and establishment of human rights components of the peace missions; advise on operational and policy issues; recruit human rights staff; transfer good practices and develop tools to enhance the skills of human rights staff in peace missions.
- The *Field Programme Unit* supports and assists geographic desks in developing technical assistance projects for implementation in the field. A wide range of human rights technical cooperation projects are implemented directly by OHCHR headquarters and the field presences, often in cooperation with civil society organizations, national human rights institutions (NHRIs), academic institutions and other partners.

- The *Rapid Response Unit* coordinates the arrangements for all aspects of human rights situations requiring an urgent response from OHCHR. It prepares the necessary planning and operations tools, guidance and in-house arrangements for the planning, approval and implementation of operations plans. In order to secure adequate stand-by resources for emergency operations, OHCHR establishes partnerships with United Nations agencies and other external partners. The Unit also prepares the necessary tools, provides advice, participates in missions and organizes staff training to facilitate successful rapid responses.
- The *National Human Rights Institutions Unit* provides assistance to NHRIs. This assistance is a central part of the OHCHR strategy to strengthen human rights protection at the national level. NHRIs are human rights commissions, ombudsmen or specialized institutions. By definition, NHRIs should be independent bodies that promote and protect human rights and are key to effective national protection systems and to ensuring that international norms are respected nationally. The Unit provides substantive support to the geographic desks in helping countries to establish and strengthen their NHRIs in conformity with the so-called Paris Principles.¹⁵ The Unit also responds to the increasing demand for expertise in this area by providing advice on establishing appropriate constitutional or legislative frameworks for NHRIs, and on the nature, functions, powers and responsibilities of such institutions. As the secretariat of the International Coordinating Council, OHCHR helps to review the accreditation status of NHRIs to ensure that they conform to international standards.

2. Country engagement in the field

OHCHR has four categories of field presences in more than 40 countries:

- Regional or subregional offices
- OHCHR country offices
- Human rights components of United Nations peace missions
- Human rights advisers to UNCTs

In the field, OHCHR works closely with other United Nations agencies, national Governments and civil society to raise awareness about the human rights mandate of the Office and carry it out.

OHCHR field presences are usually limited in time and scope. A mission ends when certain concrete results are achieved, such as the creation of a NHRI and/or when OHCHR partners or UNCT can conduct human rights work on their own. Once these objectives are met, responsibility for promoting and protecting human rights can be transferred from OHCHR to its partners. Exit strategies and hand-over arrangements are coordinated with all partners.

C. Which NGOs can access them?

As a general rule, all NGOs are able to interact with the work of OHCHR in the field.

¹⁵ General Assembly [resolution 48/134](#) of 20 December 1993, annex.

D. How can NGOs work with them?

OHCHR field presences have a variety of capacities and staffing expertise, depending on the mandate and type of agreement with Governments. A number of opportunities exist for NGOs to engage with activities of the Office in the field to advance human rights issues. This ongoing exchange between NGOs and OHCHR provides important links between the work of the Office and actual human rights conditions on the ground. Examples of regular NGO interaction include:

- Providing information on alleged human rights abuses (field presences may act as a conduit to OHCHR headquarters and human rights mechanisms);
- Promoting human rights education through seminars and workshops;
- Submitting NGO reports to treaty bodies;
- Following up on recommendations of special procedures and treaty bodies to individual countries; and
- Acting as partners to implement national or regional projects.

The following information sets out the type of field representation OHCHR has, and provides more detail on the regional and national priorities of OHCHR and the type of work undertaken.

For further information on regional and national OHCHR work, [click here](#).

For an updated contact list of field offices, [click here](#).

1. Regional offices

Regional offices play an important role in OHCHR efforts to promote human rights throughout the world. These offices serve as OHCHR outposts and help to develop and implement engagement strategies for specific countries. They are tasked with pursuing high-level dialogues with Governments and regional intergovernmental organizations, while also acting as support and resource centres for country offices, human rights components of peace operations and human rights officers in the region. Regional offices build links with regional civil society networks.

Whenever possible, NGOs are invited to participate in or provide inputs to the regional activities OHCHR organizes on specific issues. NGOs can also provide OHCHR regional offices with early warning of emerging human rights concerns in a region, and assist them in adjusting their priorities to regional and local needs.

There are currently 13 regional OHCHR offices operating or planned:

- *Africa*: In Africa there is a regional office in Southern Africa (Pretoria) and one in East Africa (Addis Ababa), both with a focus on the human rights approach to development and programming, working closely with UNCTs. The Central African office (Yaoundé) is a regional human rights centre. A further regional office is planned for West Africa, with a focus on trafficking.
- *Arab region*: The regional office for the Middle East and the Gulf (Beirut) manages the work of OHCHR in the Arab region and has a particular focus on discrimination, exclusion and protection of vulnerable groups. A further regional office is planned for North Africa; it will have a strong focus on civil and political rights. A regional human rights centre is planned in Qatar.
- *Asia and the Pacific region*: This region has two regional offices, the South-East Asia office (Bangkok) and the Pacific office (Suva), both with a focus on

the human rights-based approach to development and programming, working closely with UNCTs.

- *Europe, North America and Central Asia:* The Central Asian office (Almaty, Kazakhstan) manages the work of OHCHR in this region, and the New York Office has staff dedicated to North America and is seeking to establish closer links with key regional organizations such as the Bretton Woods and inter-American institutions.
- *Latin America and the Caribbean:* There is one Latin American regional office (Santiago), which over the next two years will focus on economic, social and cultural rights. A further office is being established for Central America. It will focus on juvenile justice, violence against women and poverty.

Regional priorities and strategies

Africa. The key focus of OHCHR work in Africa is the rule of law and administration of justice, human rights and development, discrimination, institutional capacity-building and human security, which covers trafficking, slavery and civilians in armed conflict. Human rights protection in much of Africa suffers from gaps in knowledge, capacity, commitment and security. The OHCHR Africa programme works to equip policymakers and key actors with the skills to identify and address human rights problems. It also supports efforts to empower individual rights-holders to be aware of their rights and the mechanisms to protect those rights. In 2005, OHCHR had four country offices (Angola, Burundi, Democratic Republic of the Congo and Uganda) and three regional offices (Pretoria, Addis Ababa and Yaoundé) in Africa and provided human rights support to several operations of the Department of Political Affairs and the Department of Peacekeeping Operations (see map below). A new country office is planned in Togo.

Arab region. OHCHR priorities in the Arab region include law enforcement, emergency laws, the impact of counter-terrorism measures, impunity, women's rights, protecting human rights defenders, disappearances and the application of the death penalty, the Millennium Development Goals, migrants' rights and trafficking in persons. The work of OHCHR focuses on encouraging the ratification and implementation of human rights treaties and reporting on how these obligations are fulfilled; on assisting in the creation of NHRIs that conform to the Paris Principles; on reinforcing the administration of justice and the rule of law; on providing human rights education, and on supporting gender mainstreaming and the empowerment of women throughout the region. In 2005, OHCHR had one regional office (Beirut) and one country office in the Arab region (Palestine) and supported the human rights component of the United Nations mission in Iraq.

Asia and the Pacific region. The common goal of OHCHR country engagement in Asia and the Pacific region is to ensure that national actors, including government institutions, national institutions and NGOs, provide redress to those rights-holders whose human rights are violated. The priorities are discrimination against minorities, including indigenous peoples; trafficking in human beings, especially women and children; migrant workers' rights; economic, social and cultural rights; and the rule of law. OHCHR works closely with other United Nations agencies in the region and in individual countries. In 2005, OHCHR had two regional offices (Suva and Bangkok) and two country offices (Cambodia and Nepal). OHCHR also provided support to United Nations peace missions in the region (see map below) and placed several human rights advisers.

Europe, North America and Central Asia. This region is unique in its diversity and profound changes it has undergone since the early 1990s. Partnerships with regional organizations and regional cooperation are an important part of the OHCHR strategy, taking full advantage of the expertise available in the region. The most prominent human rights challenges include the establishment of the rule of law, the prevention of organized crime and corruption, the protection of human rights in the framework of anti-terrorism measures, the participation of civil society within the wider context of good governance, the fight against impunity for past human rights violations, trafficking in human beings and discrimination and intolerance between different ethnic groups. The cross-border nature of many of these issues makes

subregional approaches and cooperation among countries indispensable. A key focus is on the realization of economic and social rights within the context of economic reform, particularly in the countries of the former Soviet Union. In 2005, OHCHR had a regional office in Almaty, as well as a New York Office. It had country offices in Bosnia and Herzegovina, and Serbia and Montenegro, including Kosovo, and a human rights officer in the Southern Caucasus (Georgia). A new country office is planned in the Russian Federation.

Latin America and the Caribbean. There are a number of pressing human rights concerns in this region which form the focus of OHCHR work: exclusion and discrimination; the weak administration of justice and ensuing impunity; protection of vulnerable groups, particularly indigenous peoples and Afro-descendants; and violence against women. Partnerships with the strong regional bodies are a priority, and a key focus of the regional office in Santiago is on economic, social and cultural rights, strengthening cooperation with the Economic Commission for Latin America and the Caribbean. There is a plan to open a new regional office in Central America with a focus on juvenile justice, violence against women and poverty. In 2005, there were country offices in Colombia, Guatemala and Mexico. A new country office is planned in Bolivia. Support was provided to the United Nations peace mission in Haiti and human rights officers were posted in Ecuador and Guyana.

For further information on OHCHR regional priorities and strategies, refer to the High Commissioner's [Strategic Management Plan 2006–2007](#).

2. Country offices

Most country offices respond to human rights violations in post-conflict States and hence have strong protection roles. These offices strive to forestall human rights violations through monitoring; they promote human rights education in the country and attempt to forge a dialogue among the international, regional and national actors.

Working with other United Nations agencies and with the Government and other national actors is essential for OHCHR country offices to identify knowledge and capacity gaps. This means that these offices work closely with NGOs in the country. The nature of the Office's mandate requires regular and accurate information on human rights situations, and NGOs play a crucial role in both providing this information and working as partners with the Office in implementing human rights.

In 2005, OHCHR had country offices in Angola, Bosnia and Herzegovina, Burundi, Cambodia, Colombia, the Democratic Republic of the Congo, Guatemala, Mexico, Nepal, Serbia and Montenegro, including Kosovo, Uganda, and Palestine. In 2006–2007, new offices will be established in Bolivia, the Russian Federation and Togo. The offices in Bosnia and Herzegovina and Serbia and Montenegro will be phased out, except in Kosovo, where the office will be strengthened to take over the concerns of the subregion.

Case study: NGOs working with the OHCHR country office in Bosnia and Herzegovina to eliminate trafficking in persons

Bosnia and Herzegovina continues to be at a crucial stage in its transition from war to peace and rule of law, and from a State-owned to a free-market economy. One of its main human rights challenges is the trafficking of persons. Bosnia and Herzegovina is not only the starting place for trafficking but also a transit station and destination point.

In its anti-trafficking work in Bosnia and Herzegovina, the OHCHR country office has worked closely with NGOs:

- OHCHR has worked to strengthen local NGO capacity by providing expertise and training for NGO activists and their focus groups, particularly on international

standards and relevant domestic legislation. Teachers, activists in municipalities and law enforcement officials have received training, in partnership with NGOs.

- Since 2001, an important strategy in the anti-trafficking work of OHCHR in Bosnia and Herzegovina has been to facilitate a partnership between the Government and NGOs. One result was a memorandum of understanding between several NGOs and the Ministry of Security for the provision of assistance and legal aid to victims of trafficking. A second outcome was the introduction of periodic referral meetings between governmental institutions and NGOs on trafficking.
- OHCHR has substantially supported NGOs' request for better legislation based on their experience with concrete cases.
- To facilitate NGO assistance to victims of trafficking, OHCHR has produced a manual for the protection of victims of trafficking. This legal tool used initiatives, recommendations and suggestions by NGOs.
- NGOs and OHCHR have worked jointly to monitor cases of trafficking before the State Court. Cases brought to date have clearly revealed changes in trafficking trends and this has been used to develop lessons learned and best practices for the protection of victims and witnesses of trafficking in Bosnia and Herzegovina.
- NGOs and OHCHR have monitored the effects of resettlement of trafficking victims/witnesses from Bosnia and Herzegovina to third countries.
- OHCHR has developed trafficking indicators through a process of consultation with NGOs. These indicators should be used to identify victims of trafficking more easily and protect them better.

3. *Human rights components of United Nations peace operations*

OHCHR also plays an important role in field operations run by the United Nations Department of Peacekeeping Operations and the Department of Political Affairs. Under the authority of the special representative of the Secretary-General in charge of a mission and within the limits of the mission's mandate, the human rights components of peace operations undertake core promotion and protection functions. These functions are aimed at addressing the causes of human rights violations while assisting in the development of strong national human rights protection systems. The head of a human rights component in each country is also the representative of OHCHR in that country.

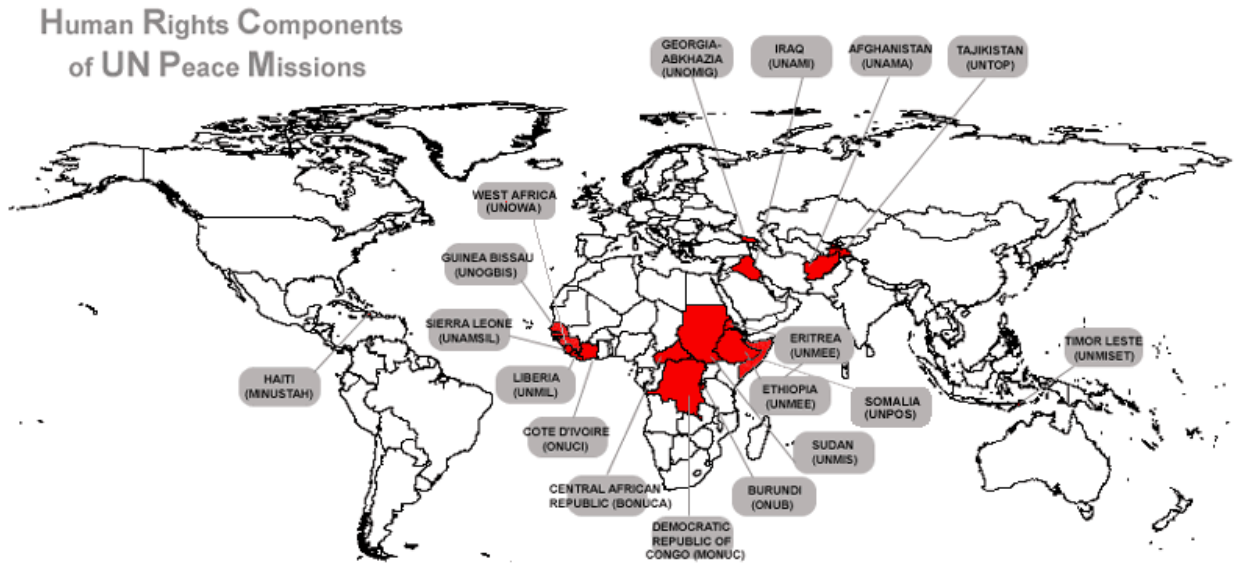
Given their complex mandates, OHCHR human rights components of peace operations tend to work closely with NGOs, and in some cases have developed organized mechanisms for regular consultations and information briefings with NGOs across the country (often through already established or ad hoc NGO networks). Whenever possible, human rights components of peace operations also strive to work with NGOs as partners in the implementation of activities.

Often, for example in Cambodia, El Salvador, Guatemala and Angola, OHCHR establishes a field presence in the country to ensure follow-up to human rights issues and institutional and capacity-building, after the departure of the peace operation.

OHCHR currently supports human rights components of peace missions in:

- Afghanistan – UNAMA
- Burundi – ONUB
- Central African Republic – BONUCA
- Côte d'Ivoire – ONUCI
- Democratic Republic of the Congo – MONUC
- Ethiopia/Eritrea – UNMEE
- Georgia-Abkhazia – UNOMIG
- Guinea-Bissau – UNOGBIS
- Haiti – MINUSTAH
- Iraq – UNAMI
- Liberia – UNMIL
- Sierra Leone – UNAMSIL
- Sudan – UNAMIS
- Somalia (UNPOS)

- Tajikistan – UNTOP
- Timor-Leste – UNMISET
- West Africa (UNOWA)



The boundaries shown on this map do not imply official endorsement or acceptance by the United Nations.

Case study: NGOs working with OHCHR in peace missions in Africa

OHCHR has been supporting civil society organizations in a number of African countries with the dual aim of strengthening national and regional civil society networks, and increasing participation of African civil society at sessions of the United Nations and regional treaty bodies.

- In Angola, OHCHR has supported the establishment of a “human rights house” to facilitate increased participation of civil society in human rights-related issues.
- In Somalia, the independent expert on the situation of human rights in Somalia is working with NGOs that were involved in the peace process and reconstruction talks, with a view to overcoming the difficulties faced by civil society. These difficulties include limited resources and skills, and restrictions imposed by authorities. As part of his role, the expert also appeals for reinforced support for human rights defenders and civil society by all authorities as well as by donors and United Nations agencies.
- In collaboration with local NGOs working in the field of human rights and with funding from OHCHR, ONUCI (Côte d’Ivoire) initiated a programme to strengthen the capacity of national human rights groups to raise human rights awareness among the population. During 2006/2007, ONUCI will continue to work with local NGOs through the provision of training in the investigation and documentation of human rights violations and logistical support to access the scenes of reported violations.

For further information on OHCHR human rights components of United Nations peace operations, [click here](#).

4. Human rights advisers in United Nations country teams

Human rights advisers are OHCHR officers deployed to work within a United Nations country team (UNCT), in a country selected as having special needs and priorities in human rights. These officers assess a country’s human rights needs and advise the other United Nations agencies on human rights-based programme strategies and

implementation. Human rights advisers can help in building bridges between local and national human rights NGOs and UNCT, especially in countries where the United Nations resident agencies have not been involved in human rights activities in the past.

In 2005 OHCHR had human rights advisers in Ecuador, Guyana, Mongolia, Sri Lanka and the Southern Caucasus (Georgia). New advisers are deployed as needs arise.

5. Rapid response

A rapid response is a reaction to a deteriorating or potentially deteriorating human rights situation. The response by OHCHR is principally aimed at protection but also at activities to facilitate and advocate for a human rights approach to the response coordinated by the United Nations system. Based on analysis and assessment of the situation, OHCHR will intervene according to the extent of its mandate. OHCHR responses can include:

- The High Commissioner issuing a press statement;
- Engaging in a dialogue with the Government concerned;
- Initiating a fact-finding, monitoring and/or investigative mission;
- Urgent actions and fact-finding missions by the special procedures mechanisms;
- Deployment of teams to establish OHCHR human rights monitoring presences;
- Strengthening OHCHR field presences;
- Participating in assessment missions and start-up teams for the establishment of new human rights components of peace operations;
- Providing human rights experts to participate in relevant meetings and task forces;
- Participating in inter-agency assessment missions of existing or new complex emergencies or natural disasters; and/or
- Providing human rights advisers to reinforce UNCTs.

Partnerships with United Nations agencies and other external partners, such as NGOs, are important for ensuring the success of a rapid response to an emergency. For example, national NGOs play an important role in providing information, including early warning and risk assessments, eyewitness testimonials and support on the ground for OHCHR missions. International NGOs can undertake advocacy to attract international support for the situation, make recommendations to the United Nations on its response and exchange information with OHCHR. International NGOs can also be well placed to advise OHCHR on the risks of any response to ensure that the security and safety of national human rights defenders are maintained. A number of specialist NGOs can act as partners to the OHCHR response, particularly those with criminal investigation and forensic specialization. In addition, OHCHR may draw on NGO expertise and staff in order to increase its own capacities and outreach.

6. National human rights institutions

The establishment of a national human rights institution (NHRI) provides a strategic mechanism for the realization of human rights. An effective NHRI will provide a link between Government and civil society. OHCHR works closely with existing NHRIs or with countries hoping to establish new ones, to build the capacity and effectiveness of these institutions.

Under the Paris Principles,¹⁶ the composition of a national human rights institution and the appointment of its members shall guarantee a pluralist representation of the social forces involved in promoting and protecting human rights. This includes NGOs. NHRIs are required to develop relations with NGOs working to promote and protect human rights, to further economic and social development, to combat racism, to protect particularly vulnerable groups (especially children, migrant workers, refugees, physically and mentally disabled persons) or working in other specialized areas.

NGOs may be involved in the implementation of NHRI programmes and activities, by bringing expertise and ensuring an effective strategic alliance for the benefit of all parties. The relationship between NHRIs and NGOs should be complementary in building bridges between the Government and civil society. For example, a national human rights institution may be authorized to hear and consider complaints and petitions concerning individual human rights abuses. Cases may be brought before it by individuals, their representatives, third parties, NGOs, associations of trade unions or any other representative organizations.

OHCHR often engages in joint training activities, conferences and publications with NHRIs and NGOs, which in turn address a number of specific human rights issues in various countries and regions.

For further information on OHCHR work relating to NHRIs, [click here](#) or visit the National Human Rights Institutions Forum [by clicking here](#).

Or contact the OHCHR National Human Rights Institutions Unit:
nationalinstitutions@ohchr.org.

The following OHCHR publications concern NHRIs:

- Assessing the Effectiveness of National Human Rights Institutions (2005), published jointly with the International Council on Human Rights Policy
- Professional Training Series No. 12: Economic, Social and Cultural Rights: Handbook for National Human Rights Institutions (2005)
- Professional Training Series No. 4: National Human Rights Institutions (1995)

Further information on how to obtain OHCHR publications can be found in chapter IX.

¹⁶ General Assembly [resolution 48/134](#), annex.

III. ENGAGEMENT WITH HUMAN RIGHTS ISSUES

The new Human Rights Council

On 15 March 2006 the United Nations General Assembly decided to replace the central United Nations intergovernmental body on human rights, the Commission on Human Rights, with the Human Rights Council, as a new subsidiary body of the General Assembly.¹⁷ The Human Rights Council convened for the first time on 19 June 2006 and has assumed all mandates, mechanisms, functions and responsibilities of the Commission. The Council will review and, where necessary, improve and rationalize them within one year after the holding of its first session.

Until otherwise decided by the Council, the human rights mechanisms discussed in this *Handbook* (in particular the special procedures and the 1503 procedure) will continue to operate as they did under the Commission. The Council is expected to develop its own rules of procedure and modalities of operation. NGOs are encouraged to consult the OHCHR website regularly for updates (<http://www.ohchr.org>).

Engagement with human rights issues at a glance

What is it?

The role of OHCHR has evolved from a secretariat servicing Geneva-based legislative and advisory bodies to a proactive and operational office. Its work now extends to engaging with substantive human rights issues, especially:

- Rule of law and democracy
- Human rights and development
- MDGs and a rights-based approach to development
- Human rights and economic and social issues
- Women's human rights and gender equality
- Indigenous peoples and minorities
- Methodology, education and training
- Anti-discrimination

Which NGOs can access it?

As a general rule, OHCHR does not apply specific criteria for NGO interaction.

How can NGOs work with OHCHR on human rights issues?

The Office undertakes diverse work on these thematic human rights issues, and engages in research, gathers information and assists in standard-setting. Often these activities respond to current needs, major conferences or other emerging issues. Entry points for this work and opportunities for NGOs to participate vary according to the issue and are described in this chapter.

A. What is it?

The past decades have witnessed the rapid evolution of the Office of the United Nations High Commissioner for Human Rights (OHCHR) from a secretariat mainly directed to providing services to Geneva-based legislative and advisory bodies

¹⁷ General Assembly [resolution 60/251](#).

established by mandates of Governments, to an institution that is proactive, operational and, as a result of the High Commissioner's mandate, autonomous. The dynamic relationship between OHCHR and NGOs is a core element in successful human rights implementation.

In addition to working with United Nations human rights mechanisms described in chapters IV to VIII, there are a number of opportunities for NGOs to engage in regular dialogue and consultation with OHCHR on thematic human rights issues. These facilitate the exchange of information, welcome input for human rights standard-setting and act as a conduit for reporting on existing or emerging human rights situations. An active partnership with NGOs ensures that the Office is responsive and effective and its efforts sustainable.

OHCHR human rights work focuses on research, standard-setting and identifying cross-cutting issues. Some of the current priorities are:

- Rule of law and democracy
- Human rights and development
- Millennium Development Goals (MDGs) and a rights-based approach to development
- Human rights and economic and social issues
- Women's human rights and gender equality
- Indigenous peoples and minorities
- Methodology, education and training
- Anti-discrimination

Within OHCHR, different units within the Research and Right to Development Branch have been assigned to work on these issues. The thematic expertise in this Branch interacts with other areas of OHCHR and contributes to more effective country engagement and partnerships with human rights stakeholders.

B. Which NGOs can access it?

As a general rule, all NGOs are able to interact with OHCHR. In particular, OHCHR has links with specific groups such as indigenous peoples, minority groups, women's rights organizations, persons with disabilities, business representatives, and victims of slavery.

Some activities initiated by the former Commission on Human Rights, which are now within the mandate of the Human Rights Council, may require NGOs to be in consultative status with the Economic and Social Council (ECOSOC). NGOs are advised to check the participation criteria set out in this chapter.

C. How can NGOs work with it?

The Office works on a number of thematic human rights issues, including research, information gathering and standard-setting. Enhancement of thematic and methodological expertise is essential to the substantive underpinnings for OHCHR country engagement strategies and to greater support to the treaty bodies and special procedures. NGOs are frequently engaged in this work as participants, information providers, experts and beneficiaries.

Often these OHCHR activities are responsive to current needs, major conferences or other issues that have been identified as priorities for the Office. To date, the issues emphasized have followed the mandates of mechanisms established by the former Commission on Human Rights or its Sub-Commission. During its first year of operation, the Human Rights Council will review all the mandates, mechanisms, functions and responsibilities inherited from the Commission and make recommendations to improve and rationalize them. Until otherwise decided by the Council, the existing mechanisms will continue to operate as they did under the Commission. However, NGOs should regularly consult the OHCHR website for updates.

In designing its programme on thematic issues, OHCHR seeks to provide an adequate response to the diverse needs of different actors, including United Nations partners, Governments and civil society.

1. Rule of law and democracy

OHCHR has carried out activities to enhance the ratification of treaties, improve the administration of justice at the national level and identify, mostly through several mechanisms created by the former Commission on Human Rights, violations in areas such as arbitrary detention, independence of the judiciary and torture. These mechanisms have now been assumed by the Human Rights Council.

To enhance the effectiveness of OHCHR in engaging diverse actors in issues related to the rule of law and democracy, specific work is undertaken on:

- Legal advice
- Administration of justice
- Impunity/accountability
- The role of courts in human rights protection
- The rule of law in post-conflict States
- Human rights and security
- The nexus between international human rights law and international humanitarian law
- Democracy

The work is done closely with internal and external partners, including other United Nations offices, United Nations peace missions, United Nations country teams (UNCTs), Governments, national human rights institutions (NHRIs) and national and international NGOs.

Case study: NGOs working with the OHCHR Rule of Law and Democracy Unit to develop and implement new international principles

Pursuant to mandates initiated by the former Commission on Human Rights, the updated Set of Principles to combat impunity and the Basic Principles and Guidelines on the Right to a Remedy and Reparation were finalized in 2005. After the initial draft guidelines were prepared, OHCHR convened consultations for dialogue and feedback. Several international NGOs participated in the consultations, including the International Commission of Jurists, Amnesty International, Human Rights Watch, the International Center for Transitional Justice. NGOs provided perspectives of partner agencies at the international and national levels, allowing needs and experiences from the field to be incorporated into the guidelines. The Commission on Human Rights, ECOSOC and the General Assembly adopted the Basic Principles and Guidelines on the Right to a Remedy and Reparation in 2005. The Commission on Human Rights also took note of the updated Set of Principles on combating impunity in 2005.

OHCHR held a series of workshops to disseminate information on these two sets of principles as well as to discuss strategies on how to approach implementation at the national level. In addition to staff from OHCHR field offices and United Nations peace missions, a number of NGOs from post-conflict countries actively participated in these workshops. These local NGOs will be instrumental for disseminating the guidelines and ensuring that they become operational on the ground. Working with Governments to ensure the implementation and enforcement of these principles will be an important role that NGOs can play in the future, to ensure that the rights set out in these documents are realized.

For further information, see:

- Updated Set of Principles for the protection and promotion of human rights through action to combat impunity¹⁸
- Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (Commission resolution 2005/35)¹⁹

For further information on OHCHR work relating to the rule of law and democracy, [click here](#).

2. *Human rights and development*

The international community now acknowledges that human rights and human development cannot be dissociated. Security, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, as reflected in the Secretary-General's report "In larger freedom".²⁰ The human person is the central subject of both development and the human rights agenda.

Promoting and protecting the right to development are core OHCHR activities. The OHCHR Human Rights and Development Unit supports the Working Group on the Right to Development and its high-level task force. The right to development is also reflected in much of the Office's work, especially in activities undertaken in individual countries to create or strengthen national human rights capacities and infrastructures in various ministries, national institutions, educational systems and judiciaries.

The OHCHR work on this subject aims to improve the understanding of the practical dimensions of the right to development, its role in the protection of all human rights, its impact on the recognition of particular needs of marginalized groups and its input to international cooperation. NGOs have been frequent contributors to this work, through participation in consultations and as observers to the Working Group and its task force.

The *Working Group on the Right to Development* is mandated to:

- Monitor and review progress made in the promotion and implementation of the right to development
- Review reports and other information submitted by States and international or non-governmental organizations
- Submit a sessional report on its work

It is an open-ended working group established by the former Commission on Human Rights and is now under the mandate of the Human Rights Council. All United

¹⁸ E/CN.4/2005/102/Add.1.

¹⁹ General Assembly resolution 60/147 of 16 December 2005.

²⁰ A/59/2005.

Nations Member and non-Member States, intergovernmental organizations and NGOs with ECOSOC consultative status may attend its public meetings. In the past, before each session, the Working Group solicited comments from NGOs in consultative status with ECOSOC on the documents it was about to consider. NGOs have also contributed by, for example, making statements or facilitating informal gatherings while the Working Group was in session. With the transfer of the Working Group to the Human Rights Council, NGOs should refer to the OHCHR website for updates on the Working Group's processes.

The *high-level task force on the implementation of the right to development* provides the necessary expertise to the Working Group to enable it to make appropriate recommendations to the various actors on the issues identified for the implementation of the right to development. The task force comprises five experts nominated by the Chairperson of the Working Group on the Right to Development in consultation with the regional groups of Member States, and representatives of identified international trade, finance and development institutions.

The first meeting of the high-level task force took place in Geneva from 13 to 17 December 2004. At its 2005 meeting from 14 to 18 November, the task force considered Millennium Development Goal 8 on global partnerships for development and suggested criteria for making global partnerships more effective in realizing the right to development.

The high-level task force provides an excellent forum for NGOs to contribute to advancing the right to development. Participating NGOs, States and other representatives are all accorded observer status and are able to contribute actively to the dialogue of the task force. NGOs are not required to have ECOSOC consultative status, but must be accredited prior to the meeting. Details on accreditation are posted on the OHCHR website several months before a meeting.

For further information on OHCHR work relating to human rights and development, [click here](#).

Eliminating trafficking and protecting the rights of trafficked persons

Trafficking in human beings is among the grossest human rights violations. Yet in many instances, trafficking continues to be addressed as a "law and order" problem within the crime prevention framework. The Human Rights and Development Unit has a specific project aimed at integrating human rights into international, regional and national anti-trafficking initiatives through legal and policy development. The focus of the project is for OHCHR to act as a catalyst in ensuring that the rule of law and human rights are central to the anti-trafficking work of other organizations. NGOs are significant partners in OHCHR anti-trafficking work involving research, pilot projects and seminars.

The trafficking project focuses on:

- Strengthening United Nations human rights-related action in individual countries by building the capacity of UNCTs to integrate the prevention of trafficking into development work;
- Mainstreaming the problem of trafficking into the work of the treaty bodies, special procedures, working groups and other relevant human rights mechanisms; and
- Strengthening partnerships and collaboration among agencies working on this subject.

OHCHR was a founding member and coordinator of the Intergovernmental Organization Contact Group on Human Trafficking and Migrant Smuggling. Within this Group, the NGO caucus represents interested NGOs and provides NGOs with information on United Nations activities in this area. Each year key panel discussions on human trafficking and related issues, including migration, forced labour, gender and development, are organized in partnership with other United Nations agencies. NGOs are important participants in these events.

NGOs play an important dual role. First, they are partners, providing information to inform the strategies developed and engaging in advocacy to implement the strategies. Second, they can also be target organizations of the work to encourage institutions to consider the subject of trafficking in their policies and activities.

For further information on OHCHR work on trafficking, [click here](#).

3. Millennium Development Goals and a rights-based approach to development

The United Nations Millennium Development Goal (MDG) framework²¹ has generated an unprecedented degree of international consensus and political support for investments in the social sectors at the national level. The MDG framework provides an opportunity for implementing the fundamental rights set out in the Goals, but also an important opportunity for promoting the rights-based approach to development in all areas of national programming.

OHCHR seeks to engage in global discussions on the Millennium Development Goals to ensure that human rights are central in their implementation, both in the process and in its outcomes. It is working to promote a rights-sensitive understanding of poverty and development and advance the practical application of a rights-based approach to development. Working closely with its field presences and colleagues in UNCTs, OHCHR priorities are:

- Integrating development issues into OHCHR country engagement strategies;
- Providing support to UNCTs, particularly in integrating human rights into their Common Country Assessment and United Nations Development Assistance Framework;
- Supporting initiatives to apply a human rights-based approach to poverty reduction strategy papers;
- Raising the Office's profile as a centre of excellence and information on human rights-based approaches to development; and
- Coordinating OHCHR involvement on issues relating to the Goals with United Nations partners, the Bretton Woods Institutions and civil society.

In 2005, the Office actively participated in the work of the Millennium Project, contributing to the human rights aspects of the Goals featuring in both the report of the Millennium Project, "Investing in Development: A Practical Plan to Achieve the MDGs," and the Secretary-General's report to the General Assembly, "In larger freedom: towards development, security and human rights for all."

International, national and local NGOs are essential partners in this work, in the formulation of practical publications and to engage in ongoing dialogue. Consultation and partnerships with national and local NGOs are used to ensure that grass-roots needs are properly integrated into the realization of human rights through the

²¹ United Nations Millennium Declaration, General Assembly [resolution 55/2](#) of 8 September 2000.

Millennium Development Goals, and that the rights-based approach to development is used as the standard in all development work.

For further information on OHCHR work relating to MDGs and the rights-based approach to development, [click here](#).

4. Human rights and economic and social issues

Economic and social issues encompass a wide range of human rights, including health, housing, education, disabilities, contemporary forms of slavery and the human rights responsibilities of business. Economic, social and cultural rights are fully recognized by the international community and throughout international human rights law. However, despite significant progress in addressing human deprivation since the establishment of the United Nations, progress in economic and social human rights has been challenging. Well over one billion people suffer from extreme poverty, homelessness, hunger and malnutrition, unemployment, illiteracy and chronic ill health. More than 1.5 billion people lack access to clean drinking water and sanitation, some 500 million children do not have access to primary education, and more than one billion adults cannot read and write. This massive scale of marginalization, in spite of continued global economic growth and development, raises serious questions, not only of development, but also of basic human rights.

OHCHR undertakes work on a number of key economic and social issues, with the aim of advancing their understanding and implementation. NGO involvement is important in this work, particularly in bringing grass-roots experiences to the development of international standards.

Some key areas of work are:

Rights of persons with disabilities. OHCHR is examining measures to strengthen the protection and monitoring of the human rights of persons with disabilities. This includes encouraging the integration of disability issues in the activities of treaty-monitoring bodies and other human rights mechanisms; supporting the drawing-up of a new convention on the human rights and dignity of persons with disabilities; and strengthening collaboration with the Special Rapporteur on disability of the Commission for Social Development and other United Nations specialized agencies working on disability.

Optional protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR). OHCHR provides substantive and secretariat support to the Working Group considering options regarding the elaboration of an optional protocol to ICESCR—an open-ended working group that allows for active participation of NGOs in the development of an important enforcement mechanism for the rights set out in ICESCR. Established by the former Commission on Human Rights, this Working Group is now within the mandate of the Human Rights Council.

Slavery. The Working Group on Contemporary Forms of Slavery is a working group of the Sub-Commission of the former Commission on Human Rights, now assumed within the mandate of the Human Rights Council. It receives information from States on the steps they have taken to implement the three slavery-related conventions and provides an international platform for NGOs and victims of slavery and slavery-like practices.

Business and human rights. The responsibility of business in the area of human rights is a topic of growing international interest. OHCHR undertakes research and

consultations on this issue in collaboration with the Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises and the Sub-Commission's Working Group on the working methods and activities of transnational corporations, now within the mandate of the Human Rights Council.

Case study: NGOs working to advance the understanding and implementation of economic, social and cultural rights in the Working Group considering options regarding the elaboration of an optional protocol to the International Covenant on Economic, Social and Cultural Rights

The Commission on Human Rights established this Working Group in 2003 to consider options regarding the elaboration of an optional protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR). An optional protocol would set up a procedure—possibly by extending the competence of the Committee on Economic, Social and Cultural Rights—to consider individual communications alleging breaches under ICESCR. As this is an open-ended working group, its proceedings allow participation by all United Nations Member and non-Member States, intergovernmental organizations and any NGO that has consultative status with ECOSOC.

NGOs from around the world interested in this Working Group have formed an NGO coalition. This allows NGOs that do not have ECOSOC consultative status to have their say in the development of this important instrument. Some international NGOs have held intersessional meetings on the question of an optional protocol to ICESCR, which have stimulated wider State and civil society interest in it.

In February 2006, the Working Group considered a number of issues including the scope of rights subject to a communications procedure, reservations, admissibility criteria, friendly settlement of disputes, interim measures, the possibility of an inquiry procedure, an inter-State procedure and the relationship between an optional protocol and existing mechanisms. Along with 120 Member States, 10 individual NGOs and the NGO Coalition for an Optional Protocol to ICESCR actively participated in the Working Group and contributed informed and candid views to the discussion.

For further information on the open-ended Working Group considering options regarding the elaboration of an optional protocol to ICESCR, [click here](#).

For further information on OHCHR work relating to economic, social and cultural rights, visit the OHCHR website:

- Economic, social and cultural rights, [click here](#)
- Health: [click here](#)
- Housing: [click here](#)
- Education: [click here](#)
- Slavery: [click here](#)
- Business: [click here](#)
- Disability: [click here](#)

5. Women's human rights and gender equality

Discrimination against women, a worldwide phenomenon, undermines development efforts and results in the victimization of women. OHCHR work on women's human rights seeks to integrate gender perspectives in all United Nations peace and development activities by emphasizing women's human rights in its country engagement strategies. The Office is expanding its focus on women's human rights and gender issues through a dedicated unit. Its focus will be on:

- Encouraging and facilitating the mainstreaming of women's human rights and gender issues within all OHCHR activities and ensuring that the expert bodies serviced by OHCHR address these issues;
- Developing policies, research, analysis and advice, and coordinating and overseeing the Office's work on women's human rights and gender equality;
- Ensuring that training is provided to OHCHR staff on women's human rights and gender issues;
- Coordinating OHCHR participation in inter-agency initiatives broadly concerning women, including in the field; and
- Developing partnerships with United Nations agencies and civil society to bolster women's human rights.

6. *Anti-discrimination—World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance: implementation and follow-up*

Civil society is the prime mover of the contemporary fight against racism, racial discrimination, xenophobia and related intolerance. The role of NGOs in the follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and in the effective implementation of the Durban Declaration and Programme of Action remains essential.²² The OHCHR Anti-discrimination Unit is working towards strengthening cooperation with NGOs through:

Information sharing. Information notes on OHCHR activities related to the fight against racism, major United Nations documents on the subject and United Nations press releases are regularly distributed by OHCHR in English, French and Spanish through a list server that contains some 3000 e-mail addresses. NGOs wishing to subscribe to the list server should write to: OHCHR-NGO@list.unog.ch.

Inputs for reports to the General Assembly and the Human Rights Council. OHCHR encourages NGOs to provide information on their activities for the yearly reports presented to the General Assembly and the Human Rights Council. NGOs in consultative status with ECOSOC, as well as organizations which were accredited specifically to the World Conference, are invited to send their contributions to: ADUsecretariat@ohchr.org.

Facilitating NGO participation in Durban follow-up mechanisms. The Anti-discrimination Unit services three mechanisms created to follow up the Durban Declaration and Programme of Action. NGOs are strongly encouraged to participate and share their expertise with them:

- (a) *The group of independent eminent experts* has a mandate “to follow the implementation of the provisions of the Declaration and Programme of Action”,²³ assisting the High Commissioner for Human Rights in preparing his or her annual progress report to the Human Rights Council and the General Assembly; and supporting the High Commissioner in the assessment of existing international standards and instruments to combat racism, racial

²² The World Conference, held in Durban, South Africa, in 2001, adopted the Durban Declaration and Programme of Action (see “Report of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance”, [A/CONF.189/12](#)). This document records a commitment by States to work together to eradicate racism, racial discrimination, xenophobia and related intolerance. It is a comprehensive and action-oriented road map, offering a functional common approach to realizing the principles of equality and non-discrimination.

²³ [A/CONF.189/12](#), chap. I, Programme of Action, para. 191 (b).

discrimination, xenophobia and related intolerance with a view to preparing complementary standards.

NGOs are invited to provide information to the five eminent experts on progress in the implementation of the Durban documents through: ADUsecretariat@ohchr.org.

To find out more about the group of independent eminent experts, [click here](#).

- (b) *The Working Group of experts on people of African descent* was established by the former Commission on Human Rights in 2002 to study the problems of racial discrimination faced by people of African descent and make proposals for the elimination of racial discrimination against them. The Working Group is now within the mandate of the Human Rights Council and will be reviewed during the first year of the Council's operation. Until otherwise decided by the Council, the Working Group will continue to operate as it did under the Commission.

The active participation of NGOs in the discussions of the Working Group, such as through the presentation of background materials, has had a significant impact on the results of the Working Group's sessions. As a general rule, NGOs with ECOSOC consultative status, as well as organizations that were accredited to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, can attend the sessions of the Working Group as observers.

To participate in the Working Group of experts on people of African descent, contact:

Secretariat of the Working Group of experts on people of African descent
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
E-mail: ADUsecretariat@ohchr.org
Fax: +41 (0)22 917 90 50

To find out more about the Working Group of experts on people of African descent, [click here](#).

- (c) *The Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action* meets annually in Geneva, generally for two weeks. It was established to make recommendations on the effective implementation of the Durban Declaration and Programme of Action and to prepare complementary international standards to strengthen and update international instruments against racism in all its aspects.

As a general rule, NGOs in consultative status with ECOSOC, as well as organizations which were accredited to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, may participate as observers in the proceedings of the Intergovernmental Working Group. The Intergovernmental Working Group has adopted a flexible arrangement to encourage participation in its sessions by all those NGOs interested in and able to contribute to its work.

A questionnaire for “new” NGOs wishing to apply to participate in the sessions of the Intergovernmental Working Group is posted on the OHCHR

website. According to this procedure, all the new applications are submitted to the Group's secretariat. Once the file is complete, the secretariat sends the names and addresses of the NGOs to all Member States. If no Member State objects to the application within 14 days of the date of its circulation, the application is considered to be approved by the Group. If a Member State objects to the participation of a specific NGO, the participation of that NGO will be suspended until the procedure for resolving objections relating to the participation of specific NGOs is agreed upon by consensus.

To find out more about NGO accreditation to the Intergovernmental Working Group and to download the questionnaire, [click here](#).

7. Indigenous peoples and minorities

Indigenous peoples and minorities are active in defending their own rights internationally and specialist NGOs play an important role in supporting these activities. Over the years opportunities for representatives of these groups to participate directly in human rights meetings have grown considerably.

The Working Group on Indigenous Populations focuses on indigenous peoples' human rights. In addition, the Permanent Forum on Indigenous Issues, a high-level body based in New York, contributes to inter-agency cooperation and is open to the participation of indigenous peoples.

For more than a decade, representatives of minority groups have been able to take part in the activities of a working group established to promote the implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

Since the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, a body has been established to address Afro-descendant issues. Further information on it can be found in the section on anti-discrimination in this chapter.

Indigenous peoples, minorities and NGOs are also increasingly making use of other human rights mechanisms, such as providing information to the Special Rapporteur on indigenous people and the independent expert on minority issues²⁴ or by interacting with the treaty bodies when States parties present their periodic reports.²⁵

The Indigenous and Minorities Unit is established to ensure that these issues are fully addressed in all the promotional, protection and technical cooperation activities of OHCHR. The Unit administers funds, fellowships and programmes.²⁶ It also serves as an entry point for indigenous peoples, minorities and specialist NGOs to the work of OHCHR and mechanisms of the former Commission on Human Rights, now within the mandate of the Human Rights Council.

NGOs should note that these mechanisms will be reviewed during the first year of the Council's operation. Until otherwise decided by the Council, they will continue to operate as they did under the Commission and as set out below.

²⁴ For further information on these mechanisms, see chapter V.

²⁵ For further information on treaty bodies, see chapter VI.

²⁶ Information on the Voluntary Fund for Indigenous Populations, the Indigenous Fellowship Programme, the Minority Fellowship Programme and the Training Workshop for Minorities can be found in chapter VIII.

Indigenous peoples. In recent years, there have been significant advances in international thinking and action on indigenous issues and rights. The contribution and active engagement of local, national and international NGOs have brought indigenous issues to the forefront.

The *Working Group on Indigenous Populations* has a two-fold mandate: to review developments relating to the promotion and protection of human rights and fundamental freedoms of indigenous peoples and to give attention to the evolution of international standards concerning indigenous rights. The Working Group considers specific themes, which so far have included health; environment, land and sustainable development; education and language; the right to development; indigenous children and youth; conflict prevention and resolution.

The Working Group is one of the largest and most accessible Charter-based United Nations bodies,²⁷ which allows for indigenous peoples and NGOs working with them to share experiences and expertise and listen to the views of others. *ECOSOC consultative status is not a prerequisite, and participation is open to all representatives of indigenous peoples and their communities and organizations.*

The Voluntary Fund for Indigenous Populations can provide travel grants to facilitate the participation of indigenous representatives in these meetings. Further information on this Fund can be found in chapter VIII.

To obtain further information on indigenous issues or to participate in the Working Group, contact:

Indigenous and Minorities Unit
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
E-mail: WGindigenous@ohchr.org
Fax: +41 22 917 90 08

For further information on OHCHR work on indigenous populations, [click here](#).

Minorities. The Working Group on Minorities provides a forum for advancing the right of minorities. Established 1995, the Working Group meets once a year in Geneva. The Working Group aims at being a forum for dialogue: first, to raise awareness of the differing perspectives on minority issues and, consequently, to seek better understanding and mutual respect among minorities and between minorities and Governments. It can also act as a mechanism for hearing suggestions and making recommendations for the peaceful and constructive solution to problems involving minorities, through the promotion and protection of their rights.

The Working Group on Minorities has adopted very flexible arrangements to encourage participation in its sessions by all those interested in and able to contribute to its work. *NGOs involved in minority protection need not be in consultative status with ECOSOC to participate.*

NGOs also have an important role to play once the sessions of the Working Group are over. By referring to the Working Group's studies, conclusions and

²⁷ For further information on United Nations Charter-based bodies, see chapter I.

recommendations, NGOs may bolster their own case and bring additional pressure to bear on the authorities in their own or another country.

For further information on the Working Group on Minorities, contact:

Indigenous and Minorities Unit
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
E-mail: minorities@ohchr.org

To find out more about the Working Group on Minorities, [click here](#).

The Indigenous and Minorities Unit also organizes training workshops for persons belonging to national, ethnic, religious or linguistic minorities. These provide training on international human rights standards and United Nations human rights monitoring mechanisms, and facilitate the participation of minority representatives in the annual sessions of the Working Group.

Further information on the Training Workshop for Minorities and the Minorities Fellowship Programme can be found in chapter VIII.

8. Methodology, education and training

The development of tools, strategies and programmes on human rights methodology, education and training is core to the work of OHCHR, and aims to:

- Make human rights work by OHCHR and the United Nations, regional and national actors more effective through the development of methodology;
- Strengthen the application of human rights norms, values and skills nationally and within the United Nations through human rights education and training; and
- Manage and disseminate reference and information materials on human rights.

In the area of methodology, OHCHR works towards translating human rights law and principles into methods, approaches, standards and procedures to be applied in the conduct of human rights work by OHCHR or other actors (the *how to* of human rights work). During 2006, methodological areas under development include human rights monitoring and human rights education and training.

Human rights education, training programmes and initiatives expanded during the United Nations Decade for Human Rights Education (1995–2004) and the World Programme for Human Rights Education (since 2005). This was achieved through close cooperation with civil society. OHCHR also supports the work of NGOs in these areas through:

- Grants (for instance, to regional centres in the framework of regional or subregional initiatives or within the “Assisting Communities Together” project);
- The provision of human rights publications, including education and training materials, free of charge;²⁸
- The participation of specialized staff and other initiatives, as appropriate;
- The sharing of information and the facilitation of networking through a reference service and publicly accessible resources. These include the OHCHR resource

²⁸ For further information on OHCHR publications, see chapter IX.

collection on human rights education and training, and the OHCHR database on human rights education and training.

Details on some of these initiatives follow:

The “**Assisting Communities Together**” (**ACT**) **project** is an initiative of OHCHR, implemented in partnership with the United Nations Development Programme (UNDP), to financially support, through small grants of maximum US\$ 5,000, human rights education and training activities conceived and implemented at the grass-roots level by NGOs in selected developing countries or countries in transition. Since 1998, grants have helped to pay for:

- Organizing human rights workshops and training courses for various groups, including teachers, women, social workers, public officials and indigenous peoples;
- Building human rights awareness through cultural events, such as theatre performances, art exhibits and rock concerts;
- Producing/translating human rights materials and disseminating them through the media;
- Creating information centres for the promotion and protection of human rights;
- Developing education programmes for specific vulnerable populations such as prisoners, sex workers, HIV-positive persons, orphans, internally displaced persons; and
- Developing activities for human rights education with children and youth, such as school competitions and establishment of human rights youth clubs.

Contact details for the ACT project:

ACT Project Coordinator
MET Unit, Research and Right to Development Branch
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
E-mail: ACTProject@ohchr.org

Further information on the ACT project, including information on applying for grants, can be found in chapter VIII.

The **OHCHR resource collection on human rights education and training** is a specialized section of the OHCHR Library and includes more than 2,000 related materials from all over the world such as:

- Trainers’ guides, handbooks and manuals to integrate human rights into professional practices and to raise human rights awareness among specific groups (for example, the police, prison officials, medical professionals, women, minorities, indigenous peoples);
- Teaching resources to incorporate human rights in the education system through, for example, textbooks, curricula and guidelines for teachers/educational administrators;
- Pedagogical tools such as picture books, cartoons and games;
- Material focusing on human rights education issues at the local, national, regional and international levels;
- Reports/papers on human rights education conferences and seminars;
- Reference material (bibliographies and directories) and audio-visual material for human rights education.

These resources are publicly accessible. NGOs wishing to access materials should contact the MET Unit with their specific requests.

To request access to the resource collection, contact:

MET Unit, Research and Right to Development Branch
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland

The **OHCHR database on human rights education and training** provides information in English, French and Spanish on organizations, programmes and materials for human rights education and training, and is accessible online ([click here](#)).

For further information on OHCHR human rights education and training activities and resources, [click here](#).

For general queries concerning human rights education and training, contact:

MET Unit, Research and Right to Development Branch
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
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For further information on OHCHR publications, see chapter IX.

IV. THE HUMAN RIGHTS COUNCIL

The new Human Rights Council

On 15 March 2006 the United Nations General Assembly decided to replace the central United Nations intergovernmental body on human rights, the Commission on Human Rights, with the Human Rights Council, as a new subsidiary body of the General Assembly.²⁹ The Human Rights Council convened for the first time on 19 June 2006 and has assumed all mandates, mechanisms, functions and responsibilities of the Commission. The Council will review and, where necessary, improve and rationalize them within one year after the holding of its first session.

Until otherwise decided by the Council, the human rights mechanisms discussed in this *Handbook* (in particular the special procedures and the 1503 procedure) will continue to operate as they did under the Commission. The Council is expected to develop its own rules of procedure and modalities of operation. NGOs are encouraged to consult the OHCHR website regularly for updates (<http://www.ohchr.org>).

The Human Rights Council at a glance

What is it?

The Human Rights Council is the key United Nations intergovernmental body responsible for human rights and has assumed all mandates, mechanisms, functions and responsibilities previously entrusted to the United Nations Commission on Human Rights. OHCHR acts as the secretariat for the Human Rights Council, as it did for the Commission on Human Rights.

How does it work?

The Human Rights Council is an intergovernmental body of 47 members based in Geneva and replaces the Commission on Human Rights. While the Commission was a subsidiary organ of the Economic and Social Council (ECOSOC), the Human Rights Council is a subsidiary organ of the General Assembly. Its role, among other things, is to deal with violations of human rights, including gross and systematic violations, and promote the effective coordination and the mainstreaming of human rights within the United Nations system. The Human Rights Council will review all mandates, mechanisms, functions and responsibilities previously with the Commission, and, where necessary, improve and rationalize them.

Which NGOs can access it?

In its resolution establishing the Human Rights Council, the General Assembly acknowledges the important role played by NGOs, nationally, regionally and internationally, in the promotion and protection of human rights, and requires the participation of observers, including NGOs, in the new Council to be based on the arrangements and practices previously observed by the Commission. Consultative status with ECOSOC is therefore a requirement to participate in the work of the Council. The new Council will develop its own rules of procedures. It is expected that NGOs will continue to be active participants as they were throughout the history of the Commission.

²⁹ General Assembly [resolution 60/251](#).

NGO contacts relating to the Human Rights Council

To contact the Human Rights Council Team:

Human Rights Council Team
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Phone: +41 (0)22 917 92 56
Fax: +41 (0)22 917 90 11

To contact the NGO Liaison Officer:

OHCHR NGO Liaison Officer
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Phone: +41 (0)22 917 90 00

For requests or information relating to ECOSOC consultative status:

United Nations Department of Economic and Social Affairs Section
One UN Plaza, Room DC-1-1480
New York, NY 10017
Phone: +1 212 963 8652
Fax: +1 212 963 9248
E-mail: desangosection@un.org

A. *What is it?*

The Human Rights Council, established by General Assembly resolution 60/251 of 15 March 2006, is the key United Nations intergovernmental body responsible for human rights. For over 60 years, the United Nations Commission on Human Rights was at the centre of the United Nations human rights system and its achievements will form the foundation for the work of the Council. The Council has assumed all mandates, mechanisms, functions and responsibilities previously entrusted to the Commission.

The Commission met for the last time in March 2006, at its 62nd session. The Council convened for the first time on 19 June 2006 for two weeks. The elevation of the Human Rights Council to a subsidiary body of the General Assembly, compared with the Commission, which was a subsidiary body of ECOSOC, emphasizes that human rights is one of the three essential pillars of the United Nations: development, peace and security, and human rights are interlinked and mutually reinforcing. The creation of the Human Rights Council also affirms the General Assembly's commitment to strengthening the United Nations human rights machinery, with the aim of ensuring the effective enjoyment by all of all human rights—civil, political, economic, social and cultural rights, including the right to development.

B. *How does it work?*

Established by General Assembly resolution 60/251 on 15 March 2006, the Human Rights Council builds on the achievements of the Commission on Human Rights but seeks to strengthen further the human rights machinery at the United Nations. The work of the Human Rights Council will be guided by the principles of universality, impartiality, objectivity and non-selectivity. The resolution sets out a number of

important features and functions of the Human Rights Council.³⁰ In particular, the Council will:

- Be based in Geneva and replace the Commission. While the Commission was a subsidiary organ of ECOSOC, the new Council is a subsidiary organ of the General Assembly, emphasizing the importance of human rights in the United Nations system;
- Meet for at least three sessions each year (including a main session) for a total duration of no less than ten weeks, and shall be able to hold special sessions when needed;
- Be responsible for promoting universal respect for the protection of all human rights and fundamental freedoms. It will address situations of violations of human rights, including gross and systematic violations, and make recommendations about them. Furthermore, it will promote the effective coordination and the mainstreaming of human rights within the United Nations system;
- Serve as a forum for dialogue on thematic issues of human rights and promote the full implementation of human rights obligations by States;
- Make recommendations to the General Assembly for the further development of international law in the field of human rights;
- Undertake a universal periodic review of the fulfilment of each State of its human rights obligations and commitments, with the full involvement of the country concerned and with consideration given to its capacity-building needs;
- Contribute, through dialogue and cooperation, towards the prevention of human rights violations and respond promptly to human rights emergencies; and
- Work in close cooperation in the field of human rights with Governments, regional organizations, national human rights institutions and civil society.

Membership of the Human Rights Council consists of 47 Member States, to be elected directly and individually by secret ballot by the majority of the members of the General Assembly and based on equitable geographical distribution. Members shall serve for three years with the possibility of re-election for a second consecutive term. In electing members of the Council, the human rights record of the State will be taken into account. The General Assembly, by a two-thirds majority of the members present and voting, may suspend the rights of membership in the Council of a member that commits gross and systematic violations of human rights. Elections of the first members were held on 9 May 2006.

Furthermore, the Human Rights Council has assumed all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights in order to maintain a system of special procedures, expert advice and complaints procedure (the 1503 procedure).³¹ These mechanisms are discussed in more detail in this *Handbook*. The Council has been tasked with reviewing and, where necessary, improving and rationalizing all mandates, mechanisms, functions and responsibilities assumed from the Commission, within one year after the holding of its first session. At its first session, the Council decided to extend exceptionally for one year, subject to the review that it will undertake, the mandates and mandate-holders of all the Commission's special procedures, of the Sub-Commission on the Promotion and Protection of Human Rights as well as of the 1503 procedure.³²

³⁰ Full details of the Human Rights Council can be found in General Assembly [resolution 60/251](#).

³¹ General Assembly [resolution 60/251](#), para. 6.

³² Human Rights Council decision 2006/102.

The Council also decided to establish an open-ended intergovernmental working group to make concrete recommendations on reviewing and, where necessary, improving and rationalizing all mandates, mechanisms, functions and responsibilities in order to maintain a system of special procedures, expert advice and a complaint procedure. This will be done through open-ended, intersessional, transparent and inclusive consultations. The working group will report regularly to the Council.³³

The Council furthermore established an intersessional open-ended intergovernmental working group to develop the modalities of the universal periodic review mechanism. The working group will report regularly to the Council.³⁴

NGOs in consultative status with ECOSOC will be able to participate in both these working groups.

OHCHR will act as the secretariat of the Council throughout the year with a full-time core team. The **OHCHR NGO Liaison Officer** will assist and facilitate the participation of NGOs in the Human Rights Council.

The former Commission on Human Rights at a glance

Established in 1946 to create international legal standards to protect fundamental rights and freedoms, the Commission on Human Rights expanded over time to allow it to respond to the whole range of human rights problems. During its 60-year history, it became a forum where countries large and small, non-governmental groups and human rights defenders from around the world could voice their concerns.

Under the leadership of its first Chairperson, Eleanor Roosevelt, the Commission drafted the Universal Declaration of Human Rights, which was adopted by the United Nations General Assembly on 10 December 1948. It went on to draft the two other pillars of what has become known as the International Bill of Human Rights: the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

It also established the special procedures system, made up of independent experts, special rapporteurs, special representatives of the Secretary-General, special representatives of the High Commissioner for Human Rights and working groups, which have played a critical role in early warning and prevention of human rights violations.³⁵

The Commission was assisted by its main subsidiary body, the Sub-Commission on the Promotion and Protection of Human Rights, which it established at its first session in 1947 to further develop human rights standards by drawing its attention to certain issues and providing expert advice.³⁶

The significant role played by civil society, in particular NGOs, in the promotion and protection of human rights has been widely recognized as one of the strengths of the Commission on Human Rights. The following statistics, for example, illustrate the high degree of NGO participation in its work.

NGO participation at the 61st session of the Commission on Human Rights (March–April 2005)

³³ Human Rights Council decision 2006/104.

³⁴ Human Rights Council decision 2006/103.

<p>261 accredited NGOs, for a total of 1934 individuals 354 written statements 476 individual oral statements 61 joint oral statements 152 parallel events</p>
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C. NGO access and participation in the Human Rights Council

The mandate of the new Human Rights Council requires it to work in close cooperation with civil society. The participation of and consultation with observers (including NGOs) will be based on arrangements and practices observed by the Commission on Human Rights, in particular those set out in [ECOSOC resolution 1996/31](#) of 25 July 1996.

Some 154 NGOs in consultative status with ECOSOC were accredited as observers at the first session of the Human Rights Council. The inclusive arrangements for the participation of NGOs that had previously been observed by the Commission were successfully applied during the inaugural session of the new Council. Civil society contributed throughout all segments of the session by submitting written statements, delivering oral presentations and organizing parallel events. NGOs participated in interactive dialogues held during the Council's first session and were involved in all informal consultations held in parallel to the session.

The Human Rights Council's webpage and extranet

NGOs should regularly consult the OHCHR website and its Human Rights Council webpage ([click here](#)) for updates and further information on participating in the Human Rights Council.

In addition to the web page, an extranet page (password-protected) is available for each session of the Human Rights Council. It contains draft resolutions and decisions, informal written contributions by States and other stakeholders and oral statements made by members, observers, NGOs and other participants.

To access the Human Rights Council extranet page, NGOs must fill in the online form available on the Human Rights Council's web page. They will then receive a user name and password by e-mail.

³⁵ At the beginning of 2006, in addition to the special procedures, the Commission was assisted in its work by several working groups: the Working Group on Situations; the Working Group to consider options regarding the elaboration of an optional protocol to the International Covenant on Economic, Social and Cultural Rights; the Working Group to elaborate a draft legally binding normative instrument for the protection of all persons from enforced disappearance; the Working Group to elaborate a draft United Nations declaration on the rights of indigenous people; the Working Group on the Right to Development; and the Working Group on the Effective Implementation of the Durban Declaration and Programme of Action.

³⁶ At the beginning of 2006, seven working groups operated within the Sub-Commission to discuss issues in depth and gather a broad range of perspectives: the Working Group on Communications; the Working Group on Contemporary Forms of Slavery; the Working Group on Indigenous Populations; the Working Group on Minorities; the Working Group on Administration of Justice; and the Working Group on the working methods and activities of transnational corporations.

V. SPECIAL PROCEDURES

The new Human Rights Council

On 15 March 2006 the United Nations General Assembly decided to replace the central United Nations intergovernmental body on human rights, the Commission on Human Rights, with the Human Rights Council, as a new subsidiary body of the General Assembly.³⁷ The Human Rights Council convened for the first time on 19 June 2006 and has assumed all mandates, mechanisms, functions and responsibilities of the Commission. The Council will review and, where necessary, improve and rationalize them within one year after the holding of its first session.

Until otherwise decided by the Council, the human rights mechanisms discussed in this *Handbook* (in particular the special procedures and the 1503 procedure) will continue to operate as they did under the Commission. The Council is expected to develop its own rules of procedure and modalities of operation. NGOs are encouraged to consult the OHCHR website regularly for updates (<http://www.ohchr.org>).

Special procedures at a glance

What are they?

“Special procedures” is the general name given to the mechanisms originally established by the Commission on Human Rights to examine, monitor, advise and publicly report on a human rights situation in a specific country or on a thematic issue. Currently, there are 41 special procedures in operation, including special rapporteurs, representatives, special representatives, independent experts and working groups (all known as “special procedures mandate-holders”).

In June 2006 the new Human Rights Council replaced the Commission and assumed responsibility for the special procedures mechanisms. Within one year after the holding of its first session, the Council will review the special procedures and, where necessary, make recommendations to improve and rationalize them. Until that time, the special procedures will continue to operate as set out in this chapter.

How do they work?

Special procedures are particularly valuable because:

- They interact daily with actual and potential victims of human rights violations and advocate for the protection of their rights;
- They act upon human rights concerns either in individual cases or on more general issues through direct communications with the Government concerned;
- They undertake fact-finding missions in countries and issue thorough reports with recommendations;
- They prepare thematic studies that serve as a guide on norms and standards;
- They can raise public awareness through the media on issues within their mandates.

Unlike United Nations treaty bodies, special procedures can be activated even where the State has not ratified the relevant instrument or treaty, and it is not necessary to exhaust domestic remedies before accessing them.

Which NGOs can access them?

³⁷ General Assembly [resolution 60/251](#).

All NGOs and civil society actors, regardless of their status, can have access to special procedures.

How can NGOs work with them?

NGOs can work with special procedures by:

- (a) Submitting individual cases
- (b) Providing information and analysis on specific human rights concerns
- (c) Providing support for special procedures' country visits
- (d) Working nationally or locally to advocate, disseminate, follow up and implement the work of special procedures
- (e) Participating in the annual meeting of special procedures mandate-holders and meeting individual mandate-holders throughout the year
- (f) Inviting special procedures mandate-holders to participate in their own initiatives

How can NGOs contact special procedures mandate-holders?

By fax: +41 22 917 90 06

By e-mail: urgent-action@ohchr.org

By post: **Quick Response Desk**
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland

Please note: it is preferable that NGOs specify in the subject line of the e-mail or fax, or on the cover of the envelope, which special procedure(s) they wish to contact. As the contact address is the same for all special procedures, a clear indication of the main subject or purpose of the correspondence will allow for a more timely response. Furthermore, always indicate whether the correspondence is aimed at submitting broad information, an individual complaint, or whether it is another type of request (e.g., invitation to attend a conference, request for a meeting with the mandate-holders and/or their assistants).

A. *What are they?*

“**Special procedures**” is the general name given to the mechanisms established by the **Commission on Human Rights** to address either country-specific situations or thematic issues. The new **Human Rights Council** replaces the Commission and assumes responsibility for overseeing the operation of the special procedures mechanisms. Within one year after the holding of its first session, the Council will conduct a review of special procedures and, where necessary, make recommendations to improve and rationalize them. Until that time, the special procedures will continue to operate as set out in this chapter. NGOs should refer to the OHCHR website for any updates.

Usually, the mandates of special procedures are to examine, monitor, advise and publicly report on human rights situations in specific countries or territories (these are known as **country mandates**), or on major phenomena of human rights violations worldwide (these are known as **thematic mandates**). Under the previous supervision of the Commission, the general framework, the scope and the duration of the mandate of each special procedure were set out in a resolution of the Commission.

In June 2006, the Human Rights Council took over this function and exceptionally extended the mandates and the mandate holders for one year.

A key feature of special procedures is their ability to respond rapidly to allegations of human rights violations occurring anywhere in the world at any time. Special procedures are either individual experts who bear different titles—**special rapporteur, representative, special representative or independent expert**—or **working groups** (usually composed of five independent experts³⁸). Most **special procedures mandate-holders** were appointed by the Chairperson of the Commission. In the case of representatives of the Secretary-General and some independent experts, the mandate-holders are appointed by the United Nations Secretary-General upon the recommendations of the High Commissioner for Human Rights. In some cases, they are directly appointed by the High Commissioner for Human Rights. Mandate-holders are selected among prominent human rights experts, following consultations with regional groups.

The mandate-holders are independent, are not paid by the United Nations and serve in their personal capacity for a maximum of six years. There are currently 41 special procedures mechanisms.

The Office of the United Nations High Commissioner for Human Rights (OHCHR) provides secretariat support (substantive, administrative and operational) to the special procedures. Mandate-holders normally operate from their country of origin and are assisted by OHCHR staff in Geneva.

Special procedures mandate-holders:

- Receive and analyse information on the human rights situation from various sources on an ongoing basis;
- Network and share information with partners, both governmental and non-governmental, within and outside the United Nations;
- Seek—often urgently—clarification from Governments on alleged violations, and where required request them to implement protection measures to guarantee or restore the enjoyment of human rights;
- Raise awareness about specific human rights, situations and phenomena attesting threats to and violations of human rights;
- When specific circumstances so warrant, raise public concern through the media and other public statements;
- Undertake country visits to assess the human rights situation pertaining to their respective mandates and make recommendations to the Governments concerned with a view to improving the situation;
- Report and make recommendations to the Commission on Human Rights/Human Rights Council, and when specified in their mandates to the General Assembly (in some cases to the Security Council) on the regular activities under the mandate, on field visits as well as specific thematic trends and phenomena;
- Contribute through thematic studies to the development of authoritative norms and standards for the subject matter of the mandate, or provide legal expertise on specific issues.

³⁸ Working groups are commonly composed of five individuals, one from each of the five United Nations regional groupings: Africa; Asia; Latin America and the Caribbean; Eastern Europe; and the Western group.

To learn more about special procedures, please consult **Fact Sheet No. 27: Seventeen Frequently Asked Questions about United Nations Special Rapporteurs**. There are also fact sheets on the role and functioning of specific thematic mandates. Fact Sheet No. 29: Human Rights Defenders is particularly relevant to NGOs or [click here](#).

B. How do they work?

The specialized focus of individual special procedures means that a particular country or situation is subject to continuous examination by a mandate-holder with the support and attention of the international community.

Special procedures mandate-holders have a number of tools available to them to meet the terms of their mandates: (1) sending communications; (2) undertaking country visits; (3) publishing reports; (4) preparing thematic studies; and (5) issuing press releases.

1. Communications

One of the main activities of most of the special procedures mandate-holders consists in taking action on individual cases. When a special procedures mandate-holder receives credible information³⁹ on alleged human rights violations, he or she can send a communication, transmitted through OHCHR, to the Government concerned requesting clarification, information and comments on the allegation and requesting that preventive or investigatory action be taken.

Communications usually take the form of either “urgent appeals” or “letters of allegation”. Mandate-holders send joint communications when cases fall within the scope of more than one mandate. NGOs are encouraged to take advantage of this possibility.

Communications in 2005

- Total number of communications sent: **1,049**
- Joint communications sent: **53%**
- Total number of individuals covered: **2,545**
- Total number of countries to which communications have been sent: **137**

Urgent appeals are used to bring to the attention of a Government 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.

³⁹ Credible information refers to information that is well documented and comes from identifiable sources (see also sect. D).

Letters of allegation are a means of communicating information and request clarification about violations that are said to have already occurred. This kind of letter is used, for example, in cases where information reaches a special procedures mandate-holder after the human rights abuse has been committed.

Communications usually remain confidential between the mandate-holder and the recipient Government until the mandate-holder's report is made public, unless the mandate-holder decides to issue a press statement earlier in the process. The report contains a summary of communications sent and Government replies received, as well as observations by the special procedures mandate-holders. Previously, the report was submitted to the Commission on Human Rights at its annual session. The Human Rights Council will develop its own rules of procedure. All reports are available on the OHCHR website.

When Governments provide timely and comprehensive information, communications are a powerful tool. Failure to respond and engage in a constructive dialogue can limit their impact, although, once made public, special procedures communications can play an important role in raising awareness of human rights abuses.

2. *Country visits*

Country visits (or fact-finding missions) are an important tool available to special procedures mandate-holders in carrying out their mandates. Visits take place following a request for invitation from the mandate-holder to the Government or in response to a "standing invitation"⁴⁰ from the Government. Sometimes mandate-holders are refused an invitation to the country they wish to visit, in which case they can travel to other countries, including neighbouring countries, to get information from the closest relevant actors.

Country visits allow mandate-holders to assess the general human rights situation and/or the specific institutional, legal, judicial and administrative situation in a given country under their respective mandates. During these visits, they meet the national authorities, NGOs and other representatives of civil society, victims of human rights violations, the United Nations country team, academics, the diplomatic community and the media. On the basis of their findings, they make **recommendations** in public reports. These reports were previously submitted to the Commission. The success of these country visits is greatly enhanced by the commitment of the Government and the participation of NGOs, before, during and after the visit, to support the work of the mandate-holder.

A comprehensive and regularly updated compilation of special procedures' recommendations by country is available on the website of OHCHR.

Further information:

Details of past **country visits** or country visits that have been requested, agreed upon or confirmed are available on the OHCHR **website** ([click here](#)).

⁴⁰ A standing invitation is an open invitation extended by the Government to all thematic special procedures. By June 2006, 54 countries had extended such an invitation.

3. *Reporting to the Human Rights Council*

Under the rules of the previous Commission on Human Rights, all special procedures mandate-holders reported annually on their activities at its annual meeting. As part of the transfer of special procedures to the new Human Rights Council, the Council will develop its own rules of procedure.

Special procedures mandate-holder reports contain information on working methods, theoretical analysis, general trends and developments with regard to the mandate and may contain general recommendations. Some reports review and analyse communications transmitted to Governments and the replies received, or report on country visits undertaken that year. These reports are public and represent an authoritative tool for follow-up or advocacy in the mandate's area. All reports are available on the OHCHR website.

Some special procedures mandate-holders also report to the General Assembly.

4. *Thematic studies*

Special procedures mandate-holders can also prepare **thematic studies**, which are useful tools to guide Governments, as well as NGOs, on the normative content and implementation of human rights norms and standards. Previously, thematic studies could be initiated at the request of the Commission, its Sub-Commission or the General Assembly or at the initiative of the mandate-holder. The Human Rights Council will develop its own rules of procedure in this regard.

5. *Press releases*

Special procedures can—individually or collectively—issue **press releases** highlighting the specific situation and the international norms to be respected by a certain Government or on a certain issue. Copies of all press releases, statements and other messages issued are available on the OHCHR website.

To access the reports of special procedures mandate-holders, [click here](#). All documents are listed under the specific mandate.

C. *Which NGOs can access them?*

The special procedures mechanisms can be accessed by all NGOs and civil society actors. United Nations accreditation is not required.

In addition, unlike the United Nations treaty bodies, the mandates of the special procedures do not require ratification of the relevant instrument(s) by the State concerned and it is not necessary to exhaust domestic remedies before accessing them. Therefore, this mechanism can be used for any country or human rights issue, within the existing mandates.

D. *How can NGOs work with them?*

International, regional and national NGOs are essential participants in the system of special procedures.

Human rights NGOs have been at the forefront of the advocacy for the creation of specific mandates, as well as working with the mandate-holders once appointed. As a tool for prevention and protection, special procedures are effective only if other human rights actors, especially NGOs, actively contribute to and use this tool. The recognition of their vital and often risky role is reflected in the mandate of the Special Representative on human rights defenders established in 2000.

The United Nations Secretary-General's Special Representative on human rights defenders

Who is the Special Representative of the Secretary-General on the situation of human rights defenders?

The mandate of the Special Representative of the Secretary-General on the situation of human rights defenders was established as a special procedure mechanism in 2000 by the Commission on Human Rights, following the recognition of the vital, and often risky, role of human rights defenders around the world. The “protection” of human rights defenders is the Special Representative’s overriding concern. It is understood to include both the protection of the defenders themselves and the protection of the right to defend human rights. The mandate provides that the Special Representative’s main roles are to:

- Seek, receive, examine and respond to information on the situation and the rights of anyone, acting individually or in association with others, to promote and protect human rights and fundamental freedoms;
- Establish cooperation and conduct dialogue with Governments and other interested actors on the promotion and effective implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms;
- Recommend effective strategies to better protect human rights defenders and follow up on these recommendations.

What is a human rights defender?

A human rights defender is anybody who, individually or in association with others, is engaged in the promotion and protection of human rights.

Are NGOs human rights defenders?

National and international staff and volunteers working for NGOs that address human rights concerns around the world can be described as human rights defenders.

What is the Declaration on Human Rights Defenders?

In December 1998, the General Assembly of the United Nations adopted the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (commonly known as the “Declaration on Human Rights Defenders”). It defines the “defence” of human rights as a right in itself and recognizes any person undertaking human rights work as a “human rights defender”.

How to contact the Special Representative on human rights defenders?

NGOs can contact the Special Representative on human rights defenders at the following address:

Special Representative of the Secretary-General on the situation of human rights defenders
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Fax: +41 (0)22 917 90 06
E-mail: urgent-action@ohchr.org

How to submit an allegation of a violation against a human rights defender?

Correspondence should clearly refer to the human rights defenders mandate.

- E-mail: urgent-action@ohchr.org.
- Fax: +41 (0)22 917 90 06 (Geneva, Switzerland)
- Phone: +41 (0)22 917 12 34. This is the number for the United Nations switchboard in Geneva, Switzerland. Callers should ask to speak with staff at the Office of the United Nations High Commissioner for Human Rights dealing with the special procedures, and specifically with staff supporting the mandate of the Special Representative on human rights defenders.

*To learn more about the human rights defenders mandate, consult **Fact Sheet No. 29** or [click here](#).*

*For detailed **guidelines on how to submit allegations of violations against human rights defenders**, [click here](#).*

NGOs can **submit** individual allegations of human rights violations to the relevant special procedures mandate-holders. They can provide support for country visits and **information** and **analysis** on human rights violations to the various special procedures mandate-holders. They can also have a preventive role, providing information on the introduction of new legislation conducive to human rights violations, for instance. NGOs can play an important role in the **follow-up** to special procedures' recommendations at the national level. More broadly, NGOs can support the dissemination of the work and findings of the special procedures mandate-holders within their constituencies.

1. Submitting individual cases to special procedures mandate-holders

Individual complaint mechanisms under special procedures are one of the most effective ways of seeking direct intervention in *individual cases*. NGOs can often act as a conduit for individuals seeking protection from human rights abuses. All individuals, or NGOs acting on an individual's behalf, can submit individual cases to special procedures mandate-holders who have been mandated to receive information on human rights violations.

Communications sent and received are usually *confidential* and remain so until the mandate-holder's report is made public, unless the mandate-holder decides to issue a public statement earlier in the process. This report contains information on communications sent and replies received from Governments on specific cases. Please note that *the alleged victims are named in the reports*, except children or other specific categories of victims such as victims of sexual violence.

Given the public nature of the reports of special procedures mechanisms, it is important that organizations acting on behalf of victims of human rights violations *ensure that the victim is aware that his/her case is being transmitted to the special procedures mechanisms*, that his/her name will be communicated to the authorities and that his/her name (or initials) will appear in the public report of the special procedure. It should be noted, however, that the authorization of the victim is not required to submit the case. NGOs are encouraged to send regular updates of the information they have submitted to the special procedures mandate-holders.

Under the rules of the previous Commission, all special procedures mandate-holders submitted their reports to it at its annual meeting. The Human Rights Council will develop its own rules of procedure in this regard.

For more detailed information on complaints mechanisms for human rights violations, see chapter VII.

Additional information:

Standard **questionnaires** are available under several mandates for reporting alleged violations. Currently, the following mandates have special questionnaires:

- Working Group on Arbitrary Detention
- Working Group on Enforced or Involuntary Disappearances
- Special Rapporteur on extrajudicial, summary or arbitrary executions
- Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression
- Special Rapporteur on the human rights of migrants
- Special Rapporteur on the sale of children, child prostitution and child pornography
- Special Rapporteur on torture
- Special Rapporteur on trafficking in persons, especially in women and children
- Special Rapporteur on violence against women, its causes and consequences
- Special Representative of the Secretary-General on human rights defenders

These can be found online ([click here](#)). However, communications from individuals or NGOs will be considered even if they are not submitted in the form of a questionnaire.

To learn more about the individual complaint procedures, [click here](#).

2. **Providing support for country visits**

Country visits by special procedures mandate-holders are essential for gathering first-hand information. They are meant to allow for direct observation of the human rights situation in a specific country. International and national NGOs, members of civil society and grass-roots movements can make an important contribution at different stages of the mission.

- *Proposing a country visit*, by suggesting the visit or alerting the mandate-holder(s) to the issues in a country, can be a factor in determining whether a mandate-holder makes a particular visit. NGOs can also lobby their Government to agree to invite the mandate-holder to visit the country.
- *When a country visit has been confirmed*, it is publicized nationally through the media, through the United Nations agencies present in that country and through other key organizations. NGOs can assist by informing their members and other individuals or organizations of the visit, and encouraging their active participation in it. In many cases, NGOs form steering committees to coordinate the NGO segment of the visit.
- NGOs can submit relevant information and raise matters of concern *before the country visit* takes place so that the mandate-holders can raise the issue with the relevant authorities ahead of time and, if needed, make arrangements to include it in the official programme of the mission (e.g., by asking to have access to specific detention centres or refugee camps or by making sure to meet specific national or local authorities, or private individuals). Information should be submitted to the general special procedures contact provided at the beginning of this chapter or any specific contact given in the country visit information.
- *During the country visit*, NGOs can ask to meet the experts; this may be organized by contacting the mandate-holder by fax, post or e-mail. Local and national NGOs can also contact the United Nations country team (United

Nations Development Programme (UNDP) or other United Nations agencies), which is usually involved in the logistics of the visit. It is advisable to arrange these meetings at least one to two months in advance.

- *Implementation of recommendations*: NGOs can play a key role in following up on what is being done nationally to meet the relevant recommendations from the special procedures by:
 - *Disseminating* these recommendations to their local constituencies. By publicizing the work of special procedures, and broadly raising awareness within the national community, the media and civil society, NGOs may indirectly put Governments under pressure to meet the issued recommendations;
 - *Creating new networks* to continue the work initiated by the country visit;
 - *Directly lobbying* their Governments to implement the relevant recommendations;
 - *Locally monitoring Governments* and the steps they are taking to meet the recommendations, and keeping the mandate-holders informed.

Details of past country visits or country visits that have been requested, agreed upon or confirmed are available on the OHCHR website ([click here](#)).

Case study: visit by the Working Group on Enforced or Involuntary Disappearances to Nepal (December 2004)

The Working Group on Enforced or Involuntary Disappearances was established in 1980 to assist families in determining the fate and whereabouts of their relatives who, having disappeared, are placed outside the protection of the law. In 2004, the Working Group was alerted to a serious situation of disappearances in Nepal. The number of reported cases had increased significantly between 2002 and 2004, leading to the request for a visit by the Working Group, which took place in December 2004.

NGOs played an important role in the country visit; they advised on its planning and contributed to the gathering of information during the visit. Initially, local NGOs had worked with international NGOs to transmit individual reports of disappearances to the Working Group. Based on these cases, the Working Group transmitted more than 150 cases since August 2003 to the Government of Nepal. The information received through individual complaints as well as other reports and material submitted by NGOs were of critical importance in the decision of the Working Group to request a country visit to Nepal. International NGOs provided comprehensive analysis of the situation and met the Working Group in Geneva before the mission.

Local NGOs were very active in supporting the visit. Many contacted the UNDP-Nepal office, which was responsible for organizing the country visit. During the visit, the delegation met a large number of representatives from the Government and civil society. Funds were provided for NGO representatives from the regions to travel to Kathmandu for meetings with the Working Group.

As a result of the professionalism and commitment of the members of Nepalese civil society, the Working Group was able to gather high-quality and up-to-date information on the situation in Nepal during its visit there. The Working Group was able to make 10 specific recommendations, which NGOs are now able to use in their ongoing advocacy work and in monitoring the progress of the Government of Nepal in meeting its obligations under international standards.

Source: Addendum to the Report of the Working Group on Enforced or Involuntary Disappearances: Mission to Nepal, 6–14 December 2004 (E/CN.4/2005/65/Add.1).

3. *Providing information to special procedures mandate-holders*

NGOs can bring information on a specific human rights situation in a particular country or on its laws and practice with human rights implications to the attention of the special procedures. At times, mandate-holders may also request specific information on a topic falling within their mandates or hold special consultations with NGOs on their mandates.

For example, for the preparation of the 2005 thematic report by the Special Rapporteur on the sale of children, child prostitution and child pornography, both Governments and NGOs were asked to provide information on child pornography on the Internet, through questionnaires posted on the OHCHR website.

Case study: Special Rapporteur on violence against women, its causes and consequences – NGO partnerships for regional consultations on violence against women (2002)

The 2002 annual report of the Special Rapporteur contained a detailed review of international, regional and national developments and best practices for combating violence against women over the 1994–2003 period. To compile the report, the Special Rapporteur had requested information on efforts to eliminate violence against women from a range of organizations, including NGOs.

To support this process of information gathering, the Asia Pacific Forum on Women, Law and Development (APWLD), a regional NGO promoting women's rights, organized a consultation between women's groups from the Asia-Pacific region and the Special Rapporteur in 2002. At the consultation, women's groups working to eliminate violence against women reviewed progress over the past decade. The analysis highlighted globalization and growing fundamentalism as being critical influences on the causes and consequences of violence against women in the Asia-Pacific region. The consultations gave the Special Rapporteur direct access to local women's groups with first-hand information on violations and best practices. At the same time, the women's groups benefited from direct exposure to the special procedures mechanism and the ability to share information with other NGOs.

The collective analysis that emerged from these consultations provided important input into the report of the Special Rapporteur. For APWLD, the analysis formed the basis of its violence against women programme in 2003. APWLD continues to work with the Special Rapporteur as a key mechanism to enforce women's rights in the region. This work has resulted in increased communications to the Special Rapporteur from the Asia-Pacific region, making the problem of violence against women more visible and able to be confronted.

The Special Rapporteur repeated her regional consultation in the Asia-Pacific region in 2004 and 2005, and undertook regional consultations in Africa and Central Asia in partnership with human rights NGOs. More regional consultations are planned.

4. *Working regionally, nationally or locally to advocate, disseminate, follow up and implement the work of special procedures*

The ongoing work of special procedures mandate-holders, including their reports and recommendations, provides valuable material that national and international NGOs can integrate into their ongoing advocacy work. For example:

- *Implementing special procedures' recommendations at the national level:* follow-up advocacy to implement special procedures' recommendations, especially after

a country visit, is an important role that NGOs can fulfil to enforce human rights. NGOs may take action to monitor the Government's progress in implementing recommendations or fulfil the recommendations themselves.

- *National or local standard-setting*: international standards, model laws or best practices documented by special procedures mandate-holders can be used by NGOs to raise awareness of a particular issue, to campaign for improved national or local standards or to act as a benchmark to interpret national laws.
- *Tools for the development of operational guidelines*: the work of a special procedure mandate-holder can provide detailed material on rights and obligations that organizations can use to develop internal guidelines of operation. For example, the work of the Special Rapporteur on the right to education provides valuable guidelines for educational institutions. The work of the Special Rapporteur on torture can be used by detention centres and prisons in developing internal training and operational standards. The work of the Special Rapporteur on violence against women, its causes and consequences can provide valuable definitions of violence against women, their causes and best practices for eliminating them. These can be used in schools, prisons, women's shelters or other organizations seeking to create safe conditions for women.

Case study: Special Rapporteur on housing – NGO partnerships to support the mandate on the right of women to housing (2002)

In 2002, the Special Rapporteur on housing in collaboration with the United Nations Human Settlements Programme (UN-HABITAT) in Nairobi organized a special consultation with NGOs on the right to housing. This consultation was highly successful and culminated in the creation of a special mandate for the Special Rapporteur: on women and housing.

The success of this first consultation led to a series of regional consultations based on the new mandate. Consultations were organized in India, Mexico, Egypt, Fiji, the United States of America, Hungary and Spain by NGO implementing partners. Grass-roots partners were invited to two days of training on the issue of women and housing followed by two days of consultations.

As a result of these regional consultations, a committed network of grass-roots organizations and NGO representatives was formed around the issue of women and housing. After the regional consultations, many participating NGOs organized national consultations and advocacy programmes to take the results of this work to the national level.

The Special Rapporteur also visited Kenya and Brazil. Civil society was very active in planning and participating in these visits. In each country, civil society forums took place where testimonials relating to the mandate were given. These forums made a significant impact, empowering participants, sharing information and strategies, and building new networks among organizations and individuals. The information gathered allowed the Special Rapporteur to make more effective and specific recommendations, providing NGOs with better advocacy tools in the future.

From these consultations and the subsequent work of NGOs, the Special Rapporteur on housing gathered a wealth of information on the issue of women and housing and on the links between this issue and violence against women, inheritance rights and traditional practices. The information and support received from grass-roots organizations have illustrated the need to work closely with both civil and political rights, and economic, social and cultural rights. This information will be used by the Special Rapporteur to produce an in-depth study and further the understanding and realization of the right to housing by women.

5. Meeting with special procedures mandate-holders

Special procedures mandate-holders are available for meetings with NGOs as part of their consultations in Geneva, New York (for those attending the General Assembly) and during their country visits. These meetings are particularly important to help build an ongoing partnership between mandate-holders and NGOs. The staff servicing mandate-holders at OHCHR can be contacted throughout the year to arrange these meetings.

NGOs can also invite special procedures mandate-holders to participate in various initiatives relevant to their mandates.

E. Additional information

There are currently 41 special procedures mechanisms. These are listed below. However, it is advisable to check the current list on the OHCHR website (<http://www.ohchr.org>), which will also provide information on their scope and dates.

Thematic mandates

Title / Mandate	Mandate established		Mandate extended*	
	in	by	in	By
Special Rapporteur on adequate housing as a component of the right to an adequate standard of living	2000	Commission resolution 2000/9	2003	Commission resolution 2003/27 (for 3 years)
Working Group of experts on people of African descent	2002	Commission resolution 2002/68	2003	Commission resolution 2003/30 (for 3 years)
Working Group on Arbitrary Detention	1991	Commission resolution 1991/42	2003	Commission resolution 2003/31 (for 3 years)
Special Rapporteur on the sale of children , child prostitution and child pornography	1990	Commission resolution 1990/68	2004	ECOSOC decision 2004/285 (for 3 years)
Special Rapporteur on the right to education	1998	Commission resolution 1998/33	2004	Commission resolution 2004/25 (for 3 years)
Working Group on Enforced or Involuntary Disappearances	1980	Commission resolution 20 (XXXVI)	2004	Commission resolution 2004/40 (for 3 years)
Special Rapporteur on extrajudicial, summary or arbitrary executions	1982	Commission resolution 1982/35	2004	Commission resolution 2004/37 (for 3 years)

Independent expert on the question of human rights and extreme poverty	1998	Commission resolution 1998/25	2004	Commission resolution 2004/23 (for 2 years)
Special Rapporteur on the right to food	2000	Commission resolution 2000/10	2003	Commission resolution 2003/25 (for 3 years)
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression	1993	Commission resolution 1993/45	2005	Commission resolution 2005/38 (for 3 years)
Special Rapporteur on freedom of religion or belief	1986	Commission resolution 1986/20	2004	Commission resolution 2004/36 (for 3 years)
Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health	2002	Commission resolution 2002/31	2005	Commission resolution 2005/24 (for 3 years)
Special Representative of the Secretary-General on the situation of human rights defenders	2000	Commission resolution 2000/61	2003	Commission resolution 2003/64 (for 3 years)
Special Rapporteur on the independence of judges and lawyers	1994	Commission resolution 1994/41	2003	Commission resolution 2003/43 (for 3 years)
Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people	2001	Commission resolution 2001/57	2004	Commission resolution 2004/62 (for 3 years)
Representative of the Secretary-General on the human rights of internally displaced persons	2004	Commission resolution 2004/55 (for 2 years)		
Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination	2005	Commission resolution 2005/2 (for 3 years)		
Special Rapporteur on the human rights of migrants	1999	Commission resolution 1999/44	2005	Commission resolution 2005/47 (for 3 years)
Independent expert on minority issues	2005	Commission resolution 2005/79 (2 years)		
Special Rapporteur on contemporary forms of racism , racial discrimination, xenophobia and related	1993	Commission resolution 1993/20	2005	Commission resolution 2005/64 (for 3 years)

intolerance				
Independent expert on human rights and international solidarity	2005	Commission resolution 2005/55 (for 3 years)		
Independent expert on the effects of structural adjustment policies and foreign debt	2000	Commission resolution 2000/82	2003	Commission resolution 2003/21 (for 3 years)
Special Rapporteur on the promotion and protection of human rights while countering terrorism	2005	Commission resolution 2005/80 (for 3 years)		
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment	1985	Commission resolution 1985/33	2004	Commission resolution 2004/41 (for 3 years)
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	1995	Commission resolution 1995/81	2004	Commission resolution 2004/17 (for 3 years)
Special Rapporteur on the human rights aspects of trafficking in persons , especially in women and children	2004	Commission resolution 2004/110 (for 3 years)		
Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises	2005	Commission resolution 2005/69 (for 2 years)		
Special Rapporteur on violence against women , its causes and consequences	1994	Commission resolution 1994/45	2003	Commission resolution 2003/45 (for 3 years)
*At its first session in June 2006, the Human Rights Council extended all mandates and mandate-holders exceptionally for one year, subject to the review that it will undertake in conformity with General Assembly resolution 60/251.				

Specific details of mandates, requirements for individual complaints, reports produced and country visits for each special procedure can be found on the OHCHR website ([click here](#)).

Country mandates

Title / Mandate	Mandate established		Mandate extended*	
	in	by	in	by
Special Rapporteur on the situation of human rights in Belarus	2004	Commission resolution 2004/14 <i>(duration of mandate not specified)</i>	2005	Commission resolution 2005/13 <i>(for 1 year)</i>
Independent expert on the situation of human rights in Burundi	2004	Commission resolution 2004/82 <i>(duration of mandate not specified)</i>	2005	Commission resolution 2005/75 <i>(for 1 year)</i>
Special Representative of the Secretary-General for human rights in Cambodia	1993	Commission resolution 1993/6	1995	Commission resolution 1995/55 <i>(duration of mandate not specified)</i>
Personal Representative of the High Commissioner for Human Rights on the situation of human rights in Cuba	2002	Commission resolution 2002/18 <i>(duration of mandate not specified)</i>		
Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea	2004	Commission resolution 2004/13 <i>(duration of mandate not specified)</i>	2005	Commission resolution 2005/11 <i>(for 1 year)</i>
Independent expert on the situation of human rights in the Democratic Republic of the Congo	2004	Commission resolution 2004/84 <i>(duration of mandate not specified)</i>	2005	Commission resolution 2005/85 <i>(for 1 year)</i>
Independent expert appointed by the Secretary-General on the situation of human rights in Haiti	1995	Commission resolution 1995/70 <i>(duration of mandate not specified)</i>		
Independent expert on the situation of human rights in Liberia	2003	Commission resolution 2003/82 <i>(for 3 years)</i>		
Special Rapporteur on the situation of human rights in Myanmar	1992	Commission resolution 1992/58	2005	Commission resolution 2005/10 <i>(for 1 year)</i>

Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967	1993	Commission resolution 1993/2 A (<i>“until the end of the Israeli occupation”</i>)		
Independent expert appointed by the Secretary-General on the situation of human rights in Somalia	1993	Commission resolution 1993/86	2005	Commission resolution 2005/83 (for 1 year)
Special Rapporteur on the situation of human rights in the Sudan	2005	Commission resolution 2005/82 (<i>for 1 year</i>)		
Independent expert on the situation of human rights in Uzbekistan (<i>1503 procedure</i>)	2005	This procedure is confidential (<i>for 1 year</i>)		
*At its first session in June 2006, the Human Rights Council extended all mandates and mandate-holders exceptionally for one year, subject to the review that it will undertake in conformity with General Assembly resolution 60/251.				

Specific details of mandates, requirements for individual complaints, reports produced and country visits for each special procedure can be found on the OHCHR website ([click here](#)).

VI. TREATY BODIES

Treaty bodies at a glance

What are they?

The treaty bodies are the committees of independent experts that monitor the implementation of the provisions of the core United Nations human rights treaties by States parties. They do this primarily by reviewing the implementation reports submitted periodically by States parties. Some treaty bodies also have a mandate to receive individual complaints and conduct inquiries.

How do they work?

In addition to its obligation to implement the substantive provisions of the treaty, each State party is under an obligation to submit regular reports on how the rights in the treaties to which it is a party are being implemented. The relevant treaty committee considers these reports in the light of all information including that provided by other organizations, such as NGOs, NHRIs and United Nations entities, and through oral and written questions to the State party. Based on this process, the committee adopts what are generally known as “concluding observations”, which refer to positive aspects of a State’s implementation of the treaty and areas where the treaty body recommends the State to take further action.

In addition to considering States parties’ reports, treaty bodies exercise other monitoring functions to strengthen the implementation of the treaties:

- The Human Rights Committee, the Committee on the Elimination of Racial Discrimination, the Committee against Torture, the Committee on the Elimination of Discrimination against Women and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families may consider complaints or communications from individuals, or groups of individuals in the case of the Committee on the Elimination of Discrimination against Women, who believe their rights have been violated by a State party. Within these complaint mechanisms, treaty bodies can adopt interim measures in urgent cases to preserve a situation until they can make a final decision on the matter.
- The Committee against Torture and the Committee on the Elimination of Discrimination against Women may initiate inquiries if they have received reliable information containing well-founded indications of serious, grave or systematic violations of the conventions in a State party.
- The Committee on the Elimination of Racial Discrimination has developed procedures relating to early warning measures and urgent action.
- Treaty bodies also adopt general comments and convene thematic discussions on a particular subject to provide substantive guidance on implementation.

Which NGOs can access them?

Any NGO working within the field of the human rights contained in each treaty can interact with treaty bodies. NGOs are usually not required to be in consultative status with ECOSOC in order to work with treaty bodies.

How can NGOs work with them?

Working with treaty bodies has proved to be an effective way for NGOs to contribute to the implementation of human rights and the development of concrete human rights guidelines. There are a number of ways in which NGOs can work with treaties and treaty bodies:

- Promoting the ratification of a treaty
- Monitoring compliance by States parties with the reporting obligations
- Submitting written information and material, including in an NGO report
- Depending on the rules of the treaty body, participating in its sessions as observers or through NGO oral submissions
- Following up on treaty bodies’ concluding observations
- Submitting an individual complaint to treaty bodies (Human Rights Committee, Committee on the Elimination of Discrimination against Women, Committee against Torture, Committee on the Elimination of Racial Discrimination and Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families)

- Providing information to help confidential inquiries (Committee against Torture and Committee on the Elimination of Discrimination against Women)
- Providing information for early warning and urgent procedures (Committee on the Elimination of Racial Discrimination)
- Making submissions to the annual meeting of chairpersons

How can NGOs contact treaty bodies?

All the committees except the Committee on the Elimination of Discrimination against Women can be contacted through the Office of the United Nations High Commissioner for Human Rights in Geneva at:

[Name of the committee]
c/o Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Fax: +41 (0)22 917 90 22

The Committee on the Elimination of Discrimination against Women can be contacted through the United Nations Division for the Advancement of Women in New York at:

Committee on the Elimination of Discrimination against Women
c/o Division for the Advancement of Women
Department of Economic and Social Affairs
United Nations Secretariat
2 United Nations Plaza, DC-2/12th Floor
New York, NY 10017, United States of America
Fax: +1 212 963 3463
E-mail: daw@un.org

NGOs wanting to submit information to the Committee on the Rights of the Child should also contact the NGO Group for the Convention on the Rights of the Child:

NGO Group for the Convention on the Rights of the Child
c/o Defence for Children International
1, rue de Varembe
P.O. Box 88
CH–1211 Geneva 20
Switzerland
Phone: +41 (0)22 740 47 30
Fax: +41 (0)22 740 11 45
E-mail: ngo-crc@tiscalinet.ch
Website: <http://www.crin.org/NGOGroupforCRC>

NGOs wishing to submit information to the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families should also contact the International NGO Platform for the Migrant Workers Convention:

International NGO Platform for the Migrant Workers Convention
c/o December 18
P.O. Box 22
B–9820 Merelbeke
Belgium
Phone: +32 (0)9 324 0092
E-mail: info@december18.net
Website: <http://www.december18.net>

A. *What are they?*

1. *Treaty bodies: monitoring the core international human rights instruments*

The seven international human rights treaties monitored by treaty bodies create legal obligations for States to promote and protect human rights. When a country accepts one of these treaties through ratification or accession, it assumes the legal obligation to implement the rights set out in that treaty. With the exception of the International Covenant on Economic, Social and Cultural Rights (ICESCR), each treaty creates an **international committee of independent experts**,⁴¹ a so-called treaty body, to monitor the implementation of its provisions in those countries that have ratified or acceded to it (and have therefore become States parties). The size of the committees varies from 10 to 23 independent experts, with recognized competence in the field of human rights and nominated and elected by States parties for fixed, renewable terms of four years.

Some treaties are supplemented by **optional protocols**, which States parties to the treaty may ratify.⁴² Optional protocols normally contain provisions regarding a specific issue and/or allow for specific procedures, e.g., individual complaints or inquiries.

Ratification of the human rights treaties by States has increased significantly over the past years.⁴³ Today, the United Nations treaty body system plays a pivotal role in strengthening the protection of human rights at the national level.

All treaty bodies except one are serviced by the Treaties and Follow-up Unit of the Treaties and Council Branch of the Office of the United Nations High Commissioner for Human Rights (OHCHR). The one exception is the Committee on the Elimination of Discrimination against Women, which is serviced by the Division for the Advancement of Women of the Department of Economic and Social Affairs in New York. The Treaties and Follow-up Unit and the Division for the Advancement of Women receive submissions, reports and correspondence for the treaty bodies, prepare reports, carry out research, provide technical cooperation, guidance and advice to States parties, organize meetings and undertake any other logistical work required by the treaty bodies.

⁴¹The International Covenant on Economic, Social and Cultural Rights does not explicitly provide for the creation of a treaty body, but gives ECOSOC a general mandate to monitor its implementation. In 1985, a sessional working group established by ECOSOC to assist in the consideration of States parties' reports was reconstituted on the model of the treaty bodies and renamed the "Committee on Economic, Social and Cultural Rights" (ECOSOC [resolution 1985/17](#) of 28 May 1985). The Committee, which first met in 1987, is regarded as a treaty body.

⁴²Note that a State can ratify the Optional Protocols to the Convention on the Rights of the Child if it is a signatory to the Convention but has not ratified it. The United States of America has signed but not ratified the Convention and is a party to both Optional Protocols.

⁴³By June 2006, there were 192 States parties to the Convention on the Rights of the Child; 183 to the Convention on the Elimination of All Forms of Discrimination against Women; 170 to the International Convention on the Elimination of All Forms of Racial Discrimination; 156 to the International Covenant on Civil and Political Rights; 153 to the International Covenant on Economic, Social and Cultural Rights; 141 to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and 34 to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

2. Treaty body mandates

The primary mandate, common to all of the committees, is to **monitor the implementation of the relevant treaty** by reviewing the reports submitted periodically by States parties. Once a State has ratified a treaty, in addition to its obligation to implement the substantive provisions of the treaty, it assumes the obligation to submit **periodic reports** to the treaty-monitoring body concerning the measures taken towards implementation.

Five of the treaty bodies are entitled to consider **individual complaints** where States have accepted this procedure. They are the Committee on the Elimination of Racial Discrimination, the Human Rights Committee, the Committee against Torture, the Committee on the Elimination of Discrimination against Women and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families. Two may also conduct **confidential inquiries** into alleged violations of their treaty's terms, except where the State party has opted out of this procedure. They are the Committee against Torture and the Committee on the Elimination of Discrimination against Women.

Treaty-monitoring bodies and optional protocols	
Treaty-monitoring body	Optional protocols
International Covenant on Civil and Political Rights (ICCPR) (adopted 1966)	
Human Rights Committee, established in 1977 <ul style="list-style-type: none"> • Considers reports under ICCPR • Receives individual complaints under the first Optional Protocol 	Optional Protocol to the International Covenant on Civil and Political Rights, allowing for individual complaints, adopted in 1966 Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, adopted in 1989
International Covenant on Economic, Social and Cultural Rights (ICESCR) (adopted 1966)	
Committee on Economic, Social and Cultural Rights, established in 1985 <ul style="list-style-type: none"> • Considers reports under ICESCR 	No optional protocol
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) (adopted 1965)	
Committee on the Elimination of Racial Discrimination, established in 1970 <ul style="list-style-type: none"> • Considers reports under ICERD • Receives individual complaints under article 14 of ICERD (optional procedure) 	No optional protocol
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)* (adopted 1979)	
Committee on the Elimination of Discrimination against Women, established in 1982 <ul style="list-style-type: none"> • Considers reports under CEDAW • Receives individual complaints and may conduct inquiries under the Optional Protocol 	Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, allowing for individual complaints and inquiries, adopted in 1999

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)* (adopted 1984)	
<p>Committee against Torture, established in 1987</p> <ul style="list-style-type: none"> • Considers reports under CAT • May conduct inquiries under article 20 and receives individual complaints under article 22 (optional procedure) 	<p>Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, establishing national and international monitoring mechanisms, adopted in 2002</p>
Convention on the Rights of the Child (CRC)* (adopted 1989)	
<p>Committee on the Rights of the Child, established in 1991</p> <ul style="list-style-type: none"> • Considers reports under CRC and the Optional Protocols 	<p>Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, adopted in 2000</p> <p>Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, adopted in 2000</p>
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW) (adopted 1990)	
<p>Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, established in 2004</p> <ul style="list-style-type: none"> • Considers reports under ICMW • Receives individual complaints under article 77 of ICMW (optional procedure, not yet in force) 	<p>No optional protocol</p>
<p>* This abbreviation is often used to refer to the Committee as well as to the Convention.</p>	

More information about the international human rights treaties and their treaty bodies is available on the OHCHR [website \(click here\)](#) or in the following OHCHR fact sheets:

- No. 10 (Rev.1): The Rights of the Child
- No. 12: The Committee on the Elimination of Racial Discrimination
- No. 15 (Rev.1): Civil and Political Rights: The Human Rights Committee
- No. 16 (Rev.1): The Committee on Economic, Social and Cultural Rights
- No. 17: The Committee against Torture
- No. 22: Discrimination against Women: The Convention and the Committee
- No. 24 (Rev.1): The International Convention on Migrant Workers and its Committee
- No. 30: The United Nations Human Rights Treaty System: An introduction to the core human rights treaties and the treaty bodies
- No. 7 (Rev.1): Complaint Procedures

OHCHR fact sheets are available online ([click here](#)).

To learn more about the **working methods of treaty bodies relating to the State party reporting process**, see the Report on the working methods of the human rights treaty bodies relating the State party reporting process ([HRI/MC/2005/4](#)).

OHCHR has produced a training tool on the work of the treaty bodies in the form of a DVD, which will be distributed widely and be available upon request from July 2006 from the OHCHR Publications Desk (for further information, see chapter IX).

B. *How do they work?*

The treaty bodies perform a number of functions to monitor how the treaties are implemented by States parties. In this section, the work of the seven treaty bodies is discussed together. However, it should be noted that each treaty body is an independent committee of experts with a mandate to monitor the implementation of a specific treaty. Although the treaty bodies coordinate their activities, procedures and practices may differ from committee to committee. Some of the key differences relevant to the work of NGOs are set out in section E of this chapter.

1. *Consideration of States parties' reports by the treaty bodies*

In addition to its obligation to implement the substantive provisions of the treaty, each State party is under an obligation to submit regular reports to the relevant treaty body on how it is implementing these rights. The reports must set out the legal, administrative, judicial and other measures that the State has adopted to implement the treaty provisions and provide information on the difficulties it has encountered.

States parties must submit an initial report, usually one year after the entry into force of the treaty in the State concerned. The periodicity of subsequent reports varies from two to five years depending on the treaty provisions and the decisions taken by the committees. Several committees accept combined reports. To determine when the next report of a State party is due, the concluding comments of the relevant treaty body and the State party's most recent report should be consulted.

States parties are encouraged to see the process of preparing their reports for the treaty bodies, not only as the fulfilment of an international obligation, but also as an opportunity to take stock of the state of human rights protection within their countries for the purpose of policy planning.

After receiving a State party's report and other information and before the session at which it will consider the report, the relevant committee prepares **a list of issues** and questions for that State party. Depending on the treaty body, this list is drawn up either in a pre-sessional working group or in plenary. Sometimes the State party may submit its responses to this list in writing. These written responses supplement the original report and are especially important when there has been a long delay between the report's submission and the committee finally being able to take it up.

The Committee on the Elimination of Discrimination against Women, the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child convene a one-week pre-sessional working group to prepare lists of issues and questions with respect to the reports of States parties which they are due to consider. The Human Rights Committee and the Committee against Torture also convene pre-sessional working groups, but they deal only with individual complaints and have no role in drawing up the lists of issues. The Human Rights Committee assigns this to its country report task forces (CRTFs), which meet during the session before the one during which the report is to be examined. The Committee on the Elimination of Racial Discrimination has no pre-sessional working group. Most committees appoint one of their members to act as country rapporteur to take the lead in drawing up the list of issues for a specific country.

In addition to the State party's report, the treaty bodies may receive information on the implementation of treaty provisions from other sources, including United Nations agencies, other intergovernmental organizations, NGOs (both national and international), academic institutions and the press.

During the formal consideration of the report, States parties are invited to the committee's session to respond to its members' questions and provide additional information. The aim is to engage in a constructive dialogue in order to assist the Government in its efforts to implement the treaty as fully and effectively as possible. Treaty bodies are not judicial bodies, but were created to monitor the implementation of the treaties and provide encouragement and advice to States.

After considering the reports from the States parties and any other information they have received, treaty bodies adopt what are generally known as **concluding observations**,⁴⁴ which refer to both positive aspects of a State's implementation of the treaty and areas where the treaty body recommends the State to take further action. In subsequent reports, it will be important for the State party to report back to the committee on the steps taken to implement these recommendations, as well as the treaty's provisions.

2. Consideration of complaints from individuals claiming that their rights have been violated by a State party

Five of the treaty bodies (Human Rights Committee, Committee on the Elimination of Racial Discrimination, Committee against Torture, Committee on the Elimination of Discrimination against Women and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families) may, in certain circumstances, consider complaints or communications from individuals who believe their rights have been violated by a State party. This procedure is optional for States parties: a treaty body cannot consider complaints relating to a State party unless that State has expressly recognized the competence of the treaty body to do so, either by a declaration under the relevant treaty article or by accepting the relevant optional protocol.

Detailed information about individual complaints to treaty bodies (also called petitions), including advice and instructions on how to complain, can be found on the OHCHR website ([click here](#)). Individual complaints are discussed in more detail in chapter VII.

3. Inquiries

Two of the treaty bodies—the Committee against Torture and the Committee on the Elimination of Discrimination against Women—may themselves initiate inquiries if they have received reliable information containing well-founded indications of serious, grave or systematic violations of the conventions in a State party. Inquiries may not be undertaken with respect to States parties that have explicitly excluded the competence of the relevant committee in this regard.⁴⁵

The inquiry procedure is confidential and the cooperation of the State party must be sought throughout the proceedings. Further information on inquiries can be found in Fact Sheet No. 30.

⁴⁴ Also referred to as “concluding comments” by some committees in accordance with the wording of their treaties.

⁴⁵ State parties to CAT may opt out at the time of ratification or accession by making a declaration under article 28; States parties to the Optional Protocol to CEDAW may similarly exclude the competence of the Committee by making a declaration under article 10. Any State which opts out of the procedure may decide to accept it at a later stage.

4. Early warning and urgent action procedures (Committee on the Elimination of Racial Discrimination)

Since 1993, the Committee on the Elimination of Racial Discrimination has developed procedures relating to early warning and urgent action.⁴⁶ The former are directed at preventing existing problems in States parties from escalating into new conflict or preventing a resumption of conflict; the latter aim to respond to problems requiring immediate attention to prevent or limit the scale or number of serious violations of the Convention. In practice, these procedures are used simultaneously. They may be invoked by the Committee itself or by interested parties such as NGOs.

5. General comments

Each of the treaty bodies publishes its interpretation of the provisions of the human rights treaty it monitors in the form of general comments (the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women use the term “general recommendations”). The purpose of the general comments is to provide guidance on the implementation of a convention. They cover a variety of subjects ranging from comprehensive interpretation of substantive provisions to general guidance on the information on specific articles of the treaty that States should submit in their reports. The general comments and general recommendations adopted by the treaty bodies are compiled and updated regularly (see latest revision of document [HRI/GEN/1](#)).

6. Days of general discussion/thematic debates

A number of treaty bodies hold days of general discussion on a particular theme or issue of concern to them. These thematic discussions are usually open to external participants, such as United Nations partners, delegations from States parties, NGOs and individual experts. Their outcome may assist the treaty body in the drafting of a new general comment. It can also help States and other stakeholders understand the treaty’s requirements. Information on upcoming days of discussion is posted on the OHCHR website.

7. Treaty body reform

The United Nations system is currently going through a historical reform process to make its mechanisms and institutions more efficient and effective. In his 2002 reform report “Strengthening of the United Nations: an agenda for further change”,⁴⁷ the Secretary-General called for a more coordinated approach to reporting, the adoption by treaty bodies of streamlined working methods and procedures, and harmonized reporting guidelines, and he suggested that States could be allowed to submit a single report outlining implementation of the treaties to which they were a party. Progress has been made in harmonizing treaty-body working methods and procedures, and treaty bodies are adopting these on a “best practice” basis. Work in this area is continuing, as is work to streamline reporting requirements using an *expanded core document* and targeted treaty-specific reports.

In his report “In larger freedom: towards development, security and human rights for all,”⁴⁸ the Secretary-General re-emphasized the need to streamline and strengthen the treaty-body system and called for the implementation of harmonized guidelines

⁴⁶ See [A/48/18](#), annex III.

⁴⁷ [A/57/387](#) and [Corr.1](#).

⁴⁸ [A/59/2005](#).

on reporting to all treaty bodies, so that they can operate as a unified system. In her Plan of Action,⁴⁹ the High Commissioner reiterated this call, but made clear that, in the long term, the work of the treaty bodies should be further consolidated, including through the creation of a unified treaty body. A concept paper discussing this proposal is available and stakeholders are being widely consulted in this process.⁵⁰

For further information on the treaty body reform, [click here](#).

8. The extranet

Currently, OHCHR uses an extranet for recording and disseminating information provided to three treaty bodies: the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Human Rights Committee and the Committee against Torture. The extranet for each treaty body records details of State reports, NGO reports, information relating to its meetings and other relevant information. Currently, NGOs receive a password to access the extranet when they submit information to the treaty body. It is envisaged that the information on the extranet will be made available on the Internet, thus providing unrestricted access.

C. Which NGOs can access them?

Any NGO working within the field of the human rights contained in each treaty can interact with the treaty bodies. NGOs are usually not required to be in consultative status with the Economic and Social Council (ECOSOC) in order to work with treaty bodies.

Access to some treaty-body meetings requires accreditation or consultative status with ECOSOC. These requirements are set out in section E of this chapter.

D. How can NGOs work with them?

Working with treaty bodies has proved to be a very effective way for NGOs to contribute to the implementation of human rights and the development of concrete human rights guidelines. NGOs are encouraged to contribute to the reporting procedure under human rights treaties. Treaty bodies value the information provided by NGOs at the various stages of the reporting cycle for use in treaty processes such as submissions, petitions, inquiries or early warning. NGOs may also submit information about alleged violations of certain treaties.

The modalities for NGO interaction vary from one treaty body to another. The following diagram indicates how NGOs can officially interact with each treaty body at present. Please note that provisions for individual complaints require States parties to have recognized the committees' competence to receive such complaints.

⁴⁹ [A/59/2005/Add.3](#).

⁵⁰ See *Concept paper on the High Commissioner's proposal for a unified standing treaty body* ([HRI/MC/2006/2](#)).

	Written submission	Oral submission during pre-session period	Oral submission during session	Participation in sessions as observers	Individual complaints (petitions)	Confidential inquiries	Early warning and urgent action procedures
Human Rights Committee	✓		✓	✓	✓		
Committee on Economic, Social and Cultural Rights	✓	✓	✓	✓			
Committee on the Elimination of Racial Discrimination	✓			✓	✓		✓
Committee on the Elimination of Discrimination against Women	✓	✓	✓	✓	✓	✓	
Committee against Torture	✓		✓	✓	✓	✓	
Committee on the Rights of the Child	✓	✓		✓			
Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families	✓		✓	✓	✓		

The Convention on the Rights of the Child (CRC) and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW) expressly envisage a role for “other competent bodies”, including NGOs, in the work of the treaty body. However, *all treaty bodies have developed modalities for interaction with NGOs*. The Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child have adopted specific guidelines on NGO participation in their work.^{51,52} Efforts are under way to harmonize treaty bodies’ working methods and practices, in particular with regard to NGO participation.

Depending on the ratification status of a given treaty and the State party’s next reporting deadline, *NGOs can work substantively with the treaty bodies in the following ways:*

1. **Promoting the ratification of or accession to a treaty**

The value of the United Nations treaty system is demonstrated by the growing number of ratifications of treaties and acceptance of the optional protocols and the optional procedures in the treaties, a process in which NGOs can actively take part. If a country has not yet ratified or acceded to a treaty or an optional protocol, national NGOs can lobby the Government to do so, by coordinating their lobbying efforts with the national human rights institutions (NHRIs) and the national media and/or by raising public awareness of the issue.

2. **Monitoring the reporting obligations of States parties**

States parties are not always able—for different reasons—to meet their reporting obligations. NGOs may work to encourage their respective Governments to meet the

⁵¹ E/C.12/2000/6.

⁵² CRC/C/90, annex VIII.

reporting deadline, and can raise public awareness about a State's obligation to submit a report at a given time. NGOs can also provide complementary information on treaty implementation to the State, gathered in the course of their own activities. They can work in partnership with the State towards treaty implementation.

If a State party has not reported over a long period and not responded to the committees' requests to report, the treaty bodies may adopt the procedure of considering the situation in the country in the absence of a report—the so-called *review procedure*—for which NGOs may provide information.

To learn more about the reporting status of States parties or to read previous State reports, [click here](#).

To learn more about reporting guidelines adopted by the various bodies, [click here](#).

3. Submitting written information and material

Throughout the reporting cycle, committees welcome additional information on all areas covered by the relevant treaty in order to effectively monitor its implementation in a country. The best way for NGOs to submit additional written information is through what is known as an **NGO report**.

What is an NGO report?

The most useful way for NGOs to submit information to treaty bodies is by producing a full-fledged report alongside the State report. These are sometimes called *alternative* or *shadow* reports.

Before NGOs begin drafting the report, they are advised to familiarize themselves with the treaty body's specific reporting guidelines. NGO reports should aim, as far as possible, to resemble in structure the official State reports. The aim of NGO reports should be to undertake a systematic analysis of the extent to which law, policy and practice in the State party comply with the principles and standards of the treaty. They should highlight what they see as problems in implementation and make concrete recommendations for improving the situation in a given country.

NGO reports should be submitted as early as possible before the committees' sessions. This allows treaty bodies to take them into consideration when preparing for their sessions and when drafting their concluding observations. Multiple copies and an electronic version of the report should be provided to the secretariat of the committees.

The most effective reports are those born out of the cooperation and coordination of many NGOs. *NGOs are encouraged to submit one joint report per country.* At present, the Committee on the Rights of the Child, the Committee on the Elimination of Discrimination against Women and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families have permanent structures to assist national NGOs in the coordination of their submissions. Refer to section E of this chapter for further details.

NGO reports are not the only kind of written information NGOs can submit to the committees. Provisions for submitting information vary from one treaty body to another. Generally, NGOs should submit information and material following the submission of a report to a treaty body and before its consideration. The Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child welcome written information from national and international NGOs at their pre-sessional working groups, during the drawing-up of the list of issues. The Committee on the Rights of the Child requires submissions to be made two months before its

pre-sessional working group. With regard to the Committee against Torture and the Human Rights Committee, NGOs can submit written information to the CRTF,⁵³ which meets during the session before the one at which the State's report will be considered.

NGOs should also note that any information submitted is generally regarded as public. The Committee on Economic, Social and Cultural Rights asks the secretariat to ensure that any written information formally submitted to it by individuals or NGOs in relation to the consideration of a specific State party's report be made available as soon as possible to the representative of that State. The Human Rights Committee has adopted the same practice, although individual NGOs may indicate that they do not wish their information to be given to the State party, in which case the Committee will validate the information against other sources. The Committee against Torture follows similar guidelines, but will not validate and will use the information only if it also comes from another source. The Committee on the Rights of the Child's guidelines allow NGOs to request that their written submissions be kept confidential.

Currently, information submitted by NGOs, including NGO reports, does not become official United Nations documentation. It is not edited or translated. It is therefore important for NGOs to consider which language(s) they use to submit their information.

Please consult the boxes at the end of this chapter for information on the submission of written information.

Before submitting any form of written information, it is important for the NGO to check:

- Whether the State has **ratified** or acceded to the relevant instrument, and, if so, the extent of any reservations the State has made to its provisions. (Generally, reservations do not prevent NGOs from addressing specific issues and bringing them to the attention of the committee.)

For details of the ratification status of the human rights treaties and their optional protocols, [click here](#).

- **When the next State report is due** and when the next session of the relevant committee is scheduled. The dates are subject to change at short notice so it is important for NGOs to be in regular contact with the respective committee secretariat in the months leading up to each session.

To learn more about upcoming sessions and which State reports will be examined, [click here](#).

- The main issues which are or have been under consideration. It is important for NGOs to familiarize themselves with the contents of **previous State parties' reports**, as well as the **previous concluding observations** and **previous lists of issues**.

To access previous States parties' reports and concluding observations and lists of issues, [click here](#).

⁵³ The CRTF consists of a country rapporteur and four to six other committee members, nominated by the chairperson.

- The **reporting guidelines** of each treaty body (so that NGOs can help monitor the extent to which States parties' reports conform to them).

Guidelines for written submissions

- The information NGOs provide must be country-specific and relevant to the mandate of the treaty body to which it is addressed. When possible, it should make direct reference to the article of the treaty providing the specific right which is allegedly violated.
 - Allegations of human rights violations should always be supported by relevant evidence and documentation.
 - All information should be correctly referenced. When referencing a United Nations document, paragraph numbers should be referred to, as page numbers vary from one language to another. This should apply also to citations of State reports, which must be referred to in their official United Nations version.
 - The information should be clear and concise.
 - An electronic version and multiple hard copies should be provided, as the secretariat does not have the capacity to reproduce NGO materials. For further information on the number of hard copies to be submitted to each secretariat, see section E of this chapter.
 - Documents that contain language deemed to be abusive will not be accepted.
- Information should be submitted in the working language(s) of the respective committee. To find out which ones these are, NGOs are encouraged to contact the respective committee secretariat before submitting information (contact details of each secretariat are indicated in section E of this chapter).*

4. **NGO participation in the committees' sessions**

NGOs can become involved in committees' sessions in several ways: as observers, by making oral submissions and through informal briefings.

As it normally takes time for the official summaries of the sessions to be published, being present at the session allows NGOs to learn first-hand about the dialogue between the committee and the State, the issues raised and the recommendations made.

Observers: the rules and practices concerning the participation of NGOs in committee sessions, as well as in the pre-session period, vary from committee to committee. However, as a general principle, all treaty bodies allow for NGO participation in their sessions as observers. Accreditation to attend sessions should be requested from the relevant secretariat (see section D) in advance.

Oral submissions: NGOs may have an active role in the committee sessions (although they do not participate in the dialogue between the State party and the committee), by presenting the issues contained in their written submissions and their reports. Most committees set aside time for NGO oral submissions, either throughout their sessions or during the pre-session working groups.

- **Committee sessions:** most committees make provision for representatives of NGOs to brief them, formally or informally, during the session at which the State party's report will be considered. **The Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee against Torture, the Committee on the Elimination of Discrimination against Women and the Committee on the Protection of the Rights of All**

Migrant Workers and Members of Their Families provide for a specific time for NGO oral submissions (for more details, see information in section C of this chapter). This constitutes a vital opportunity for NGOs to state their opinion about a Government's report and discuss their own report, to propose solutions or discuss new developments following their submission of additional written material. Please note that with the exception of the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women, where the meetings are open, NGO oral briefings during the session take place in closed meetings.

- *Pre-sessional working groups*: most committees also meet in pre-sessional working groups. These meetings usually focus on the preparation of a **list of issues** which, depending on the committee, may guide issues to be addressed during the meeting or update information previously received by the committee (see section B.1 of this chapter). Some treaty bodies (**Committee on Economic, Social and Cultural Rights, Committee on the Rights of the Child, Committee on the Elimination of Discrimination against Women**) allocate a specific time for NGOs to take part in pre-sessional working groups. Others may not have a formal venue, although it may still be possible to arrange informal meetings with the pre-sessional working group by contacting the committee's secretariat. **The Human Rights Committee** assigns the preparatory work (previously done in pre-sessional working groups) to CRTFs, which meet during its session prior to the one at which the report is examined.

NGO contributions may be particularly relevant in the pre-sessional period. For example, NGOs may provide suggestions for specific questions which may then be incorporated by the committee in the list of issues to be sent to the State party. Pre-sessional working groups also provide an opportunity for NGOs to submit written information or NGO reports. Most committees do not allow Government delegations to be present at the pre-sessional meetings.

Guidelines for oral submissions

- Oral submissions must be relevant to the specific treaty.
- Oral statements must respect the time limits established by the committee.
- Interpretation facilities are usually available at these sessions.
- Small delegations of well-coordinated people are much more effective than large groups of single-issue delegations.
- Language that is deemed abusive or offensive will not be accepted and any NGO using such language may be excluded from sessions.

NGOs are reminded to contact the secretariat of the relevant committee well in advance in order to inform it officially of their planned participation. For information on how to consult the committees' secretariats, see section E of this chapter.

Informal briefings: committee sessions normally offer opportunities for informal meetings with committee members. **Informal briefings** may be organized by NGOs as side events outside official meeting times, most often during the lunch break, which normally takes place from 1 to 3 p.m. Their focus should be on the issues and countries that the committee is addressing. NGO informal briefings normally take place on the day before, or the same day of, the consideration of the State report of the relevant country. In some instances, committee secretariats may facilitate the arrangement of such briefings, by providing rooms, the necessary equipment and by informing the committee members of these happenings. Please note that *no interpretation facilities are available for "lunchtime" briefings. NGOs are encouraged*

to coordinate their activities during these events. A well-organized and coordinated briefing is likely to be well attended and will be much more effective than many different NGO briefings on many different issues, which may not attract the attention of the treaty body.

5. **Following up on treaty bodies' concluding observations**

Once the committee session has taken place and the concluding observations have been adopted, NGOs have an important role in supporting the implementation of the recommendations. It is important that NGOs make themselves familiar with the concluding observations adopted by the committee.

*Each committee's **concluding observations** are accessible online ([click here](#)).*

*To **subscribe to free e-mail notification of treaty body recommendations**, [click here](#).*

NGOs may follow up on treaty bodies' work by:

- **Working** together with their Government to help it meet its obligations, NGOs often act **as catalysts** in order to promote needed national legislative reforms and set up national policies. NGOs can also use the observations of the committees as a basis for their dialogue with the Government and for defining their own programme of action.
- **Monitoring** the human rights situation and the steps that are being taken locally to implement the committees' concluding observations.
- **Raising awareness** about the proceedings of the committee meetings, the obligations States parties are required to implement and how the concluding observations can be used to enhance the enjoyment of human rights at the national level. This may be done by organizing thematic discussions, round tables, seminars and workshops, translating and publishing concluding observations and working with NHRIs and the national media, and by generally raising awareness of the comments of treaty bodies on a particular country among the general public and civil society.
- **Contribute to the work of the treaty bodies** by keeping each committee informed about how the Government is responding to the concluding recommendations and by providing the treaty bodies with focused and targeted information.

Training workshops on follow-up to recommendations

OHCHR organizes workshops and seminars for national actors in different countries to strengthen their capacity to contribute to the treaty reporting process and follow up on the recommendations of treaty bodies. OHCHR engages **NHRIs, NGOs and representatives of the media** in workshops to build capacity and stimulate the creation of networks of national actors that work together to support the implementation of the respective treaty body recommendations.

Workshops have taken place in Albania, Argentina, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Colombia, Croatia, El Salvador, Guatemala, Kenya, Latvia, Mauritius, Panama, Russian Federation, Rwanda, Sri Lanka, Thailand, Togo, Uganda, and Zambia. Workshops are planned for 2006 in Egypt, Guyana, Mexico, Morocco and Timor-Leste. The training programme serves as a framework for the establishment of national network groups to follow up the treaty reporting process and sustain a constructive national dialogue on issues related to the work of the treaty bodies. OHCHR will engage further countries in these activities. OHCHR also provides training directly to interested Governments through workshops and seminars and encourages the participation of civil society groups in these activities.

For more information on these activities, contact:

Treaties and Council Branch
Treaties and Follow-up Unit
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland

6. How to submit an individual complaint to treaty bodies

Five of the treaty bodies (Human Rights Committee, Committee on the Elimination of Discrimination against Women, Committee against Torture, Committee on the Elimination of Racial Discrimination, and Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families⁵⁴) have the competence to receive and consider individual complaints if certain criteria are met. Complaints provide a key tool for implementing individual human rights and bringing attention to specific issues or cases.

Any individual who claims that her or his rights under the relevant covenant or convention have been violated by a State party to that treaty may bring a communication to the relevant committee, **provided that the State has recognized the competence of the committee to receive such complaints**. Complaints may also be brought by **third parties**, including NGOs, on behalf of individuals, provided the latter have given their written consent (“power of attorney”, authority to act) or are incapable of giving such consent. Individual complaints can be submitted only if **domestic remedies have been exhausted** and all other eligibility criteria fulfilled.

To learn more about how to submit an individual complaint to treaty bodies, consult chapter VII.

Guidelines on how to submit an individual complaint to each treaty body are posted on the OHCHR website ([click here](#)).

7. Providing information for confidential inquiries

Article 20 of the Convention against Torture (CAT) and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) allow for confidential inquiries. Where warranted and with the consent of the State party, the inquiry may include a visit to its territory. After examining the findings of such an inquiry, the committee transmits its findings to the State party concerned, together with any comments and recommendations. NGOs may provide information to the committees and, by doing so, may influence the decision to undertake a confidential inquiry, where there is evidence of gross or systematic violations of human rights. Most confidential inquiries have been instigated by information submitted by NGOs. For example, the six confidential inquiries undertaken by the Committee against Torture have all been initiated on the basis of information received from NGOs (Egypt, Mexico, Peru, Serbia and Montenegro, Sri Lanka, and Turkey). The Committee on the Elimination of Discrimination against Women has completed one inquiry (Mexico). NGOs may also provide further information once confidential inquiries are under way.

⁵⁴ Not yet operational for this Committee.

Case study: NGO participation in the initiation of a confidential inquiry

The first inquiry under article 8 of the Optional Protocol to CEDAW was initiated on the basis of information provided to the Committee by three NGOs—Equality Now, Casa Amiga and the Mexican Committee for the Defence and Promotion of Human Rights—concerning the killings and disappearances of more than 200 women in Ciudad Juarez in Mexico. The NGOs submitted detailed information containing allegations of the abduction, rape and murder of women since 1993. The Committee found that this information was reliable and that it contained substantiated indications of grave or systematic violations of rights set out in CEDAW. During the course of the inquiry, the NGOs submitted additional information and actively participated in the visit to Mexico of two members of the Committee on the Elimination of Discrimination against Women. The active participation of the NGOs and the State party resulted in a comprehensive report addressing both the violations and the socio-cultural background against which the events took place, focusing on the root causes of violence against women and making firm recommendations to ensure that the rights in CEDAW are realized. The report and the reply from the Government of Mexico are available online ([click here](#)).

8. *Providing information for early warning and urgent procedures (Committee on the Elimination of Racial Discrimination)*

Information submitted by civil society actors is important in the initiation of the early warning and urgent procedures of the Committee on the Elimination of Racial Discrimination. The early warning procedure is a mechanism for preventing conflict or an escalation of an existing conflict, while the urgent procedure allows the Committee to act to prevent, or limit, the scale or number of serious violations of the Convention. After considering all available information, the Committee on the Elimination of Racial Discrimination adopts a formal decision, which may include requests for action by the State party and the provision of further information in the next periodic report.

Case study: NGO participation in the Committee on the Elimination of Racial Discrimination's early warning and urgent procedures mechanism

In March 2003, at its 62nd session, the Committee requested Suriname to take immediate action following the submission of a report by a group of NGOs representing indigenous and tribal peoples which indicated that serious violations of the rights of indigenous communities were taking place in the State party. As a result, the dialogue between the State party and the Committee was resumed, as Suriname submitted its overdue report.

9. *Making submissions to the annual meeting of chairpersons*

The chairpersons of the human rights treaty bodies first met in 1984 to discuss how to enhance their work. Since 1995, they have met annually to consider ways to improve the effectiveness of the treaty body system such as the streamlining and improvement of human rights reporting procedures, harmonization of the committees' methods of work, follow-up to world conferences and financial issues. Informal consultations with States parties, United Nations partners, special procedures mandate-holders and NGOs are a feature of these meetings.

Since 2002 the annual chairpersons' meeting has been complemented by an "inter-committee meeting", which includes the chairpersons and two additional members from each of the committees.

These meetings are open and NGOs can observe the proceedings. NGOs are also able to make interventions during the annual meeting of chairpersons.

E. Additional information

Each treaty-monitoring body is an independent committee of experts with a mandate to monitor a specific treaty. While the committees have common activities, procedures and practices, each also has its own requirements. The information below sets out key information about each committee.

HUMAN RIGHTS COMMITTEE

Membership:

18 independent experts elected for four-year renewable terms.

Sessions:

The Committee meets three times a year for three-week sessions, normally in March at the United Nations Headquarters in New York and in July and October (November) at the United Nations Office at Geneva.

Reporting requirements:

State parties must report initially one year after becoming party to the Covenant and then whenever the Committee requests (usually every four years). The concluding observations of the previous report usually confirm when the next report is due.

Submitting written information:

NGO may submit written information or reports to the secretariat at any time. All information must be submitted in electronic form and hard copy to the address below. The best time to submit information is two weeks before the session at which the country report is being examined, and six weeks before the meeting of the country report task force which determines the list of issues to be addressed at the Committee's next session. At least 25 hard copies should be submitted.

Participating in the Committee's sessions:

NGOs may attend the Committee's meetings as observers. To do so they will need to write to the secretariat at the address below to request accreditation. *On the first day* of the session at which the State party's report will be considered, the Committee sets aside meeting time for representatives of NGOs to orally brief its members in closed meetings. Additional breakfast and lunchtime briefings are regularly convened to allow NGOs to provide the most up-to-date, country-specific information.

Furthermore, during the session, the country report task force (CRTF) meets in private to prepare the list of issues regarding State reports which will be examined in the Committee's next session. Informal briefings with NGOs can be arranged for the Human Rights Committee, including members of the CRTF, whose membership is confidential. A CRTF consists of the relevant country rapporteur (if one exists) and four to six other members of the Committee, nominated by the Chairperson.

Individual complaints:

Individual complaints under the First Optional Protocol to the International Covenant on Civil and Political Rights may be sent to:

Petitions Team
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Fax: + 41 22 917 90 22 (particularly for urgent complaints)

Secretariat contact details:

Human Rights Committee
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Fax: + 41 22 917 90 22
Phone: +41 22 917 93 32 or +41 22 917 93 95

To learn more about the **Human Rights Committee**, consult **Fact Sheet No. 15 (Rev.1)**. To learn more about the **First Optional Protocol**, [click here](#). A **model complaint form** is contained in **annex I**.

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Membership:

18 independent experts elected for four-year renewable terms.

Sessions:

The Committee convenes twice a year for three-week sessions with a one-week pre-session working group, normally in May and November at the United Nations Office at Geneva.

Reporting requirements:

Although the Covenant does not state the periodicity of reporting, it is customary for States parties to initially report within two years of becoming a party to the Covenant and thereafter every five years, or as otherwise requested by the Committee.

Submitting written information:

NGOs may submit written information or reports to the secretariat at any time. All information must be submitted in electronic form and hard copy to the address below. At least 25 hard copies should be submitted.

NGOs which are in consultative status with ECOSOC (or which are in partnership with an NGO in ECOSOC consultative status) may submit *written statements* to the secretariat for publication in the working languages of the Committee. NGO statements must be specific to the articles of the Covenant, focusing on the most pressing issues from the NGO perspective and providing suggestions for specific questions that the pre-session working group may consider incorporating in the list of issues with respect to the State party concerned.

Please note that any written information formally submitted to it by NGOs in relation to the consideration of a specific State party report will be made available as soon as possible, by the secretariat, to the representative of that State.

Participating in the Committee:

NGO representatives may make oral statements during the first morning of the pre-session working group meeting, which is usually held on a Monday from 10.30 a.m. to 1 p.m. NGOs can also intervene during the NGO hearings which take place on the first day of each reporting session, from 3 p.m. to 6 p.m. The time limit for NGO statements is 15 minutes.

At each session, the Committee devotes one day, usually the Monday of the third week, to a general discussion of a particular right or a particular aspect of the Covenant. Specialized NGOs can send experts to participate in the day of general discussion. Information on the topics for discussion at future days of general discussion can be obtained from the secretariat.

To participate in any of the above, NGOs should contact the secretariat with a request for accreditation:

Secretariat contact details:

Committee on Economic, Social and Cultural Rights
c/o Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Fax: +41 (0)22 917 90 22

To learn more about the **Committee on Economic, Social and Cultural Rights**, consult **Fact Sheet No. 16**. To learn more about the **participation of NGOs in the Committee**, [click here](#).

COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Membership:

18 independent experts elected for four-year renewable terms.

Sessions:

The Committee meets in Geneva and holds two three-week sessions a year.

Reporting requirements:

States parties must report initially one year after becoming a party to the Convention and then normally every two years. However, the last paragraph of the concluding observations usually specifies when the next report is due. For further information on when the next State report is due, NGOs may also consult the treaty body database ([click here](#)).

Submitting written information:

NGOs may submit written information or reports to the secretariat at any time. All information must be submitted to the address below. Information should, to the extent possible, be submitted two months before the Committee's session to give its members time to prepare. An electronic version of the report as well as 37 hard copies should be submitted. National NGOs with limited resources which have difficulties complying with such requirements may seek assistance from the Anti-Racism Information Service (ARIS), an international NGO in Geneva which helps to transmit information to and from the Committee ([click here](#)). The Committee on the Elimination of Racial Discrimination also accepts written submissions from NGOs in relation to the review, without a report, of the implementation of the Convention by States parties whose reports are at least five years overdue and in relation to its early warning and urgent action procedures. NGOs may send information to the Committee requesting it to deal with a situation that they deem urgent under these procedures.

Participating in the Committee:

NGOs may attend the Committee's meetings solely as observers. To do so, they must request accreditation from the secretariat in writing. The Committee on the Elimination of Racial Discrimination does not convene meetings with NGOs during its formal meeting hours, but NGOs may organize informal lunchtime briefings on the first day of consideration of the report between 1.45 and 2.45 p.m. and invite the Committee's members. NGOs should request the secretariat to book a room for such briefings. They may also seek assistance from ARIS, which organizes the briefings.

Further information about ARIS is available from:

Website: <http://www.antiracism-info.org>
E-mail: centre-docs@antiracism-info.org

Individual complaints:

Individual complaints under article 14 of the Convention may be sent to:
Petitions Team

Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Fax: +41 (0)22 917 90 22
(particularly for urgent complaints)

Secretariat contact details:

Committee on the Elimination of Racial Discrimination
c/o Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Fax: +41 (0)22 917 90 22

To learn more about the **Committee on the Elimination of Racial Discrimination**, consult **Fact Sheet No. 12** or [click here](#). For a **model complaint form**, see **annex I**.

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Membership:

23 independent experts elected for four-year renewable terms.

Sessions:

The Committee meets twice a year in New York.

Reporting requirements:

States parties must report initially one year after becoming a party to the Convention and then at least every four years and whenever the Committee so requests.

Submitting written information:

NGOs may submit written information or reports to the secretariat at any time. All information must be submitted to the address below. The best time to submit information is two weeks before the pre-sessional meeting, or three months before the Committee's session, although some experts will consider reports received closer to the session. An electronic copy and at least 35 hard copies should be submitted. NGOs may also choose to send copies of their submissions to the International Women's Rights Action Watch (IWRAP), and in particular IWRAP–Asia Pacific, a specialized NGO which helps to transmit information to and from the Committee. IWRAP–Asia Pacific also conducts training sessions in New York at the time of the Committee's sessions (<http://iwrap.igc.org>).

Participating in the Committee:

NGOs may make an oral presentation to the pre-sessional working group (usually on the first morning). The pre-sessional working group meets at the end of the session prior to the one at which a given Government's report will be reviewed. NGOs may also make an oral presentation at the Committee on the second day of its session, usually on a Tuesday afternoon. Participants are listed on the web page for each session. Informal meetings with the Committee's members may sometimes be arranged by contacting the secretariat at the address below.

Individual complaints:

Individual complaints under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women may be sent to:

Committee on the Elimination of Discrimination against Women
c/o Division for the Advancement of Women,
Department of Economic and Social Affairs
United Nations Secretariat

2 United Nations Plaza, DC-2/12th Floor
New York, NY 10017, United States of America
Fax: +1 212 963 3463

For **complaint guidelines** under the *Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women*, see **annex II**. A model communication form is available online in all United Nations languages.

Confidential inquiries:

NGOs may submit written information on serious, grave or systematic violations of the Convention to the secretariat. The information must be reliable and indicate that the rights contained in the Convention are being systematically violated by the State party.

Secretariat contact details:

Committee on the Elimination of Discrimination against Women
c/o Division for the Advancement of Women
Department of Economic and Social Affairs
United Nations Secretariat
2 United Nations Plaza, DC-2/12th Floor
New York, NY 10017, United States of America
Fax: +1 212 963 3463
E-mail: daw@un.org

To **learn more** about the **Optional Protocol**, [click here](#). To **learn more** about the **Committee on the Elimination of Discrimination against Women**, consult **Fact Sheets Nos. 22 and 7** or [click here](#).

For a procedural guide on producing NGO shadow reports to the Committee on the Elimination of Discrimination against Women, [click here](#).

COMMITTEE AGAINST TORTURE

Membership:

10 independent experts elected for four-year renewable terms.

Sessions:

The Committee meets in Geneva and normally holds two sessions a year consisting of a plenary (of three weeks in May and two weeks in November) and a one-week pre-session working group.

Reporting requirements:

States parties must report initially one year after becoming a party to the Convention and then every four years.

Submitting written information:

NGOs may submit written information or reports to the secretariat at any time. All information must be submitted in electronic form and hard copy to the address below. Inputs to the list of issues should be submitted three months before it is finalized. The best time to submit information is six weeks before the Committee's session, although NGOs may also submit information earlier or during the session itself. At least 15 hard copies should be submitted. Please note that any written information formally submitted by NGOs in relation to the consideration of a specific State party report will be made available as soon as possible, by the secretariat, to the representative of that State.

Participating in the Committee:

NGOs may brief the Committee orally during its session. Briefings focus on one country at a time and usually take place from 5 to 6 p.m. *on the day preceding the dialogue of the State party with the Committee.*

Individual complaints:

Individual complaints under article 22 of the Convention against Torture may be sent to:
Petitions Team
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Fax: +41 (0)22 917 90 22
(particularly for urgent complaints)

For a **model complaint form**, see *annex I*.

Confidential inquiries:

NGOs may submit information on serious, grave or systematic violations of the Convention to the secretariat. The information must be reliable and contain well-founded indications that torture is being systematically practised in the territory of the State party.

Secretariat contact details:

Committee against Torture
c/o Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Fax: +41 (0)22 917 90 22

To **learn more** about the **Committee against Torture**, consult **Fact Sheet No. 17** or [click here](#).

COMMITTEE ON THE RIGHTS OF THE CHILD

Membership:

18 independent experts elected for four-year renewable terms.

Sessions:

The Committee convenes three times a year for sessions of three weeks' duration and three one-week pre-sessional working groups, in January, May and September at the United Nations Office at Geneva.

Reporting requirements:

States parties must report initially two years after the entry into force of the Convention and then every five years.

Submitting written information:

This Convention expressly gives “competent bodies”, including NGOs, a role in monitoring its implementation. Since its first session, the Committee, in cooperation with the NGO Group for the Committee on the Rights of the Child, has systematically encouraged NGOs to submit reports, documentation or other information in order for it to have a more comprehensive picture of how the Convention is being implemented in a particular country. NGOs may submit written information in electronic form and hard copy to the secretariat at the address below. Information should be submitted at least two months before the beginning of the pre-sessional working group concerned and at least 20 hard copies should be submitted, in addition to the electronic copy. NGOs may request that their written submissions be kept confidential.

It is important that NGOs wishing to submit information to the Committee also contact the **NGO Group for the Convention of the Rights of the Child**, a coalition of international NGOs which aims at facilitating the implementation of the United Nations Convention on the Rights of the Child. The NGO Group has a liaison unit that supports the participation of NGOs, particularly national coalitions, in the Committee on the Rights of the Child's reporting

process. The NGO Group may be contacted at:

c/o Defence for Children International
1 rue de Varembé
P.O. Box 88
CH-1211 Geneva 20
Switzerland
Phone: +41 (0)22 740 47 30
Fax: +41 (0)22 740 11 45
E-mail: ngo-crc@tiscalinet.ch
Website: www.crin.org/NGOGroupforCRC

Participating in the Committee:

NGOs are invited to the pre-sessional working group for the three-hour meeting at which partners, including NGOs, may provide additional information. National, regional and international NGOs should send their requests to participate in the pre-sessional working group to the Committee through its secretariat (see below) at least two months before the beginning of the pre-sessional working group concerned. Based on the written information submitted, the Committee will issue a written invitation to selected NGOs (whose information is particularly relevant to the consideration of the State party's report) to participate in the pre-sessional working group. Introductory remarks by participants are limited to a maximum of 15 minutes for NGOs from the country concerned and 5 minutes for others, allowing time for a constructive dialogue. NGOs may attend the Committee's sessions solely as observers.

Secretariat contact details:

Committee on the Rights of the Child
c/o Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8-14, avenue de la Paix
CH-1211 Geneva 10
Switzerland
Fax: +41 (0)22 917 90 22

For the Committee on the Rights of the Child's guidelines for the participation of NGOs in its pre-sessional working group, [click here](#). For guidelines for NGOs reporting to the Committee on the Rights of the Child, [click here](#).

*For the NGO Group's **guidelines on how to Report to the Committee on the Rights of the Child**, [click here](#).*

*To learn more about the **Committee on the Rights of the Child**, consult **Fact Sheet No. 10** or [click here](#).*

COMMITTEE ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES

Membership:

At present 10 independent experts elected for four-year renewable terms. Their number will increase to 14 on the entry into force of the Convention for its 41st State party. For further details, see article 72 of the Convention.

Sessions:

The Committee meets in Geneva and normally holds two sessions a year.

Reporting requirements:

States must report initially one year after becoming a party to the Convention and then every five years.

Submitting written information:

The Convention provides that organizations, including NGOs, can submit written information to the Committee on matters dealt with in the Convention which fall within the scope of their

activities. Since its first session, the Committee has systematically engaged in an active dialogue with NGOs in order to benefit from their expertise. At its second session, the Committee decided that it would invite contributions from NGOs in preparation for the consideration of reports submitted by States parties. All information and reports should be submitted to the secretariat at the address below.

It is important that NGOs wishing to submit information to the Committee also contact the International NGO Platform for the Migrant Workers Convention, a coalition of international NGOs that work together to facilitate the promotion, implementation and monitoring of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The NGO Group may be contacted at:

c/o December 18
P.O. Box 22
9820 Merelbeke
Belgium
Phone: +32 (0)9 324 0092
E-mail: info@december18.net
Website: <http://www.december18.net>

Participating in the Committee:

At present, the Committee is deciding on the modalities regarding NGO participation in its sessions.

Individual complaints:

The Committee will be able to consider individual complaints or communications once 10 States parties have accepted this procedure in accordance with article 77 of the Convention. By 30 June 2006 no State party had accepted this procedure.

Secretariat contact details:

Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families
c/o Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8-14, avenue de la Paix
CH-1211 Geneva 10
Switzerland
Fax: +41 (0)22 917 90 22

*To learn more about the **Committee on Migrant Workers**, [click here](#).*

VII. SUBMITTING A COMPLAINT ON AN ALLEGED HUMAN RIGHTS VIOLATION

The new Human Rights Council

On 15 March 2006 the United Nations General Assembly decided to replace the central United Nations intergovernmental body on human rights, the Commission on Human Rights, with the Human Rights Council, as a new subsidiary body of the General Assembly.⁵⁵ The Human Rights Council convened for the first time on 19 June 2006 and has assumed all mandates, mechanisms, functions and responsibilities of the Commission. The Council will review and, where necessary, improve and rationalize them within one year after the holding of its first session.

Until otherwise decided by the Council, the human rights mechanisms discussed in this *Handbook* (in particular the special procedures and the 1503 procedure) will continue to operate as they did under the Commission. The Council is expected to develop its own rules of procedure and modalities of operation. NGOs are encouraged to consult the OHCHR website regularly for updates (<http://www.ohchr.org>).

⁵⁵ General Assembly [resolution 60/251](#).

Complaints procedures at a glance

What are they?

Human rights complaint procedures are mechanisms for bringing cases of human rights violations to the attention of the United Nations. There are three mechanisms that allow for human rights complaints:

- (a) Individual complaints under the international human rights treaties (petitions);
- (b) Individual communications under special procedures; and
- (c) The 1503 procedure.⁵⁶

How do they work?

Each procedure has its own requirements, advantages and drawbacks. These need to be carefully considered before deciding which one to use.

- (a) Individual complaints of human rights violations can be submitted under five of the core international human rights treaties;
- (b) Individual communications under special procedures operate under the thematic and geographic special procedures' mandates of the former Commission on Human Rights, now within the mandate of the Human Rights Council;
- (c) The 1503 procedure of the former Commission, now within the mandate of the Council, aims to examine consistent patterns of gross and reliably attested violations of human rights, with a focus on the situation rather than the individual case.

Which NGOs can access them?

Complaints can be submitted by the individual who has suffered the alleged human rights violation or on that person's behalf by third parties such as NGOs. All NGOs are able to access these mechanisms, regardless of their status with the United Nations.

How can NGOs work with them?

NGOs can often act as a conduit for individuals seeking redress from human rights abuses by preparing, submitting or lodging a complaint on their behalf. However, NGOs should ensure that they obtain the consent of the individual and that the individual is aware of the implications of making a complaint. The requirements for each procedure should be carefully followed to ensure that the complaint is admissible.

How can NGOs contact human rights complaint mechanisms?

Complaints under the human rights treaties

Complaints to the Human Rights Committee, the Committee against Torture and the Committee on the Elimination of Racial Discrimination should be sent to:

Petitions Team
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Fax: +41 (0)22 917 90 22
E-mail: tb-petitions@ohchr.org

Complaints to the Committee on the Elimination of All Discrimination against Women should be sent to:

⁵⁶ By its decision 2006/102 of 30 June 2006, the Human Rights Council extended exceptionally for one year, subject to the review it will undertake in conformity with General Assembly resolution 60/251, the mandate and the mandate-holders of... the procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII) (1503 procedure). It also requested the 1503 procedure to continue with the implementation of its mandate.

Committee on the Elimination of Discrimination against Women
c/o Division for the Advancement of Women, Department of Economic and
Social Affairs
United Nations Secretariat
2 United Nations Plaza, DC-2/12th Floor
New York, NY 10017, United States of America
Fax: +1 212 963 3463

Communications under special procedures

Special Procedures Branch
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Fax: +41 (0)22 917 90 06
E-mail: urgent-action@ohchr.org

Complaints under the 1503 procedure

Treaties and Council Branch (1503 procedure)
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Fax: +41 (0)22 917 90 11
E-mail: 1503@ohchr.org

A. *What are they?*

Much of the United Nations system focuses on the obligations of States and operates at the level of Governments. However, the United Nations human rights system also provides for different procedures that are open to individuals and groups seeking United Nations action on a human rights situation of concern to them. These are called human rights complaint procedures.

Through human rights complaint procedures, individuals may bring a human rights concern to the attention of the United Nations and thousands of people around the world do so every year. Through complaints, human rights are given concrete meaning.

Human rights complaints may be submitted under the following three mechanisms:

- The international human rights treaties (petitions);
- The special procedures mechanisms; and
- The 1503 procedure.

Under certain circumstances these different complaint procedures may be complementary and more than one avenue of complaint can be used.

B. *How do they work?*

It is important to consider carefully which complaint procedure is best suited to a particular case. Each procedure has its own strengths, specific requirements and limitations. They need to be considered in the interests of the victim(s) and the NGO(s) presenting a particular complaint. All of these considerations, which may

vary from case to case, should be taken into account before deciding on the best course of action. *Please note that it may also be possible to use more than one procedure at the same time.* For instance, a complaint may be lodged simultaneously before a treaty body and a special procedure if there is a relevant mandate. If a complaint lodged before a treaty body or a special procedure seems to reveal a pattern of human rights abuses, it may also be submitted for consideration under the 1503 procedure.

1. *Individual complaints under the international human rights treaties*

Five international human rights treaties allow for individual complaints:

- The International Covenant on Civil and Political Rights (ICCPR) under its First Optional Protocol;
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) under its article 22;
- The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) under its Optional Protocol;
- The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) under its article 14;
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW) under its article 77. However, this provision will come into force only after 10 States parties have made a declaration to that effect. None had done so by 30 June 2006.

Strengths:

- An important advantage of submitting a complaint to a treaty body is that once a State party has made the relevant declaration under the treaty, it **should comply with its obligations** under that treaty. One of these is the obligation to provide an effective remedy for breaches of the treaty. The treaty body, through individual complaints, authoritatively determines whether there has been a violation, and the State concerned has an obligation to give effect to its finding;
- Committees can issue interim measures in urgent cases to preserve a situation until they can make a final decision on the matter. This interim measure will stay in place until the decision is made;
- Decisions of a committee can go beyond the circumstances of the individual case and provide proactive guidelines to prevent a similar violation occurring in the future.

Specific requirements and limitations:

- The complainant's case has to come within the scope of application of one of the treaties that allow for individual complaints;
- The State in question must be a party to the treaty and must have ratified the relevant optional protocol or accepted the competence of the specific committee to accept complaints;
- When submitting an allegation to a treaty body, there are numerous requirements which must be met, including the consent or authorization of the victim. If any of this is missing, the complaint may not be considered;
- Under ICERD, the complaint must be lodged within six months of the final decision by a national authority in the case;
- The complainant must have exhausted all available and effective domestic remedies before sending a complaint to a treaty body;
- It takes 2 to 3 years, on average, for a final decision to be taken on a complaint;
- Generally, a complaint to a treaty body cannot concern a widespread pattern of human rights violations.

2. Communications under special procedures⁵⁷

Special procedures mechanisms, as established by the former Commission on Human Rights, allow for allegations to be made concerning either individual cases or a more general pattern of human rights abuse. All individuals or NGOs, on the individual's behalf, can submit individual cases to special procedures mandate-holders, if the mandate allows for this.⁵⁸ NGOs can often act to support individuals seeking protection from human rights abuses.

Advantages:

- It may be used for individual cases as well as for a more general pattern of violations;
- It can be a useful tool in urgent cases as it allows for urgent or preventive action (called **urgent appeals**);

⁵⁷ Responsibility for special procedures is assumed by the new Human Rights Council, which will review their operation and, where necessary, make recommendations to improve and rationalize them. It will complete this review within one year after the holding of its first session. NGOs should refer to the OHCHR website (<http://www.ohchr.org>) for updates or changes to the operation of special procedures.

⁵⁸ Not all mandates include a complaints mechanism.

- Cases may be brought **regardless of the country** where they occur and its status of ratification of treaties;
- It is not necessary to have exhausted all domestic remedies before using the procedure;
- The communication must not necessarily be made by the victim, although the source must be reliable.

Limitations:

- There must be a special procedure in place covering that specific human rights issue or that specific country (not all special procedures mandate-holders can act on individual cases);
- Special procedures are not legally binding mechanisms: it is at each country's discretion to comply with the recommendations of the special procedures mandate-holders;
- Procedures may vary depending on the mandate.

3. *The 1503 procedure*⁵⁹

The 1503 procedure⁶⁰ is the oldest human rights complaint mechanism in the United Nations system. The procedure was substantially amended in 2000⁶¹ to make it more efficient, to facilitate dialogue with the Governments concerned and to provide for a more meaningful debate in the final stages of the procedure.

Under the 1503 procedure, the (former) Commission on Human Rights was given the mandate to examine consistent patterns of gross and reliably attested violations of human rights and fundamental freedoms in any country of the world. Any individual or group claiming to be the victim of such human rights violations may submit a complaint, as may any other person or group with direct and reliable knowledge of such violations. The 1503 procedure is the only universal complaint procedure covering all human rights in all countries. Unlike the individual communications under the treaty bodies or the communications under the special procedures, communications under the 1503 procedure are not tied to the acceptance of treaty obligations by the country concerned or the existence of a special procedures mandate. This procedure deals with situations and patterns of human rights violations in a country. It neither compensates the alleged victims, nor does it seek a remedy for individual cases. Furthermore, it is important to note that the entire procedure is confidential. The authors of a communication are not informed about the outcome of the consideration of their complaints under the procedure.

Strengths:

- The procedure can deal with **any violation** of human rights falling under the Universal Declaration of Human Rights; a State does not need to be a party to a treaty for a complaint against it to be submitted under the 1503 procedure;
- Complaints may be brought **against any country**;

⁵⁹ The new Human Rights Council assumed responsibility for the 1503 procedure, which it will review and, where necessary, improve and rationalize within one year after the holding of its first session. In its decision 2006/102, the Human Rights Council requested the 1503 procedure to continue with the implementation of its mandate, which it extended exceptionally for one year, subject to this review. NGOs should refer to the OHCHR website (<http://www.ohchr.org>) for updates or changes to the operation of the 1503 procedure.

⁶⁰ Named after ECOSOC resolution 1503 (XLVIII) of 27 May 1970, which established it.

⁶¹ ECOSOC [resolution 2000/3](#) of 16 June 2000.

- The complaint may be submitted by the victim or anyone acting on the victim's behalf and does not necessarily require the victim's written authorization;
- The admissibility criteria are generally less strict than for other complaints mechanisms.

Possible limitations:

- It may be lengthy, since the complaint goes through several stages of consideration;
- There are no provisions for urgent interim measures of protection;
- Communications must generally refer to human rights violations affecting a larger number of people rather than individual cases;
- Complainants (authors of communications) are not informed of the decisions taken at the various stages of the process; and
- Due to its confidentiality, this procedure may not draw public attention to the human rights situation in a given country.

C. Which NGOs can access them?

The complaints mechanisms set out in this chapter are for *individuals or groups of individuals* who feel that their particular rights have been violated and/or who wish to bring a *consistent pattern of gross violations* to the attention of the United Nations.

Note: Individual complaints can be submitted by third parties, including NGOs, on behalf of individuals who claim to be victims of human rights violations. In this case, it is imperative for the submitting NGO to seek the individual's consent. In addition, the submitting NGO needs to ensure that the individual is aware of any possible implication the submission of the complaint may have. For example, when information is submitted to special procedures, the mandate-holder sends a communication to the State regarding the specific case, which will ultimately be included in a public report. When a complaint is submitted to a treaty body, the identity of the individual will be disclosed to the Government. It is hence fundamental for the alleged victim to be aware of the functioning of the procedure.

In relation to the 1503 procedure, any individual or group may submit a complaint.

Consultative status with ECOSOC is not a requirement to access any of the complaints mechanisms.

D. How can NGOs work with them?

The following section provides an overview of the main information required when submitting communications under the different complaint procedures. For further information on the complaints procedures, see also Fact Sheet No. 7 (Rev.1) ([click here](#)).

1. **Individual complaints under the international human rights treaties**

Five of the international human rights treaties allow for individual complaints mechanisms.⁶² Complaints may be brought by individuals or third parties, including NGOs, on behalf of individuals who claim to be victims of human rights violations.

This section first examines the initial requirements that must be satisfied then reviews the main elements of this procedure.

Requirements

- (a) *State party ratification*: a complaint of a human rights violation under a treaty may be made against a State if:
- The State is a party to the treaty in question, having ratified or otherwise accepted it,⁶³ and
 - The State party has recognized the competence of the committee established under that treaty to consider such complaints.⁶⁴ Depending on the treaty, this requires the State either to have become a party to the relevant optional protocol or to have made the necessary declaration in order for a complaint to be filed against it.

It should be noted that a number of States parties have entered substantive reservations or declarations that may limit the scope of the human rights obligations they assume under the treaties. These should be reviewed when determining whether or not a complaint can be made under a certain section of a treaty.⁶⁵

- (b) *Individual violations*: individual complaints under treaty bodies may be used only for **cases of human rights violations concerning one or more specific individuals**, and are not usually suited for abstract or general patterns of human rights violations where individuals are not identified.
- (c) *Domestic remedies*: individual complaints under international human rights treaties can be submitted only if **effective domestic remedies have been exhausted**, i.e. the case/complaint has gone through the various steps of the domestic court system or through any administrative instances capable of providing an available and effective remedy within a reasonable period of time. This rule does not apply if domestic remedies are **ineffective or unduly prolonged**.
- (d) *Bringing a complaint on behalf of the victim*: a person or organization can bring a complaint on behalf of another person provided the individual victim has given **written consent** in the form of a “power of attorney” or an “authority to act”.⁶⁶
- (e) *Other complaint processes*: if a case **has been or is being considered by the adjudicative complaint procedures of other United Nations bodies**,

⁶² Not yet operational for the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

⁶³ To learn more about the status of ratification of each treaty or optional protocol, visit the OHCHR website: <http://www.ohchr.org>.

⁶⁴ See chapter V, section B.2, for details of individual complaint mechanisms under the treaty bodies.

⁶⁵ To learn more about the State party declarations/reservations to each treaty and the relevant optional protocols, visit the OHCHR website: <http://www.ohchr.org>.

⁶⁶ Such consent is not necessary when there are strong grounds for believing that it is impossible to obtain it under the circumstances.

international or regional organizations, it generally cannot be considered by United Nations treaty bodies. For example, if the case has been considered by the Inter-American Court or the European Court of Justice, it is no longer eligible for consideration by a treaty body. However, it can still be submitted under a special procedures mandate.

- (f) *Form of the complaint*: whilst complainants are encouraged to use model complaint forms (see annexes I and II), any form of correspondence including the relevant information is in principle sufficient. This should be submitted in one of the working languages of the relevant committee.⁶⁷

What should individual complaints under treaty bodies include?

- **Basic personal information** on the person whose human rights have allegedly been violated (name, nationality, date of birth);
- Name of the **State party** against which the complaint is directed;
- If the complaint is made on behalf of another individual, **proof of their consent** or authorization (“power of attorney”, in hard copy) or, alternatively, persuasive reasons why such consent or authorization is unavailable or cannot be provided;
- A thorough **account of the facts** on which the complaint is based, clearly presented in chronological order;
- Details of the **steps taken to exhaust all available judicial remedies in the local courts, as well as any effective administrative remedies** which might be available in the country concerned;
- Details of **other submissions of the case or the facts involved** to another means of international investigation or settlement, if any;
- Account of **arguments as to why the facts in the case amount to a violation of the human rights** contained in the treaty whose provisions are invoked. It is useful for the **relevant articles of the treaty** to be identified;
- **All documents relevant** to the claims and arguments (court decisions, etc.);
- Copies of **relevant national laws**, where available;
- As a general rule, communications that contain abusive language are **not** considered.

- (g) *Time limits*: None of the treaties has a formal deadline for filing a complaint, except ICERD. However, complaints should ideally be made **as soon as possible** after the alleged violation has occurred and the domestic remedies have been exhausted. Delay in submitting the case may make it difficult for the State party to respond properly and for the treaty body to evaluate the factual background thoroughly. Complaints concerning violations which occurred prior to the entry into force of the complaint mechanism for the relevant State party will not be examined (except if they have a continuous effect in violation of the treaty). Complaints submitted under ICERD must be submitted within **six months** of the final decision by a national authority in the case.

- (h) *Urgent action*: each committee may take **urgent action** by way of interim measures if irreparable harm would otherwise be suffered before the case is examined in the usual course. Typically, such initiatives are undertaken to prevent actions that cannot later be undone, for example the execution of a death sentence or the deportation of an individual facing a risk of torture. *NGOs that wish the committee to consider a request for interim measures are highly advised to state this explicitly in the complaint.*

⁶⁷ These languages are usually Arabic, Chinese, English, French, Russian and Spanish, but NGOs are advised to check the OHCHR website to confirm the working languages of each committee.

- (i) *Sensitive matters*: if there are **sensitive matters** of a private or personal nature that emerge in the complaint, it is possible to request the committee to suppress the victim's name in its final decision so that his/her identity does not become public.

Elements of the procedures

If the complaint contains the essential elements outlined above, the case is formally listed for consideration, i.e. **registered**, by the relevant committee.

The case will then be transmitted to the State party concerned to give it an opportunity to comment. Once the State party replies, the complainant is also offered an opportunity to comment on the State's arguments. At that point, the case is ready for a decision by the committee. If the State does not reply despite one or several reminders, the committee will take a decision on the case giving due weight to the claims formulated by the complainant.

The two major stages of the committee review process are known as the "admissibility" stage and the "merits" stage. At the admissibility stage, the committee considers whether the complaint meets the requirements of the procedure. If the committee determines the case to be admissible, it proceeds to consider the merits of the complaint. Although these stages are usually considered together, they may be split at the request of the State party. If a case fails at the admissibility stage, the merits of the case may not be considered.

The committees consider each case in closed session. Once a committee has taken a decision on a case, it is transmitted to the complainant and the State simultaneously. If a committee decides that a complainant has indeed been the victim of a human rights violation by a State party under the relevant treaty, it generally identifies the remedy that should be provided and invites the State party to supply follow-up information within a specific period of time (usually 3 months) on the steps it has taken to give effect to its findings.

The text of any final decision on the merits of a case or of a decision of inadmissibility is posted on the OHCHR website as part of the committees' jurisprudence ([click here](#)).

To **learn more** about the guidelines of how to submit an individual complaint for each treaty body, [click here](#).

Where to send an individual complaint under the international human rights treaties?

➤ Complaints to:

- the Human Rights Committee
- the Committee against Torture
- the Committee on the Elimination of Racial Discrimination

should be sent to:

- Petitions Team
- Office of the United Nations High Commissioner for Human Rights
- Palais des Nations
- 8–14, avenue de la Paix
- CH–1211 Geneva 10
- Switzerland
- Fax: +41 (0)22 917 90 22 (particularly for urgent matters, should include all relevant documents in hard copy format)

E-mail: tb-petitions@ohchr.org

Always specify which committee you are writing to.

- Complaints to:
the Committee on the Elimination of Discrimination against Women

should be sent to:

Committee on the Elimination of Discrimination against Women
c/o Division for the Advancement of Women
Department of Economic and Social Affairs
United Nations Secretariat
2 United Nations Plaza, DC-2/12th Floor
New York, NY 10017, United States of America
Fax: +1 212 963 3463

To learn more about the treaty bodies, see chapter VI.

2. **Communications under special procedures**⁶⁸

Special procedures mechanisms are discussed in detail in chapter V. This section looks specifically at the individual communications procedures available under the various special procedures mandates.

This mechanism allows for communications to be made concerning either individual cases or more general patterns of human rights abuses. All individuals or NGOs, on an individual's behalf, can submit cases to special procedures mandate-holders.

NGOs can often act as a conduit for individuals seeking protection from human rights abuses. NGOs wishing to submit a case under any of the special procedures mandates should first check whether there is a country or thematic mandate that covers their case. In addition, NGOs should carefully read the specific criteria of the mandate that must be fulfilled before the communication can be accepted. In particular, the Working Group on Arbitrary Detention and the Working Group on Enforced or Involuntary Disappearances have specific criteria that differ from those of other mandates.

On receipt of an individual case, the decision to intervene is at the discretion of the special procedure mandate-holder and will depend on the various criteria that the mandate-holder has established. The criteria will generally relate to: the reliability of the source and the credibility of the information received; the detail provided; and the scope of the mandate itself. To facilitate the examination of reported violations, **questionnaires** relating to several mandates are available online ([click here](#)) to persons wishing to report alleged violations. It should, however, be noted that communications from individuals or NGOs are considered even when they are not submitted in the form of a questionnaire. NGOs are encouraged to send regular updates of the information they have submitted.

⁶⁸ At its first session in June 2006, the new Human Rights Council assumed responsibility for the special procedures. It extended all mandates and mandate-holders exceptionally for one year, subject to the review that it will undertake in conformity with General Assembly resolution 60/251. NGOs should refer to the OHCHR website (<http://www.ohchr.org>) for updates or changes to the operation of the special procedures.

What should individual complaints under special procedures include?

- Identification of the alleged **victim(s)**;
 - Identification of the alleged **perpetrators** of the violation;
 - Identification of the **person(s) or organization(s) submitting the communication** (this information will be kept confidential);
 - **Date and place** of the incident;
 - A **detailed description of the circumstances** of the incident in which the alleged violation occurred.
- As a general rule, communications that contain abusive language are **not** considered;
- Communications should be **clear and concise**;
- Always specify **which special procedure mechanism** the complaint is addressed to;
- Always **consult the requirements established by each mandate** for the submission of individual complaints.

Where to send an individual complaint under special procedures?

Special Procedures Branch

Office of the United Nations High Commissioner for Human Rights

Palais des Nations

8–14, avenue de la Paix

CH–1211 Geneva 10

Fax: +41 (0)22 917 90 06

E-mail: urgent-action@ohchr.org

- Please specify which special procedure mechanism the complaint is addressed to in the subject line of the e-mail or fax or on the envelope.*
- Note that some special procedures' mandates have established specific requirements that the complaints must meet to be accepted. Details of these requirements can be found on the OHCHR website, under each mandate ([click here](#)).*

On the basis of credible and reliable information received from victims of alleged human rights abuses, special procedures mandate-holders can send **communications** to Governments. These are transmitted through OHCHR and may take the form of an **urgent appeal** if a serious violation appears ongoing or imminent, or a **letter of allegation** if a violation has allegedly already occurred. Through communications, the mandate-holder asks the Government concerned for clarification on a specific case and/or adequate remedial measures. Mandate-holders can also request Governments to communicate the results of their investigation and actions. Depending on the response received, they may decide to further inquire or make specific recommendations. In some instances they can also decide to issue a public statement on the case.

Under the rules of the previous Commission on Human Rights, all special procedures were required to **report** on their activities at its annual session. Communications sent

and received are usually confidential and remain so until the annual report is made public, unless the mandate-holder decides to issue a press statement.⁶⁹

Please note that the alleged victims are named in the reports of special procedures mandate-holders, except in the case of children or specific circumstances. Given the public nature of the reports of special procedures mechanisms, it is important that NGOs acting on behalf of victims of human rights violations ensure that the victims are aware that their case is being transmitted to the special procedures mechanisms, that their names may be communicated to the authorities concerned, and that their names (or initials) may appear in the public report of the special procedure concerned.

Further information

Standard **questionnaires** are available under several mandates for reporting alleged violations. Currently, the following mandates have special questionnaires:

- Working Group on Arbitrary Detention
- Working Group on Enforced or Involuntary Disappearances
- Special Rapporteur on extrajudicial, summary or arbitrary executions
- Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression
- Special Rapporteur on the human rights of migrants
- Special Rapporteur on the sale of children, child prostitution and child pornography
- Special Rapporteur on torture
- Special Rapporteur on trafficking in persons, especially in women and children
- Special Rapporteur on violence against women, its causes and consequences
- Special Representative of the Secretary-General on human rights defenders

These can be found online ([click here](#)). However, communications from individuals or NGOs will be considered even when they are not submitted in the form of a questionnaire.

*To learn more about the **individual complaint procedures mandate**, [click here](#).*

To learn more about special procedures, see chapter V.

3. The 1503 procedure⁷⁰

Under the 1503 procedure, communications may be submitted by any individual or group that claims to be a victim of human rights violations or that has direct, reliable knowledge of such violations. The following information sets out the important elements of this procedure.

⁶⁹ In addition to annual reports, some special procedures mandate-holders issue other documentation that helps to understand the work and scope of the mandate. In particular, the Working Group on Arbitrary Detention can issue “deliberations” on general matters and “opinions” on individual complaints. The Working Group on Enforced or Involuntary Disappearances can issue “general comments” on the Declaration on the Protection of All Persons from Enforced Disappearance.

⁷⁰ At its first session in June 2006, the Human Rights Council assumed responsibility for the 1503 procedure, which it will review and, where necessary, improve and rationalize in conformity with General Assembly resolution 60/251. In its decision 2006/102, the Human Rights Council requested the 1503 procedure to continue with the implementation of its mandate. NGOs should refer to the OHCHR website (<http://www.ohchr.org>) for updates on the future complaints procedure of the Human Rights Council.

What should complaints under the 1503 procedure include?

- Identification of the **person(s) or organization(s) submitting the communication** (this information will be kept confidential, if requested). Anonymous complaints are not admissible;
 - **Description of the relevant facts** in as much detail as possible, providing names of alleged **victims, dates, locations and other evidence**;
 - Purpose of the complaint and the **rights allegedly violated**, based on the Universal Declaration of Human Rights;
 - **Explanation** of how the case may reveal a **widespread pattern of human rights violations** rather than individual violations. There must be reasonable grounds for inferring from the material that the alleged pattern of gross human rights violations exists;
 - Details of how **domestic remedies have been exhausted**, or explanation of how such remedies would be ineffective or unreasonably prolonged.
- All complaints must be in writing.* Please note that it is not sufficient to rely on mass media reports. If you intend to submit a human rights report as evidence, attach a cover letter to identify yourself, explain the case you want to make and that you wish the complaint to be dealt with under the 1503 procedure.
- In order to be examined during the same year, *complaints must be received at least 12 weeks before the meeting of the Working Groups on Communications*, which meets annually during the last two weeks of August (to allow sufficient time for Governments to reply to the allegations). Complaints received after this deadline will be examined by the Working Group on Communications the following year.
- It is advisable to limit the complaint to 10–15 pages.* Additional information may be submitted at a later stage.
- Communications that contain language deemed abusive or insulting will not be considered.*

The following information describes the stages of the 1503 procedure as it operated under the former Commission on Human Rights and continues to operate for communications processed between May 2005 and June 2006. The new Human Rights Council will review and, where necessary, improve and rationalize it within one year after the holding of its first session. NGOs are therefore advised to visit the OHCHR website regularly for any changes and updates on the procedures.⁷¹

- *Stage 1: Initial screening*
The secretariat, together with the Chairperson of the Working Group on Communications, screens all communications (complaints) as they arrive, and discards those found to be manifestly ill-founded or anonymous. If a communication is admitted to the next stage of the procedure, the author receives a written acknowledgement and the communication is sent to the Government concerned for reply. Due to the confidentiality of the procedure, no further information other than this acknowledgement will be provided to the author on the outcome of the examination of his/her communication.

⁷¹ In its decision 2006/105, the Human Rights Council adopted a draft programme of work for the first year according to which reports of the 1503 procedure will be examined at its second session in September.

- *Stage 2: Working Group on Communications*
The Working Group on Communications meets annually in closed session for two weeks, following the meeting of the Sub-Commission for the Promotion and Protection of Human Rights. It comprises five members of the Sub-Commission, representing the five regional groups. This Working Group examines complaints that have passed the initial screening stage and any replies received from Governments with a view to bringing to the attention of the Working Group on Situations any particular situation that appears to reveal a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms.
- *Stage 3: Working Group on Situations*
The Working Group on Situations meets annually, in closed session for one week, to consider situations referred to it by the Working Group on Communications. It also considers any situation that it has kept pending since its previous session and situations that were kept under review by the Commission on Human Rights (see the next stage in the process). The Working Group is composed of five members of the Commission (now the Human Rights Council). The Working Group may decide to refer a particular situation to the Commission/Human Rights Council, normally together with a draft resolution/decision recommending the action to be taken in this respect. Alternatively, it may decide to keep a situation pending before it or to discontinue the consideration of the matter.
- *Stage 4: Commission on Human Rights*
During its annual session, the Commission on Human Rights used to meet in two closed meetings to consider the particular situations referred to it by the Working Group on Situations, as well as the situations kept under review since its previous session. During the first closed meeting, representatives of the Governments concerned would be invited to address the Commission and answer questions.

At a subsequent closed meeting shortly thereafter, the Commission would adopt a decision regarding the situations examined. The Commission could then decide to:

- (i) Discontinue consideration of the matter;
- (ii) Keep the situation under review in the light of any further information received from the Government concerned and any further information which may reach the Commission under the 1503 procedure;
- (iii) Keep the situation under review and **appoint an independent expert**;
- (iv) Discontinue consideration of the matter under the 1503 confidential procedure in order for the Commission to **take up consideration of the same matter under its public procedure**.

After the Commission had considered the situations before it, the Chairperson would announce at a public meeting the names of the countries examined under the 1503 procedure and those of countries no longer dealt with under the procedure.

All material provided by individuals and Governments as well as the decisions taken at the various stages of the procedure remain **confidential**. This also applies to situations that have been discontinued. The documentation examined under the 1503 procedure remains confidential until such time as the Commission may decide to make recommendations to ECOSOC, usually at the request of the Government concerned. **At the request of the Governments concerned**, the documentation under the confidential 1503 procedure in relation to **the human rights situation in the following countries was made public** and is available for distribution to interested individuals and organizations: Argentina, examined between 1980 and

1985; Uruguay, examined between 1978 and 1985; and Paraguay, examined between 1978 and 1990.

Where to send a complaint under the 1503 procedure?
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Treaties and Council Branch (1503 procedure)

Office of the United Nations High Commissioner for Human Rights

Palais des Nations

8–14, avenue de la Paix

CH–1211 Geneva 10

Switzerland

Fax: +41 (0)22 917 90 11

E-mail: 1503@ohchr.org

*To learn more about the 1503 procedure, consult **Fact Sheet No. 7 (Rev.1)** or [click here](#).*

VIII. FUNDS, GRANTS, FELLOWSHIP AND TRAINING PROGRAMMES

The new Human Rights Council

On 15 March 2006 the United Nations General Assembly decided to replace the central United Nations intergovernmental body on human rights, the Commission on Human Rights, with the Human Rights Council, as a new subsidiary body of the General Assembly.⁷² The Human Rights Council convened for the first time on 19 June 2006 and has assumed all mandates, mechanisms, functions and responsibilities of the Commission. The Council will review and, where necessary, improve and rationalize them within one year after the holding of its first session.

Until otherwise decided by the Council, the human rights mechanisms discussed in this *Handbook* (in particular the special procedures and the 1503 procedure) will continue to operate as they did under the Commission. The Council is expected to develop its own rules of procedure and modalities of operation. NGOs are encouraged to consult the OHCHR website regularly for updates (<http://www.ohchr.org>).

Funds, grants, fellowship and training programmes at a glance

What are they?

OHCHR manages a number of funds and programmes that directly benefit NGOs or that they can access. **Funds and grants** make available financial grants to support activities within the mandate of the fund or grant project. **Fellowship programmes** and the **training workshop** for minorities give selected individuals a learning opportunity about human rights mechanisms and international institutions.

How do they work?

Funds and grants: the funds and grants assist NGOs working in specific areas:

- The Voluntary Fund for Victims of Torture offers grant access to NGOs providing medical, psychological, social, economic, legal, humanitarian or other forms of assistance to victims of torture and members of their families
- The Voluntary Fund for Indigenous Populations provides travel grants to facilitate the participation of representatives of indigenous communities and organizations in United Nations meetings relating to indigenous issues
- The United Nations Voluntary Trust Fund on Contemporary Forms of Slavery provides small project grants to NGOs assisting victims of contemporary forms of slavery and travel grants to participate in the yearly sessions of the Working Group on Contemporary Forms of Slavery of the Sub-Commission of the former Commission
- The “Assisting Communities Together” (ACT) grant project provides small grants to support local human rights education and training initiatives.

Fellowship programmes: the fellowship programmes aim to strengthen the capacity of particular groups in the area of human rights:

- The Indigenous Fellowship Programme supports members of indigenous groups to participate in a programme of human rights training
- The Minority Fellowship Programme supports persons belonging to national or ethnic, religious and linguistic minorities for a three-month learning programme

Training workshop: the training workshop is for persons belonging to national or ethnic, religious and linguistic minorities and facilitates the participation of trainees in the annual

⁷² General Assembly [resolution 60/251](#).

session of the Working Group on Minorities in Geneva.

Which NGOs can access it?

Access to funds, fellowships and the training programme is generally open to all NGOs, regardless of their ECOSOC status. However, each fund or programme has its own distinct mandate and requirements. NGOs wanting to apply should carefully review the guidelines provided in this chapter to ensure that they qualify.

How can NGOs work with it?

Each of the facilities set out in this chapter has been created to increase the role and participation of civil society in human rights mechanisms. The contribution and active engagement of NGOs in human rights issues contributes to a stronger realization of these rights. Detailed information necessary for NGOs to participate in the funds, fellowship programmes and training workshop is set out in this chapter.

A. What are they?

The Office of the United Nations High Commissioner for Human Rights (OHCHR) manages a number of funds and programmes that directly benefit NGOs or that they can access. These can provide financial support for NGO activities in certain human rights areas, or provide opportunities for expanding the skill and knowledge of NGO representatives. **Funds** make available financial grants to support activities within their mandate. **Fellowship programmes** give selected individuals an intensive learning opportunity about human rights mechanisms and international institutions. The **training workshop** provides a shorter introduction to international human rights and facilitates NGO advocacy in the Working Group on Minorities.

1. Funds and grants

OHCHR administers funds and grants that can provide support to individuals or NGOs in certain circumstances. The funds receive voluntary contributions from Governments, NGOs and individuals for distribution according to their mandate.

There are three funds that can support the work of NGOs:

- (a) The United Nations Voluntary Fund for Victims of Torture offers grant access to NGOs providing medical, psychological, social, economic, legal, humanitarian or other forms of assistance to victims of torture and members of their families
- (b) The Voluntary Fund for Indigenous Populations provides travel grants to facilitate the participation of representatives of indigenous communities and organizations in United Nations meetings relating to indigenous issues
- (c) The United Nations Voluntary Trust Fund on Contemporary Forms of Slavery provides small project grants to NGOs assisting victims of contemporary forms of slavery and travel grants to participate in the yearly sessions of the Working Group on Contemporary Forms of Slavery

In addition, the “Assisting Communities Together” (ACT) grant project provides small grants to support local training and education initiatives.

2. *Fellowship programmes*

There are two fellowship programmes administered by OHCHR. Both are aimed at strengthening the capacity of particular groups in the area of human rights:

- (a) The Indigenous Fellowship Programme supports members of indigenous groups to participate in a programme of human rights training;
- (b) The Minority Fellowship Programme supports persons belonging to national, ethnic, religious or linguistic minorities for a three-month learning programme.

3. *Training workshops*

OHCHR and the NGO Minority Rights Group International organize joint training workshops for persons belonging to national or ethnic, religious and linguistic minorities. These workshops facilitate the participation of trainees in the annual session of the Working Group on Minorities session in Geneva.

B. *How do they work?*

1. *The United Nations Voluntary Fund for Victims of Torture*

The United Nations Voluntary Fund for Victims of Torture's mandate is to provide **project grants** for humanitarian assistance (medical, psychological, legal, social and financial) to victims of torture and members of their families through non-governmental entities such as NGOs and specialized centres.

This Fund is the largest managed by OHCHR. In 2005 its Board of Trustees received applications for grants amounting to approximately US\$ 14 million for consideration at its 24th session. It approved a total of US\$ 8.4 million for some 200 projects to be implemented by NGOs operating in more than 60 countries.

The Fund is administered by the United Nations Secretary-General on the advice of a Board of Trustees composed of a chairman and four members with wide human rights experience, who act in their personal capacity as United Nations experts. The Board meets annually for five to eight working days in April/May. During the session, it reviews reports on the use of previous grants and adopts recommendations on new grants. It also meets with regular donors to the Fund.

The Fund's secretariat and Board are based at OHCHR in Geneva. The secretariat determines the admissibility of applications for project grants while it is the role of the Board to judge the applications on their merits. The Board considers a number of elements including:

- The number of victims of torture and members of their families to be assisted by a project
- The type of torture endured and after-effects suffered
- The type of assistance needed
- The professional experience of the project staff in assisting victims of torture
- Case studies of victims to be assisted
- The need to assist small projects for humanitarian assistance to victims of torture, most of which have very little funding.

Grants from the Fund usually cover a 12-month period. New applications for the continuation of a project can be submitted and a new grant recommended provided the Board receives satisfactory **narrative, financial and audit reports on the use of the previous grant**.

It should be noted that the Fund is being reformed to adjust its grant cycle to the calendar year. While grants are currently paid in July after the annual session of the Board in April/May, by 2008 these will be paid in January. This will allow NGOs to receive funding at the beginning of the calendar year. Consequently, grants allocated in 2005 and 2006 will cover an 18-month period (January 2005–June 2006 and July 2006–December 2007 respectively). From 2007, the Board will hold its annual session in October/November to allocate grants for the following year.

2. *The Voluntary Fund for Indigenous Populations*

The Voluntary Fund for Indigenous Populations seeks to facilitate the participation of representatives of indigenous communities and organizations in the two United Nations bodies working on indigenous rights:

- the Working Group on Indigenous Populations
- the Permanent Forum on Indigenous Issues⁷³

The Fund, managed by OHCHR, exclusively provides **travel grants** for this purpose. Over the years, it has given hundreds of representatives of indigenous peoples and NGOs working with them—who would not have been able to attend otherwise—the possibility of participating in the above bodies, contributing their expertise and taking home the lessons learned.

The Fund is administered by the United Nations Secretary-General in accordance with the Financial Regulations and Rules of the United Nations with the advice of a Board of Trustees, composed of five persons with experience on indigenous issues. The members of the Board, serving in their personal capacity, are appointed by the Secretary-General, in consultation with the Chairperson of the Sub-Commission on the Promotion and Protection of Human Rights (formerly part of the Commission and now within the mandate of the Human Rights Council), for a three-year renewable term. At least one member of the Board of Trustees is a representative of a widely recognized organization of indigenous people.

3. *The United Nations Voluntary Trust Fund on Contemporary Forms of Slavery*

The United Nations Voluntary Trust Fund on Contemporary Forms of Slavery provides two types of funding to NGOs:

- (a) **Travel grants** to participate in the yearly sessions of the **Working Group on Contemporary Forms of Slavery**. The aim of the travel grants is to assist representatives of NGOs from different regions tackling contemporary forms of slavery to participate in the deliberations of the Working Group on Contemporary Forms of Slavery
- (b) **Small project grants** to NGOs assisting victims of contemporary forms of slavery (e.g. child labour, trafficking, forced labour). The aim of the project grants is to extend, through established channels of assistance, humanitarian, legal and financial aid to individuals whose human rights have been severely violated as a result of contemporary forms of slavery. It provides a rare opportunity for NGOs, often working at the grass-roots level, to assist a large number of victims directly, with relatively small amounts of funds.

⁷³ See also chapter III.

4. *The “Assisting Communities Together” grant project*

In 1998 OHCHR and UNDP launched the “Assisting Communities Together” (ACT) project, a joint project that provides micro-grants of up to US\$ 5,000 to NGOs, local associations and other similar institutions carrying out **human rights promotional activities in local communities**.

The ACT project takes a bottom-up approach by encouraging action at the community level with a view to improving respect for human rights in practical ways, relevant to people’s specific conditions. The ACT project is principally aimed at strengthening local capacities for human rights education, training and public information. For instance, it has funded:

- Human rights workshops and training courses for various groups, including teachers, women, social workers, public officials and indigenous peoples;
- Human rights awareness campaigns with cultural events, such as theatre performances, art exhibits and rock concerts;
- The production/translation of human rights materials and their dissemination through the media;
- The creation of information centres for the promotion and protection of human rights;
- Education programmes for specific vulnerable groups such as prisoners, sex workers, HIV-positive persons, orphans, internally displaced persons;
- Human rights education activities for children and youth, such as school competitions and the establishment of human rights youth clubs.

5. *The Indigenous Fellowship Programme*

The Indigenous Fellowship Programme began in 1997 as an OHCHR initiative to implement the goals of the International Decade of the World’s Indigenous People (1995–2004), with the primary objective of strengthening cooperation with indigenous people through human rights capacity-building for indigenous communities while benefiting from their expertise.

The Indigenous Fellowship Programme aims to give indigenous women and men the opportunity to gain knowledge of international human rights in general and indigenous rights in particular, in order to help their organizations and communities protect and promote the human rights of their people. Furthermore, at the end of the Programme each fellow should also be capable of giving training within his/her community and organization on international human rights in general and indigenous peoples’ rights in particular, and be able to disseminate the information and knowledge gained during the Fellowship Programme. It aims to yield benefits at the individual level, at the organizational level, but most importantly at the community level.

There are four different programmes in four different languages: **English, Spanish, French and Russian**. Each year five fellows are selected for each programme.

6. *The Minorities Fellowship Programme*

Through the Minorities Fellowship Programme, OHCHR aims to give persons belonging to **national or ethnic, religious and linguistic minorities**, particularly young minority women and men, an opportunity to gain knowledge of international

human rights in general and minority rights in particular. It is expected that the Minorities Fellows at the end of the Programme will gain general knowledge about the United Nations human rights mechanisms as they relate to issues of relevance to minorities, and be capable of giving training within their communities and organizations on the information and knowledge gained during the Fellowship Programme.

7. *The Training Workshop for Minorities*

Since 2003, OHCHR has organized, in cooperation with the NGO Minority Rights Group International, joint training workshops for persons belonging to national or ethnic, religious and linguistic minorities. The minority representatives participate in the Training Workshop and in the annual session of the Working Group, presenting their concerns and engaging in a dialogue with Governments. They receive training on international human rights standards and United Nations human rights monitoring mechanisms, in particular those relevant to minorities. In addition, NGOs share their experiences of advocacy and networking with grass-roots minority organizations with a view to working more effectively with United Nations bodies, in particular the Working Group on Minorities.

Fifteen to 20 trainees are selected each year, depending on the availability of funds. The training programme includes an economy-class return air ticket from the place of residence to Geneva, and a stipend to cover accommodation and meals for the duration of the stay in Geneva. On returning to their communities, trainees are expected to use the knowledge and experience gained in the training to disseminate information on minority rights and contribute to the strengthening of networking in the field of minority rights.

C. *Which NGOs can access them?*

Access to funds and grants is generally open to all NGOs, regardless of their status with the Economic and Social Council (ECOSOC). However, NGOs wanting to apply should carefully review the guidelines and ensure that they are able to meet the administrative and other requirements.

Access to the fellowship programmes and training workshop is open to indigenous persons or persons belonging to national or ethnic, religious and linguistic minorities, depending on the terms of the programme. NGOs should carefully review the requirements of these programmes.

4. *How can NGOs work with them?*

Each of the facilities set out in this chapter have been created to increase the role and participation of civil society in human rights mechanisms. The contribution and active engagement of NGOs in human rights issues contributes to a stronger realization of these rights. This section sets out the main information that NGOs need to participate in the funds, fellowship programmes and the training workshop discussed in this chapter.

1. ***The United Nations Voluntary Fund for Victims of Torture***⁷⁴

Who is eligible for a grant?

- Only non-governmental entities⁷⁵ can apply; applications from Governments, national liberation movements or political parties are not admissible.
- The projects' beneficiaries must be victims of torture, as understood in article 1 of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Beneficiaries can also be direct family members of victims of torture.
- The staff involved in the project should have experience in direct assistance to victims of torture and the project should already be in place at the time of the submission of the grant request.
- The Fund does not, as a rule, subsidize a project already funded by another organization.
- Applications must be made using the Fund's application form, which is available on the OHCHR website.
- Applications must be submitted to the Fund's secretariat before the closing date specified on the OHCHR website.

First-time applicants to the Fund should:

- provide background information on the organization,
- demonstrate that its staff has relevant experience in providing direct assistance to victims of torture (their curriculum vitae should be attached),
- explain the aims of and justification for the project,
- provide the statutes of the organization.

What types of projects are accepted?

- Applications for grants should aim at providing medical, psychological, social, economic, legal, humanitarian or other forms of assistance to victims of torture and members of their families.
- Applications for projects concerning social or economic reintegration of victims of torture into society, including vocational training for the victims themselves, are accepted.
- Subject to availability of funds, a limited number of grants could also be given for the training of professionals or for the organization of conferences and seminars with a special focus on the treatment of victims of torture.
- Applications concerning victims of other forms of organized or domestic violence will not be accepted.
- Applications for projects aiming at campaigning against torture, preventing torture or providing financial assistance to other projects will not be accepted.
- Applications for projects concerning investigations, studies, research, newsletters publication or similar activities will not be accepted.
- As a rule, applications for projects aiming at financing the establishment of a new NGO will not be accepted.
- NGOs submitting applications for projects to provide direct legal assistance to victims of torture should submit information on whether the judiciary can provide free legal aid to defend the victims, in conformity with domestic law. The list of the victims to be assisted under legal aid should be provided together with the application form.
- The Fund does not provide financial compensation to victims.

⁷⁴ Governments, NGOs and other private or public entities can contribute to the Fund. For information on how to contribute, please contact its secretariat.

⁷⁵ This includes NGOs, foundations and hospitals not under the control of the Government.

Type of assistance funded by the United Nations Voluntary Fund for Victims of Torture to date

Psychological assistance. The majority of NGOs financed by the Fund (87% in 2002) provide psychological assistance to victims designed to help them overcome the psychological trauma they have experienced. Along with individual therapy (e.g., psychological and psychiatric support, drug treatment), many organizations also offer family or group therapy case by case.

Medical assistance is designed to treat the physical after-effects of torture. Treatment is generally provided by specialists and often accompanied by paramedical treatment. Such assistance is provided either directly by NGOs financed by the Fund or through partner health-care organizations and professionals to whom patients are referred (with the grant-assisted NGO covering the expenses related to the treatment).

Social assistance complements the two above-mentioned types of assistance by enabling victims, through various approaches, to come out of the marginalized state in which they may find themselves. Social marginalization is a factor that exacerbates the psychological after-effects of torture from which victims are already suffering. Such assistance can consist of professional training designed to give victims a specialty of their choice, subsequently giving them the opportunity to find employment. Social assistance can also take the form of aid to elderly and handicapped people affected by torture, by easing access to social services, referring them to charitable institutions or providing them with home care.

Legal assistance has several aspects. The activities of legal advisers of grant-assisted NGOs may help promote the social and family rights of the applicants, as well as help victims of torture seeking asylum to obtain refugee status from their host country. Generally, Fund assistance contributes to combating impunity by seeking reparation and compensation for victims through their legal representation before the competent national, regional and international courts. The Fund's grants can cover the costs of lawyers, courts, translations and procedure.

Financial assistance in the very poorest regions often enables the victims to gain easier access to other types of assistance. In some cases, assistance takes the form of nominal amounts that allow unemployed victims to cover their own and their relatives' basic needs. In other cases, the financial assistance helps to pay the school costs of the victims' children, or of victims themselves when they are unable to work as a result of the serious physical and psychological aftermath of torture, as well as a modest daily food ration during the school year. Finally, other forms of financial assistance include ad hoc donations in kind (such as food, utensils, tools and clothing) and income-generating projects run directly by the victims.

Budget considerations

- In order to be accepted, project budgets should be based on realistic local costs and salaries. Overbudgeting will render the application inadmissible or will result in the obligation to refund all, or part of, the grant.
- The amount of the grant requested cannot exceed one third of the annual budget of the project submitted.

Emergency grants for NGOs or victims of torture

If sufficient funds are available, NGOs can exceptionally submit a request for emergency assistance between two sessions of the Board for projects currently subsidized by the Fund which encounter financial difficulties. NGOs should send their requests for emergency funding on the secretariat's application form, as well as a detailed letter explaining why they need emergency financial assistance. The following conditions apply:

- Emergency grants to individuals are available only if in the victim's country there is no project financed by the Fund or other relevant projects.

- The application should be accompanied by a medical certificate showing that the victim suffers from the after-effects of torture and any other kind of relevant supporting documentation showing that the individual is a victim of torture including:
 - the context in which torture took place
 - identification of the torturers
 - the types of torture suffered
 - the after-effects
 - the type of assistance requested
 - estimates of the costs of such assistance, etc.
- If medical assistance is requested, a detailed medical report explaining precisely to what extent the victim's suffering is the result of torture, what are the medical needs of the victim and the estimated cost of medical treatment should be submitted.

Where to find documentation about the Fund and how to contact the Fund's secretariat?

The Fund's application form, the report submission form, as well as reports of the Board of Trustees to the United Nations General Assembly and the former Commission on Human Rights can be downloaded from the OHCHR website ([click here](#)).

For documentation or any further information on the Fund, contact its secretariat at:

United Nations Voluntary Fund for Victims of Torture
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Phone: +41 (0)22 917 93 15
Fax: +41 (0)22 917 90 17
E-mail: unvft@ohchr.org

When submitting an application, please note:

- The Fund's secretariat will not accept applications that do not use the Fund's application form, do not provide all requested information, are not signed and dated by the project leader, or in any manner do not comply with the guidelines of the Fund.
- The application may be in English, French or Spanish.
- Applications must be sent in their original form by airmail and e-mail. Applications must not be bound.
- NGOs applying for a grant should provide all the banking details requested in the application form. Since grants are paid in US dollars through bank transfer, the organization's bank account must be able to receive foreign payments in that currency. The name of the beneficiary of the bank account must be the name of the applicant NGO. If the bank account is in the name of a private individual, the application will not be considered by the secretariat of the Fund.

2. *The Voluntary Fund for Indigenous Populations*⁷⁶

The contribution and active engagement of local national and international NGOs have significantly helped to advance indigenous issues on the world stage. The working groups on indigenous populations are important tools of action for NGOs working with indigenous people or indigenous NGO groups themselves. The Fund's travel grants aim to increase the number and diversity of indigenous peoples participating in these working groups.

There are two bodies that focus on indigenous issues. The Working Group on Indigenous Populations is composed of individual experts and is now within the mandate of the Human Rights Council. The Council will review the Working Group's mandate in the coming year. The *Permanent Forum on Indigenous Issues* is an advisory body to ECOSOC and is also composed of individual experts. Further information on these bodies is set out in chapter III.

Who is eligible for a grant?

Indigenous representatives of indigenous populations' organizations and communities:

- Who would not otherwise be able to attend the sessions of the Working Group or the Permanent Forum; and
- Who can contribute to a deeper knowledge on the part of the Working Group or the Permanent Forum of the problems affecting indigenous populations, and who would also secure a broader geographical representation.

Application requirements

- Travel grants are given on an individual basis—an organization or beneficiary cannot request that a beneficiary be replaced by another);
- Applications by individuals must be accompanied by a letter of recommendation signed by an executive of their indigenous organization. The Board will not examine a letter signed by the applicant herself/himself;
- A maximum of two applicants per organization may apply;
- Applicants are requested to submit application forms and recommendation letters in the working languages of the Board's secretariat (English, French or Spanish);
- Applicants are requested to indicate their responsibility in their organization or community;
- Applicants to attend a session of the Working Group on Indigenous Populations are requested to refer in their statements to the specific theme of the year;
- The Board's recommendation in favour of an applicant to attend a session of the Permanent Forum does not exclude another recommendation to attend the Working Group and vice versa.

Where to submit an application?

Application forms for grants can be found [by clicking here](#) and should be submitted by **1 October each year** to:

Secretariat of the Voluntary Fund for Indigenous Populations
Office of the United Nations High Commissioner for Human Rights
Palais des Nations

⁷⁶ Governments, NGOs and other private or public entities can contribute to the Fund. For information on how to contribute, please contact its secretariat.

8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Phone: +41 (0)22 917 91 64
Fax: +41 (0)22 917 90 66
E-mail: IndigenousFunds@ohchr.org

To learn more about OHCHR work on indigenous peoples, consult the **United Nations Guide for Indigenous People** and **Fact Sheet No. 9**, or [click here](#).

3. The United Nations Voluntary Trust Fund on Contemporary Forms of Slavery

Many NGOs today are combating and protecting victims of contemporary forms of slavery in various parts of the world. Slavery-like practices are often clandestine and NGOs may have a crucial role in uncovering hidden human rights violations linked to contemporary forms of slavery. The word “slavery” today covers a variety of human rights violations. In addition to traditional slavery and the slave trade, these abuses include the sale of children, child prostitution, child pornography, the exploitation of child labour, the sexual mutilation of girls, the use of children in armed conflicts, debt bondage, the traffic in persons and the sale of human organs, the exploitation of prostitution, and certain practices under apartheid and colonial regimes.

The **travel grants** and **project grants** for NGOs under the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery aim to increase the participation of NGOs in eliminating slavery around the world.

(a) Travel grants

The travel grants are for NGOs to participate in the yearly sessions of the Working Group on Contemporary Forms of Slavery.

The Working Group on Contemporary Forms of Slavery is a working group of the Sub-Commission, formerly part of the Commission and now under the mandate of the Human Rights Council. Until otherwise decided by the Council, it will continue to operate as it did under the Commission and as set out below. The Working Group has the general responsibility in the United Nations for the study of slavery in all its aspects. It consists of five independent experts chosen on the basis of equal geographical representation from the membership of the Sub-Commission. The Working Group meets for one week each year (usually in July) and reports to the Sub-Commission. In addition to monitoring the application of the slavery conventions and reviewing the situation in different parts of the world, it selects a theme for special attention each year. In the past, the Working Group on Contemporary Forms of Slavery has examined: the prevention of the sale of children, child prostitution and child pornography; the eradication of the exploitation of child labour and debt bondage; the prevention of the traffic in persons and the exploitation of the prostitution of others.

NGOs make an important contribution to the Working Group’s activities. At its sessions, they inform it of the situation as they see it in many parts of the world and describe their work and experience in eliminating practices condemned in the slavery conventions. *NGOs do not need to be in consultative status with ECOSOC to participate in activities of the Working Group.*

To participate in the Working Group on Contemporary Forms of Slavery, contact:

Secretariat of the Working Group on Contemporary Forms of Slavery
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland

To find out more about the **Working Group on Contemporary Forms of Slavery**, [click here](#).

Who is eligible for travel grants?

- Representatives of acknowledged NGOs working on contemporary forms of slavery who would not otherwise be able to attend sessions of the Working Group and who could contribute significantly to the content and discussions of the meeting;
- Leaders of projects financed by the Fund, who are thus able to report on progress and receive advice and guidance from the Working Group;
- Individuals whose human rights have been severely violated as a result of contemporary forms of slavery and whose experiences can contribute to the work of the Working Group, such as former victims of bonded labour, child labour, trafficking for sexual and economic exploitation and forced early marriage. Lesser-known types of contemporary slavery are sometimes exposed in the sessions, as in 2002, with information on the abusive devadasi religious practices that violate children's human rights, particularly those of Dalit children, forcing them into sexual slavery and child marriages.

Application requirements for travel grants

- Applicants should submit a fully completed application form available on the OHCHR website ([click here](#)). The original application must be submitted by airmail and should be signed and dated;
- The Board will take into consideration the main theme of the Working Group's session when making recommendations for travel grants;
- An NGO may apply for grants for a maximum of two representatives per session;
- In proposing candidates, the applicant NGO should take gender balance into consideration;
- Representatives should be selected from all the geographical regions in order to provide the widest possible view of contemporary forms of slavery in the world;
- Beneficiaries of a travel grant should deliver their statements on behalf of the organization that applied for the approved grant;
- The Board will not consider an application for which the secretariat has not received, at its request, additional satisfactory information after a second reminder.

(b) Project grants

Who is eligible for project grants?

- Organizations that provide direct assistance to individuals whose human rights have been violated as a result of contemporary forms of slavery. This direct assistance accounts for the majority of the grants awarded. The funds are passed to the recipient through approved and established NGOs or grass-roots networks that provide humanitarian, legal and financial assistance to victims;

- Organizations that provide indirect assistance to victims through preventive measures and training. Many of the projects selected involve rehabilitation and education programmes to help the victims become self-sufficient and less vulnerable to exploitation.

Application requirements for the Fund

- Applicants should submit a fully completed application form available on the OHCHR website ([click here](#)). The original application must be submitted by airmail and should be signed and dated;
- An organization can request a maximum amount of US\$ 15,000 per grant from the Fund;
- Projects will be selected from all the geographical regions in order to provide the widest possible view of contemporary forms of slavery in the world,
- The project should take gender balance into consideration;
- Project grants should be allocated for direct assistance to victims and to local NGOs. Grants can be channelled via an international NGO, provided that it does not keep any part of the grant for its activities;
- The Board will not consider an application for which the secretariat has not received, at its request, additional satisfactory information after a second reminder.

Examples of recent project funding

Wao Afrique, Togo: US\$ 7,000 in 1999 and US\$ 7,000 in 2002 supported a project assisting girl victims of trafficking for sexual and economic exploitation (55 girls in 1999 and 400 in 2002). The organization provides medical aid, food, shelter and vocational training—especially in hairdressing and tailoring—for 4–6 months. Those wishing to return to school are helped to obtain birth certificates, essential for registering in Togolese schools.

Erradicación del Trabajo Infantil para la Reinserción Escolar (Elimination of Child Labour through Reintegration into Education), Argentina: US\$ 7,500 in 2003 and US\$ 10,000 in 2004 helped this project to assist 100 former street children engaged in informal labour to reintegrate into the education system and to take part in extra-curricular activities to complement classroom lessons. A holistic approach to the family involved parents in the programme and some of them were employed as cooks, cleaners and educators.

Women's Support Centre, Kyrgyzstan: US\$ 2,000 in 2003 supported training activities on trafficking for trainers in seven regions that led to several of the regions establishing crisis centres and hotlines for victims of trafficking. The trainers included educationalists, representatives of law enforcement agencies, civil society activists and the mass media.

Application forms for grants can be found [by clicking here](#), and submitted by **15 September each year** to:

United Nations Voluntary Trust Fund on Contemporary Forms of Slavery

Office of the United Nations High Commissioner for Human Rights

Palais des Nations

8–14, avenue de la Paix

CH–1211 Geneva 10

Switzerland

Phone: +41 (0)22 917 91 45

Fax: +41 (0)22 917 90 66

E-mail: SlaveryFund@ohchr.org

4. *The “Assisting Communities Together” grant project*

The ACT project provides financial support to grass-roots NGOs that carry out human rights education activities.

For instance, these small grants aim at supporting:

- The creation and dissemination of educational materials and curricula to teach the importance of tolerance and respect for human rights;
- The organization of seminars for local communities, particularly targeting teachers, social workers and other professionals.

Criteria for selection:

- The applicant must be a credible NGO or association with institutional capacity to carry out the project it is proposing;
- The proposed project should be as much as possible innovative, replicable and designed to provide maximum sustainable impact locally;
- Projects should last no longer than six months and have a maximum budget of \$5,000.

For further information on ACT, contact:

ACT project
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Fax: +41 (0)22 917 90 10
E-mail: ACTProject@ohchr.org

Or [click here](#) or consult the *ACT Project, Assisting Communities Together* brochure.

5. *The Indigenous Fellowship Programme*

The Indigenous Fellowship Programme consists of:

- The Geneva-based Programme (in **English**);
- The Deusto-based Programme (in **Spanish**);
- The Dijon-based Programme (in **French**); and
- The **Russian** Programme, which is a pilot project begun in 2005.

The five-month **Geneva-based Programme**, implemented by OHCHR and starting in May each year, consists of an intensive course on human rights mechanisms and institutions, briefings, seminars, monitoring of relevant United Nations meetings, and practical work within OHCHR. The Programme is divided in two parts. The first is devoted to orientation activities on human rights; the second is more practical, including the opportunity to work with the secretariat planning and organizing the Working Group on Indigenous Populations. It may also include participation in the Permanent Forum on Indigenous Issues. **Each year five fellows are selected.**

The five-month **Deusto Programme** is a joint initiative between the University of Deusto in Bilbao, Spain, and OHCHR. It has a similar structure to the Geneva-based Programme, while also trying to encourage an exchange between the fellows and other organizations involved, such as Basque NGOs and the Basque Government. **Each year five fellows are selected.**

The **Dijon Programme** is a joint initiative of the University of Bourgogne in Dijon, France, and OHCHR, and is intended for indigenous people who have French as their first or second language. The Programme lasts 10 weeks (4 weeks at the University in Dijon, 4 weeks at OHCHR in Geneva and 2 weeks at the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Paris). **Each year five fellows are selected.**

All fellowship programmes provide modest accommodation, a monthly subsistence grant, travel expenses and health insurance.

Eligibility criteria:

- The candidate must be a member of an indigenous group and should be supported by his/her indigenous community or organization;
- Although age is not a limitation, preference is given to candidates in the 25–35 years age bracket;
- Formal education is not a limitation to participation in the Fellowship Programme given the socio-economic barriers to formal educational institutions confronting many indigenous peoples;
- Candidates should have the ability and willingness to train other indigenous persons after their return to their communities/organizations;
- It is desirable that the sponsoring organization has a firm constituency or membership;
- The selection of fellows should reflect a regional balance;
- The candidates must have a good understanding of the language in which the Fellowship Programme will be conducted.

Fellowship applications will be taken into consideration only if they are fully completed. Applications must be faxed or sent by regular post. E-mailed applications will not be considered.

Where to submit an application:

Indigenous and Minorities Unit
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Fax: +41 (0)22 917 90 08
E-mail: fellowship@ohchr.org

To learn more about the fellowship programme and to obtain an application form, [click here](#).

6. The Minorities Fellowship Programme

At present five minority fellows are selected for a three-month period. The Fellowship Programme provides a monthly subsistence grant to cover modest accommodation and other living expenses, travel to and from Geneva, and health insurance.

Eligibility criteria:

- The candidate must belong to a national, ethnic, religious or linguistic minority;
- Although age is not a limitation, preference will be given to candidates between 25 and 35 years of age;

- Formal education is not a limitation to participation in the Minorities Fellowship Programme, if relevant experience can be demonstrated;
- It is desirable that the sponsoring organization or association undertakes work on minority issues and is composed of persons belonging to minorities;
- Candidates should have the ability and willingness to train other persons belonging to minorities upon their return to their communities/organizations;
- The candidate should have the written support of their community or organization;
- The candidates must have a good working knowledge of English, as all trainings and debriefings will be conducted in English.

Fellowship applications will be taken into consideration only if they are fully completed. Applications must be faxed or sent by regular post. E-mailed applications will not be considered.

Where to submit an application:

Minorities Fellowship Programme
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Phone: +41 (0)22 917 92 04 or (0)22 917 91 40
Fax: +41 (0)22 917 90 10
E-mail: Applications@ohchr.org

*To learn more about the fellowship programme and to obtain an **application form**, [click here](#).*

7. The Training Workshop for Minorities

NGOs play an important role in promoting and protecting the rights of persons belonging to minorities. OHCHR strongly encourages NGOs belonging to national or ethnic, religious and linguistic minorities, or working with minority issues, to participate in the Working Group on Minorities.⁷⁷ The Training Workshop for Minorities aims to facilitate this participation through training and networking.

Programme of training:

1. A week of intensive training in Geneva, before the session of the Working Group on Minorities, will provide an introduction to international human rights instruments with a focus on minority rights and the United Nations human rights monitoring mechanisms. During the workshop, time will be devoted to the preparation of the presentations that participants will make during the session of the Working Group.
2. Participation in the session of the Working Group at the United Nations in Geneva, during which participants will have the possibility of making statements about the minority situations of their communities or countries with a view to sharing information in an international setting and to partake in a dialogue with their Governments.

⁷⁷ Further information on the Working Group on Minorities is set out in chapter III.

Selection criteria and process:

The final selection of trainees for the Training Workshop for Minorities is made by the OHCHR-staffed secretariat, in consultation with members of the Working Group on Minorities, United Nations country offices, NGOs and other partners. Gender, geographical balance and the situations of different minorities is taken into account in the selection process.

The following eligibility criteria are applied:

- Commitment to working on human rights and minority rights in particular at the community level.
- Applications should be supported and endorsed by the organization/community that recommends the candidates.
- Fluency in English.

The application form is available for downloading on the OHCHR website ([click here](#)) at the beginning of September each year. It should be completed and signed by the applicant. In addition, the application should include a letter of recommendation from an organization.

IX. PUBLICATIONS AND RESOURCE MATERIAL

OHCHR publications at a glance

What are they?

OHCHR regularly produces publications on issues relating to human rights and fundamental freedoms, these include:

- Fact sheets
- Special issue papers
- Training and educational material

How can NGOs access them?

OHCHR publications are available online ([click here](#)). NGOs can also obtain hard copies free of charge by contacting:

Information Desk
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Phone: +41 (0)22 917 92 24
Fax: +41 (0)22 917 90 10
E-mail: publications@ohchr.org

OHCHR Library at a glance

What is it?

A wealth of human rights resource material is held in the OHCHR Library, located at Headquarters in Geneva. The Library has a unique collection of United Nations human rights documents, publications and other materials as well as general and specialized human rights literature and materials in hard copy and in electronic format.

How can NGOs access it?

The OHCHR Library is located on the ground floor of Palais Wilson (52, rue des Pâquis, Geneva, Switzerland), Room RS-181.

The Library is open to the general public Monday to Friday, in the mornings from 9.30 to 12.30 and in the afternoons from 2 to 5. Visitors must have a valid photo I.D. (United Nations badge, passport, identity card or driver's licence).

How can NGOs contact the Library?

Phone: +41 (0)22 917 91 75
Fax: +41 (0)22 917 90 65
E-mail: library@ohchr.org

A. What are they?

1. OHCHR publications

The publications programme of the Office of the High Commissioner for Human Rights (OHCHR) aims to raise awareness of human rights and fundamental freedoms and to publicize ways of promoting and protecting them worldwide. It also encourages debate on human rights issues under discussion in United Nations bodies. There are three major categories of publications:

- *Fact sheets* provide information on a wide range of human rights topics
- *Special issue papers* explore selected issues in greater depth
- OHCHR *training and educational material* consists of guides, manuals and handbooks for indigenous peoples, minorities, professional groups and educational institutions.

Fact sheets

The human rights fact sheet series is published by OHCHR. The fact sheets are intended to provide a better understanding of basic human rights, what the United Nations is doing to promote and protect them and the international machinery available to help realize those rights.

The fact sheets deal with selected questions of human rights that are under active consideration or are of particular interest. Some booklets in the series deal with specific issues or vulnerable groups; others explain the functioning of United Nations human rights bodies and the related procedures available. The fact sheets constitute practical guidelines on how to work with the United Nations human rights programme, making them a very useful tool for NGOs and the most requested form of publication.

Training and educational material

OHCHR training and educational material aims at providing a broad overview of the United Nations human rights system, as well as supplying detailed information to specific audiences or groups. It offers practical tools which can be used for training and educational programmes for different audiences, such as children, professionals or specific vulnerable groups or individuals.

The **Guide Series** consists of information sets for specific groups or individuals, divided into separate pamphlets illustrating how to seek protection of their rights through the different international and regional procedures. The Series was launched in 2001 with a *United Nations Guide for Indigenous Peoples*, an information set for indigenous peoples on United Nations operations and procedures. The second publication in the series is the *United Nations Guide for Minorities*, which consists of 14 pamphlets indicating how minorities can use United Nations human rights procedures and those established by regional mechanisms.

The **Professional Training Series** consists of handbooks and manuals intended to increase awareness of international standards and is directed at audiences that are able to influence the human rights situation at the national level. Although primarily designed to support the training activities of the OHCHR Technical Cooperation Programme, these publications also serve as practical tools for organizations that provide human rights education to professional groups. The training manuals issued in the Professional Training Series are, by design, adaptable to the needs and

experience, in terms of culture, education and history, of a range of potential audiences within the target group. Where appropriate, information on pedagogical techniques is included to assist trainers in using the manuals as effectively as possible.

The **Human Rights Education Series** consists of materials aimed at supporting general human rights education efforts by all partners. It includes information on the World Programme for Human Rights Education, a study on human rights education and human rights treaties, a compilation of provisions of international and regional instruments dealing with human rights education and a booklet offering practical advice to educators and teachers concerning human rights education activities in primary and secondary schools (accompanied by a game-poster with the Universal Declaration of Human Rights).

Special issue papers

Special issue papers explore selected issues in greater depth. The topics are chosen in the light of their topicality, urgency and recent developments. Recent special issue papers include: *Assessing the Effectiveness of National Human Rights Institutions* (published jointly with the International Council on Human Rights Policy); *Dimensions of Racism* (published jointly with UNESCO); and *Embedding Human Rights in Business Practice* (published jointly with the United Nations Global Compact).

Reference material and promotional material

Reference material gives researchers and human rights law practitioners access to key human rights instruments and other essential information. This ranges from broad compilations of human rights instruments, such as *A Compilation of International Instruments – Universal instruments*, to more specific jurisprudence from human rights treaty bodies, such as the *Selected Decisions of the Human Rights Committee under the Optional Protocol*.

The purpose of promotional material is to inform the general public about United Nations human rights work. It provides answers to the most frequently asked questions about the United Nations human rights programme as well as information on how to use the system to address human rights violations.

2. OHCHR Library

The OHCHR Library at its Geneva headquarters aims to provide comprehensive and efficient information and reference services to OHCHR partners, United Nations human rights mechanisms and experts, and OHCHR staff. It contains a unique collection of United Nations human rights documents, publications and other materials as well as general and specialized human rights literature and materials in hard copy and in electronic format. The Library, which also integrates a resource collection on human rights education and training, maintains links with United Nations and other major libraries and research institutes around the world, providing users with online search and reference services.

B. How can NGOs access them?

1. OHCHR publications

Publications can help NGOs wishing to learn more about the United Nations human rights activities, and be used as reference material in their educational and promotional activities.

Most OHCHR publications are available online; hard copies can also be obtained free of charge⁷⁸ by contacting:

Information Desk
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8–14, avenue de la Paix
CH–1211 Geneva 10
Switzerland
Phone: +41 (0)22 917 92 24
Fax: +41 (0)22 917 90 10
E-mail: publications@ohchr.org

When ordering an OHCHR publication NGOs should clearly indicate:

- Number of copies they wish to receive of each publication
- Name of contact person
- Name of organization
- Postal address
- Telephone
- Fax number
- E-mail
- Purpose for which OHCHR publications are to be used

Copies will be sent, stocks permitting, to the postal address indicated.

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⁷⁸ Some publications are for sale from bookstores and distributors worldwide. For more information, [click here](#).

2. OHCHR Library

The OHCHR Library serves the international community but is also open to interested professionals outside the Organization. NGOs based in Geneva and already accredited to the United Nations Office at Geneva are allowed easy access to the Library. Other NGO members may receive a temporary access badge.

The Library is open Monday to Friday mornings from 9.30 to 12.30 and afternoons from 2 to 5. Visitors must have a valid photo I.D. (United Nations badge, passport, identity card or driving licence). Reference books are not available for loan by NGOs and must be consulted in the Library. Library access is subject to OHCHR Library rules and regulations ([click here](#)).

C. Additional information

Ordering OHCHR publications

The OHCHR publications order form is updated regularly ([click here](#)). The form indicates the availability of OHCHR publications in the official United Nations languages: Arabic (A), Chinese (C), English (E), French (F), Russian (R) and Spanish (S). Language versions followed by (w) are also accessible on the OHCHR website ([click here](#)).

Publication titles marked with an asterisk (*) are United Nations sales publications and may be purchased from bookstores and distributors throughout the world. For more information, [click here](#).

Annexes

Annex I

Model complaint form for communications under:

- ***The Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR)***
- ***The Convention against Torture (CAT) or***
- ***The International Convention on the Elimination of Racial Discrimination (ICERD)***

Please indicate which of the above procedures you are invoking

Date: _____

I. Information on the complainant:

- Family name
- First name(s)
- Nationality
- Date and place of birth
- Address for correspondence on this complaint
- Indicate whether you are submitting the communication:
 - On your own behalf
 - On behalf of another person

[If the complaint is being submitted on behalf of another person:]

Please provide the following personal details of that other person:

- Family name
- First name(s)
- Nationality
- Date and place of birth
- Address or current whereabouts
- If you are acting with the knowledge and consent of that person, please provide that person's authorization for you to bring this complaint

Or

- If you are not so authorized, please explain the nature of your relationship with that person and detail why you consider it appropriate to bring this complaint on his or her behalf

II. State concerned/articles violated

- Name of the State that is either a party to the Optional Protocol (in the case of a complaint to the Human Rights Committee) or has made the relevant declaration (in the case of complaints to the Committee against Torture or the Committee on the Elimination of Racial Discrimination)
- Articles of the Covenant or Convention alleged to have been violated

III. Exhaustion of domestic remedies/application to other international procedures

- Steps taken by or on behalf of the alleged victim(s) to obtain redress within the State concerned for the alleged violation—detail which procedures have been pursued, including recourse to the courts and other public authorities, which claims you have made, at which times, and with which outcomes
- If you have not exhausted these remedies because their application would be unduly prolonged, they would not be effective, they are not available to you, or for any other reason, please explain your reasons in detail

- Have you submitted the same matter for examination under another procedure of international investigation or settlement (e.g., the Inter-American Commission on Human Rights, the European Court of Human Rights, or the African Commission on Human and Peoples' Rights)?
- If so, detail which procedure(s) have been, or are being, pursued, which claims you have made, at which times, and with which outcomes

IV. Facts of the complaint

- Detail, in chronological order, the facts and circumstances of the alleged violations. Include all matters that may be relevant to the assessment and consideration of your particular case. Please explain how you consider that the facts and circumstances described violate your rights
- Author's signature

V. Checklist of supporting documentation (copies, not originals, to be enclosed with your complaint):

- Written authorization to act (if you are bringing the complaint on behalf of another person and are not otherwise justifying the absence of specific authorization)
- Decisions of domestic courts and authorities on your claim (a copy of the relevant national legislation is also helpful)
- Complaints to and decisions by any other procedure of international investigation or settlement
- Any documentation or other corroborating evidence you possess that substantiates your description in Part IV of the facts of your claim and/or your argument that the facts described amount to a violation of your rights

If you do not enclose this information and it needs to be sought specifically from you, or if accompanying documentation is not provided in the working languages of the secretariat, the consideration of your complaint may be delayed.

Annex II

Complaint guidelines for communications under the *Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*

1. Information concerning the author(s) of the communication

- Family name
- First name
- Date and place of birth
- Nationality/citizenship
- Passport/identity card number (if available)
- Sex
- Marital status/children
- Profession
- Ethnic background, religious affiliation, social group (if relevant)
- Present address
- Postal address for confidential correspondence (if other than present address)
- Fax/telephone/e-mail
- Indicate whether you are submitting the communication as:
 - Alleged victim(s). If there is a group of alleged victims, provide basic information about each individual
 - On behalf of the alleged victim(s). Provide evidence showing the consent of the victim(s), or reasons that justify submitting the communication without such consent

2. Information concerning the alleged victim(s) (if other than the author)

- Family name
- First name
- Date and place of birth
- Nationality/citizenship
- Passport/identity card number (if available)
- Sex
- Marital status/children
- Profession
- Ethnic background, religious affiliation, social group (if relevant)
- Present address
- Postal address for confidential correspondence (if other than present address)
- Fax/telephone/e-mail

3. Information on the State party concerned

- Name of the State party (country)

4. Nature of the alleged violation(s)

Provide detailed information to substantiate your claim, including:

- Description of alleged violation(s) and alleged perpetrator(s)
- Date(s)
- Place(s)
- Provisions of the Convention on the Elimination of All Forms of Discrimination against Women that were allegedly violated. If the communication refers to more than one provision, describe each issue separately

5. Steps taken to exhaust domestic remedies

Describe the action taken to exhaust domestic remedies; for example, attempts to obtain legal, administrative, legislative, policy or programme remedies, including:

- Type(s) of remedy sought

- Date(s)
- Place(s)
- Who initiated the action
- Which authority or body was addressed
- Name of court hearing the case (if any)
- If domestic remedies have not been exhausted, explain why

Please note: Enclose copies of all relevant documentation.

6. Other international procedures

Has the same matter already been examined or is it being examined under another procedure of international investigation or settlement? If so, explain:

- Type of procedure(s)
- Date(s)
- Place(s)
- Results (if any)

Please note: Enclose copies of all relevant documentation.

7. Date and signature

Date/place: _____

Signature of author(s) and/or victim(s): _____

8. List of documents attached (do *not* send originals, only copies)