

# Introduction on United Nations Special Procedures

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# Special Procedures : Who they are?

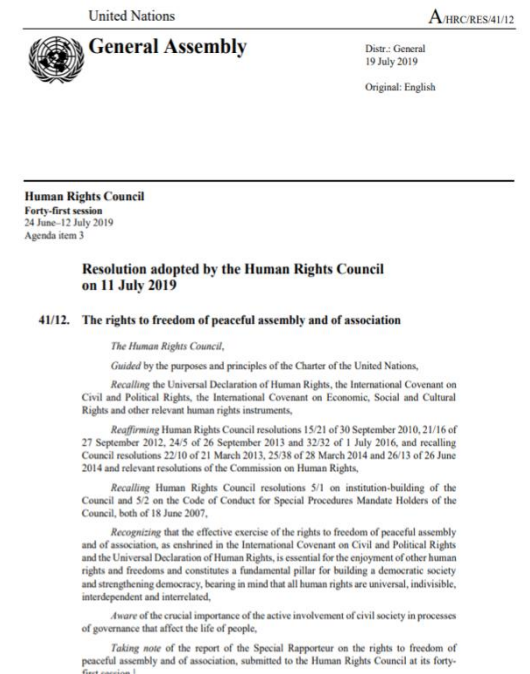
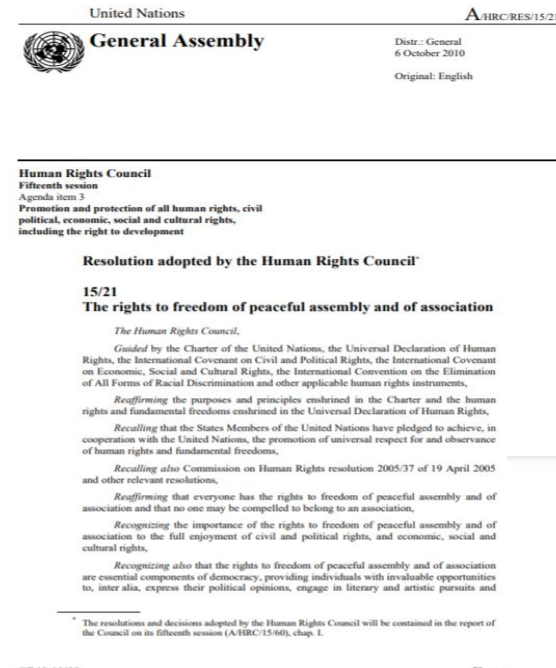
- Specific human rights mechanism establish by UNHRC through a resolution on specific human rights issue
- Thematic : 46
- Country : 14( SR Myanmar, SR Burundi, IE CAR, Belarus
- Individual : Special Rapporteur( FOAA, CT,HRD or Independent Expert(SOGI)
- Group of people: Working group ( 5 person )
- They are independant human rights experts appointed by UNHRC
- They are unpaid and serve for a maximum of 6 years

## What they do?

In general termes the SP undertake country visits, receive communication from and engage with states or non state actors, contribute to the standard setting, awarness raising, technical advise and cooperation  
They are created through UNHRC resolution

# Mandate of Special Rapporteur: Example of the UNSR FoAA

- The mandate of the UNSR on the rights to freedom of peaceful assembly and of association (FoAA) was established by the Human Rights Council in 2010 via Res. 15/21.
- The UNSR's mandate includes:
  - ✓ To gather all relevant information on FoAA rights, to study trends, developments and challenges, and to make recommendations.
  - ✓ To seek, receive and respond to information from Governments, nongovernmental organizations, relevant stakeholders and any other parties, with a view to promoting and protecting the rights to freedom of peaceful assembly and of association
  - ✓ To report on violations and draw the attention of the Council to situations of particularly serious concern
- The HRC has extended the mandate of the UNSR FoAA in September 2013 (resolution 24/5), in June 2016 (resolution 32/32) and in July 2019 (resolution 41/12).



# Working Methods



- ▶ Submits annual reports to the Human Rights Council and the General Assembly;
- ▶ Undertakes country visits;
- ▶ Transmits urgent appeals and allegation letters to Member States on alleged violations of the rights to freedom of peaceful assembly and/or of association; and
- ▶ Engages publicly on issues of concern, including through press releases and participation in various events.

# Working Methods-Communications to governments and other entities

- ▶ Reception of the information/allegations
- ▶ Cross checking: UN entities in the country, civil society, diplomatic representations and other actors

Article 6a of the code of conduct: the mandate holder shall “**Always seek to establish the facts, based on objective, reliable information emanating from relevant credible sources, that they have duly cross-checked to the best extent possible**”

- ▶ Decision to send communication- which type of letter

**Article 9 - Letters of allegation – Violations that are alleged already occurred- Reply 60 days**

**Article 10 - Urgent appeals – time sensitive- Response within 30 days**

Loss of life, life-threatening, situations or either imminent or ongoing damage of a very grave nature to victims that cannot be addressed in a timely manner by the procedure under letters of allegation

**Other Letters- Analysis of legislation- 72 hours to be made public**

# Working Methods- Public and Press Statements

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

Paragraph 49 of the manual of operation

# Working Methods- Elaboration of thematic reports : Process

- ▶ Call for Inputs
- ▶ Consultation: in person or online
- ▶ Drafting
- ▶ Submission
- ▶ Presentation

# Examples of Thematic reports

- ▶ UN Special Rapporteur Clément N. Voule, ‘Trends with regard to the exercise of the rights to freedom of peaceful assembly and of association’ (2018)
- ▶ UN Special Rapporteur Clément N. Voule ‘The exercise of the rights to freedom of peaceful assembly and of association in the digital age’ (2019)
- ▶ UN Special Rapporteur Clément N. Voule, ‘Importance of the rights to freedom of peaceful assembly and of association in advancing sustainable peace and democratic transitions’(2023)
- ▶ UN Special Rapporteur Clément N. Voule, ‘Advancing accountability for serious human rights violations related to the exercise of the rights to freedom of peaceful assembly and of association’(2023)
- ▶ UN Special Rapporteur Clément N. Voule, ‘Protection of human rights in the context of peaceful protests during crisis situations’
- ▶ UN Special Rapporteur Clément VOULE, ‘Model Protocol for Law Enforcement Officials to Promote and Protect Human Rights in the Context of Peaceful Protests’
- ▶ Preserving the gains and pushing back against the global attack on civic space and growing authoritarianism, ( 2024)



# Working Methods-Country visit

- ▶ Invitation
- ▶ Exchange with gvt and other stakeholders
- ▶ Presence in the country and meeting
- ▶ Preliminary observation and briefing to the authorities
- ▶ Drafting of report
- ▶ Government observation and comments- Can be made public
- ▶ Presentation of the report
- ▶ Interactive dialogue

**When a State does not respond to requests for an invitation to visit, it is appropriate for a mandate-holder to remind the Government concerned, to draw the attention of the Council to the outstanding request, and to take other appropriate measures designed to promote respect for human rights. An updated table of the status of requests for country visits is maintained on the website of the OHCHR- Para 56 Manual of Operation**

# Examples of country visits conducted

- ▶ Armenia and Tunisia 2018
- ▶ Sri Lanka and Zimbabwe 2019
- ▶ Niger 2021
- ▶ Brazil 2022
- ▶ Peru and Algeria 2023
- ▶ Bosnia- Herzegovina 2024

2020- Covid pandemic- Country visits were suspended

2021-Algeria dropped the visit planned

# Thank you!



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<https://www.ohchr.org/EN/Issues/AssemblyAssociation/Pages/SRFreedomAssemblyAssociationIndex.aspx>



[www.freeassemblyandassociation.net](http://www.freeassemblyandassociation.net)