

## Joint submission to the 29<sup>th</sup> Annual Meeting of Special Procedures (June 2023)

### Good practices and recommendations: Civil society participation in the work of Special Procedures

Endorsed by

1. #EmptyChairs Campaign
2. Action Canada for Sexual Health and Rights
3. Al-Haq, Law in the Service of Man
4. Asian Pacific Resource and Research Centre for Women (ARROW)
5. Association for Progressive Communications (APC)
6. Association for Women's Rights in Development (AWID)
7. Center for Reproductive Rights
8. Centro de Estudios Legales y Sociales (CELS)
9. CREA
10. International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA World)
11. International Planned Parenthood Federation (IPPF)
12. International Service for Human Rights
13. RFSL - The Swedish Federation for LGBTIQ Rights
14. Sexual Rights Initiative
15. Stichting CHOICE for Youth and Sexuality
16. UN Program, Occidental College, USA
17. Urgent Action Fund for Women's Human Rights (UAF)

### Introduction

1. As recognized in the Special Procedures Manual of Operations, civil society provides invaluable support to the entire Special Procedures system.<sup>1</sup> Special Procedures are also a key mechanism to amplify analysis from civil society, activists, and rights-holders. Broad participation by a range of civil society, movements, and activists, including those in the Global South and from marginalized groups, is core to the fulfillment of Special Procedures' mandate and to the strengthening of an intersectional approach to Special Procedures mandates and to human rights in general.

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<sup>1</sup> Manual of Operations of the Special Procedures of the Human Rights Council. August 2008.  
[https://www.ohchr.org/sites/default/files/Documents/HRBodies/SP/Manual\\_Operations2008.pdf](https://www.ohchr.org/sites/default/files/Documents/HRBodies/SP/Manual_Operations2008.pdf)

2. We also recognize that Special Procedures and the UN human rights system as a whole are subject to chronic underfunding,<sup>2</sup> that all mandates are not equally resourced, that participation opportunities often depend on the budget and staff allocations per mandate, and that a better-resourced Special Procedures system would contribute to the strengthening of civil society participation. We are committed to continued advocacy with States, urging them to ensure that all Special Procedures and the Secretariat have the necessary resources to fulfill their mandates, and with provisions for robust civil society participation.<sup>3</sup> As with the Human Rights Council,<sup>4</sup> Special Procedures' work must not be curtailed by any purported "efficiency measures" directly resulting from States' deliberate failure to pay their budgetary contributions.<sup>5</sup>
3. With this in mind, we welcome the opportunity to send constructive feedback and raise pertinent points for the Special Procedures' upcoming Annual Meeting, including good practices that would benefit from being mainstreamed across the Special Procedures mechanism and standardized in working methods.

### **Consistency, predictability, and accessibility**

4. Coherence and consistency in working methods and robust participation avenues across Special Procedures mandates are essential to diverse civil society participation. While Geneva-based and other well-connected organizations are likely to find ways to get involved regardless of consistency in participation avenues, predictability, consistency, and transparency are especially important for groups with less access to or familiarity with the Special Procedures and their processes. This is also in line with the key principles of a human rights-based approach, including transparency, participation,

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<sup>2</sup> A Statement of Special Procedures Mandate Holders. June 2019.

[https://www.ohchr.org/sites/default/files/Documents/HRBodies/SP/AMeetings/26thMeeting/26thSP\\_AnnualMeeting\\_Statement\\_SP\\_June2019.docx](https://www.ohchr.org/sites/default/files/Documents/HRBodies/SP/AMeetings/26thMeeting/26thSP_AnnualMeeting_Statement_SP_June2019.docx)

<sup>3</sup> Human Rights Council statement by the #EmptyChairs campaign during the General Debate on Item 5: (Human rights bodies and mechanisms) of the 52nd session of the Human Rights Council, March 2023.

<https://www.sexualrightsinitiative.org/news/2023-mar/hrc-52-sri-statement-item-5-human-rights-bodies-and-mechanisms-emptychairs>

<sup>4</sup> #EmptyChairs Campaign Statement to the Annual discussion on the integration of a gender perspective to the work of the Human Rights Council and its mechanisms. 51st session of the Human Rights Council, September 2022.

<https://www.sexualrightsinitiative.org/news/2022-sep/hrc-51-emptychairs-campaign-statement-annual-discussion-integration-gender>

See also the #EmptyChairs Campaign statement during the Item 8 General Debate of the 48th session of the Human Rights Council.

<https://www.sexualrightsinitiative.org/resources/hrc-48-item-8-general-debate-statement-emptychairs-campaign>

<sup>5</sup> While this was especially evident in the context of the 2020 UN budget crisis, adequate financing of the Special Procedures has been an issue of concern for several years. <https://www.ohchr.org/en/press-releases/2020/09/human-rights-experts-warn-damaging-impact-special-procedures-un-funding>

accountability, non-discrimination and attention to the most marginalized, among others, which should also guide the work of Special Procedures.

5. In addition to these principles and to the recommendations outlined below, we encourage Special Procedures and the Secretariat to mainstream accessibility for persons with disabilities in their work, including for the format of reports, calls for inputs, as well as meeting and consultation modalities,<sup>6</sup> and to ensure these are also available in all UN languages.

### **Annual meeting: remote participation, invitation of civil society input, advance notice, and public information**

6. The Annual Meeting of Special Procedures with civil society is a unique opportunity for civil society to interact with the Special Procedures mechanism as a whole, and to raise suggestions and issues of concern with mandate-holders. Therefore, we welcome the option of remote participation in this year's meeting with civil society, which reflects a positive response to civil society requests in that regard. To further enhance inclusivity, we recommend that all future annual meetings with civil society include the option to participate via video statements, interpretation in UN languages, sign language interpretation, closed captioning and other accessibility measures for persons with disabilities.<sup>7</sup>
7. We also welcome the reinstatement of the previous good practice of inviting civil society to send information and points for consideration to inform the discussions,<sup>8</sup> and recommend its continuation for following years. The option to send written inputs to inform discussions is especially important given that the meeting with civil society tends to take place at the end of the convening week, which means that civil society inputs would have to be sent in advance to be able to inform mandate-holders' discussions in the days preceding the meeting with civil society.

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<sup>6</sup> Please see the Feminist Accessibility Protocol for good practices on ensuring accessibility in meetings and events, and for more information on barriers to accessibility. Inclusive Generation Equality Collective: Feminist Accessibility Protocol. December 2022. <https://womenenabled.org/reports/the-feminist-accessibility-protocol/>  
<sup>7</sup> *Ibid.*

<sup>8</sup> This used to be a standard practice until 2019, but the invitation to submit information was not included for the meetings that took place in [2022](#) or in [2021](#). See for instance [in 2019](#): "Civil society organizations are invited to submit relevant information or points for consideration by the special procedures by 14 June 2019, which will serve to inform the discussions. Submissions can be sent to ([spannualmeeting@ohchr.org](mailto:spannualmeeting@ohchr.org))." This was also the case in [2018](#), [2017](#), and [2016](#). Information relating to civil society participation in annual meetings prior to 2016 is no longer available on the [dedicated page](#). In 2020 the annual meeting could not take place due to the COVID-19 pandemic.

8. We also encourage you to widely disseminate the meeting announcement and participation information (including on the OHCHR events page, the Annual Meetings page, and the weekly civil society newsletter) and well in advance (at least a month) to allow civil society to adequately prepare inputs and participate meaningfully. While this year's hybrid modalities and option to send written inputs represent a welcome improvement compared to the strictly in-person 2022 meeting, the late public announcement of dates and modalities has made meaningful participation and coordination among civil society more complicated.
9. Finally, we encourage you to continue the previous good practice of issuing public documents relating to the content and/or outcomes of discussions, which is important for transparency, accountability and facilitating civil society's ability to follow developments regarding working methods and issues of concern, among others. The availability of the 2019 remarks of the Chair of the Coordination Committee<sup>9</sup> as well as the 2019 declaration adopted by mandate-holders regarding the threats and challenges facing the Special Procedures system<sup>10</sup> are two good examples in this regard.

#### **Update of manual of operations: Civil society consultations and updates**

10. In 2019, the Chair of the Coordination Committee mentioned that an update of the Manual of operations had been initiated "in order to address best practices related to social media, end-of-mission statements, media releases, and other issues that have been brought to our attention by States."<sup>11</sup> In the spirit of working towards consistent working methods and participation avenues informed by civil society, we would also ask the Coordination Committee to ensure that civil society is regularly consulted and kept informed regarding the update of the Manual of operations and other rules and principles regarding Special Procedures working methods, including at the Annual Meeting, and that any new version of the Manual be uploaded on the OHCHR website. In addition, the Manual of Operations should be available in all UN languages and in

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<sup>9</sup> Remarks by Mrs. Anita Ramasastry, Chair of the Coordination Committee. 26<sup>th</sup> Annual Meeting of Special Procedures: Exchange with Member States. 21 June 2019  
[https://www.ohchr.org/sites/default/files/Documents/HRBodies/SP/AMeetings/26thMeeting/26thSP\\_AnnualMeeting-CC\\_ChairRemarks\\_21June2019.docx](https://www.ohchr.org/sites/default/files/Documents/HRBodies/SP/AMeetings/26thMeeting/26thSP_AnnualMeeting-CC_ChairRemarks_21June2019.docx)

<sup>10</sup> A Statement of Special Procedures Mandate Holders. June 2019.  
[https://www.ohchr.org/sites/default/files/Documents/HRBodies/SP/AMeetings/26thMeeting/26thSP\\_AnnualMeeting\\_Statement\\_SP\\_June2019.docx](https://www.ohchr.org/sites/default/files/Documents/HRBodies/SP/AMeetings/26thMeeting/26thSP_AnnualMeeting_Statement_SP_June2019.docx)

<sup>11</sup> Remarks by Mrs. Anita Ramasastry, Chair of the Coordination Committee. 26<sup>th</sup> Annual Meeting of Special Procedures: Exchange with Member States. 21 June 2019  
[https://www.ohchr.org/sites/default/files/Documents/HRBodies/SP/AMeetings/26thMeeting/26thSP\\_AnnualMeeting-CC\\_ChairRemarks\\_21June2019.docx](https://www.ohchr.org/sites/default/files/Documents/HRBodies/SP/AMeetings/26thMeeting/26thSP_AnnualMeeting-CC_ChairRemarks_21June2019.docx)

accessible formats for persons with disabilities, including people who use screen readers.<sup>12</sup>

## **Coordination Committee**

11. The Coordination Committee plays a crucial role with regard to communication with civil society, the continuous improvement of working methods and civil society participation avenues, and the accountability of Special Procedures, including through its Internal Advisory Procedure. However, the Coordination Committee webpage on the OHCHR website contains some broken links, including the internal advisory procedure page,<sup>13</sup> and lacks an email address to contact the Committee. More clarity in that regard would be important to enable civil society to raise concerns and make suggestions to the Committee.

## **Do not privilege civil society based in Geneva or other groups with better, consistent access to the UN system**

12. Meaningful civil society participation in the work of Special Procedures and other human rights bodies is a key human rights principle and requirement for the fulfillment of their mandate. Special Procedures present unique opportunities in this regard, and we appreciate the continuing efforts made by mandate-holders to engage with civil society and rights-holders within their work. In that regard, it is important for working methods to actively avoid unintentionally privileging civil society based in Geneva, or larger and more resourced organizations that enjoy better access to Geneva and/or to UN actors, and that are often based in the Global North.
13. Below are a series of good practices and recommendations to facilitate participation from a broad range of civil society actors, activists and rights-holders, including and especially from those in the Global South and belonging to marginalized groups:

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<sup>12</sup> Currently, the Manual of Operations seems to only be available in PDF in English on the OHCHR website, and the dedicated website page seems unavailable in UN languages other than English and French.

<https://www.ohchr.org/en/documents/procedural-documents/manual-operations-special-procedures-human-rights-council>

<sup>13</sup> The Internal Advisory Procedure page is currently unavailable in several languages, including English, French and Spanish: <https://www.ohchr.org/en/special-procedures-human-rights-council/internal-advisory-procedure-review-practices-and-working-methods>

## 1. Dissemination of information and longer timelines for calls for inputs

14. We commend the good practices and efforts made in recent years to centralize information relating to calls for input in a single website page,<sup>14</sup> and to list the topics of upcoming thematic reports in an annual document.<sup>15</sup> We encourage you to promote and disseminate these useful pages widely, including on the OHCHR frontpage, social media and civil society newsletters, and to publicize changes to content, procedures and deadlines as this information is not always easy to find or monitor. We also recommend including an annual overview of plans, report topics and priorities for the mandate on individual mandate pages for ease of reference. This would allow civil society organizations (CSOs) to plan their inputs with some advance, even before calls for input are issued.

15. In addition to this, we encourage Special Procedures to issue a public call for input for each of their thematic reports, and to allow for longer timelines for submitting inputs. This would facilitate broader participation, particularly from smaller and less resourced organizations which do not have dedicated staff for UN-related work and may not be able to write a submission in a few weeks, especially given the requirement to write in a UN language. In that regard, we welcome the efforts made by several mandates to extend deadlines when needed, or to issue longer timelines, including the Special Rapporteur on unilateral coercive measures, who issued a 3-month call for input that was then further extended to a total of 4 months,<sup>16</sup> as well as the Special Rapporteur on the environment, whose ongoing call for input is due in October.<sup>17</sup>

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<sup>14</sup> OHCHR page: Calls for input: <https://www.ohchr.org/en/calls-for-input-listing>

<sup>15</sup> Themes of the reports to be presented in 2023:

<https://www.ohchr.org/sites/default/files/documents/hrbodies/special-procedures/2022-11-22/2023-report-themes.pdf>

<sup>16</sup> The call for input by the Special Rapporteur on unilateral coercive measures for her 2023 Thematic Reports to the UN Human Rights Council and UN General Assembly was issued in early December 2022 with a deadline of 28 February 2023, which was then extended until 31 March 2023. <https://www.ohchr.org/en/calls-for-input/2023/call-input-2023-thematic-reports-un-human-rights-council-and-un-general>

<sup>17</sup> Call for input by the Special Rapporteur on human rights and the environment: Promoting Environmental Democracy: Procedural elements of the human right to a clean, healthy and sustainable environment. <https://www.ohchr.org/en/calls-for-input/2023/promoting-environmental-democracy-procedural-elements-human-right-clean>

16. We also welcome calls for input by new mandate-holders to inform the priorities for their mandate, including the Special Rapporteurs on oPt,<sup>18</sup> the right to development,<sup>19</sup> and on racism,<sup>20</sup> and encourage all mandate-holders starting their term to follow this good practice.
17. We also encourage mandate-holders and the Secretariat to continue the good practice of publishing the submissions received to inform thematic reports consistently and in a timely manner, and to ensure that questionnaires and inputs to previous reports are maintained on the report page even after the migration to the new OHCHR website.<sup>21</sup>

## **2. Open consultations (with interpretation and remote participation options)**

18. Consultations to inform thematic reports and priorities are an important avenue for dialogue with mandate-holders, especially for CSOs and activists who do not have the time, resources or skills to prepare written submissions, including language skills when submissions have to be sent in UN languages that largely reflect colonial languages and are exclusionary for many people around the world.
19. In that regard, we welcome the efforts made by mandate-holders in recent years to convene public online or hybrid consultations, including by the Working Group of Experts on People of African Descent, who provide both in-person and online participation options in their sessions as well as additional information and support;<sup>22</sup> the Special Rapporteur on the environment, who convened several open consultations

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<sup>18</sup> Call for input by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967: Special Rapporteur's future thematic reports and activities. <https://www.ohchr.org/en/calls-for-input/2023/call-input-special-rapporteurs-future-thematic-reports-and-activities>

<sup>19</sup> Call for inputs - 2023 reports of the UN Special Rapporteur on the right to development.

<https://www.ohchr.org/en/calls-for-input/2023/call-inputs-2023-reports-un-special-rapporteur-right-development>

<sup>20</sup> Call for submissions on the strategic vision for the fulfilment of the mandate of Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

<https://www.ohchr.org/en/calls-for-input/2023/call-submissions-strategic-vision-fulfilment-mandate-special-rapporteur>

<sup>21</sup> Some calls for input and related submissions seem to have disappeared, or are no longer on the website. See for instance the 2022 call for input by the Working Group on discrimination against women and girls for their report on poverty and inequality: <https://www.ohchr.org/en/calls-for-input/2022/call-inputs-mandate-working-group-discrimination-against-women-and-girls-its-0>

<sup>22</sup> See for instance the latest session of the Working Group of Experts on People of African Descent (1-5 May 2023) <https://www.ohchr.org/en/events/sessions/2023/32nd-session-united-nations-working-group-experts-people-african-descent> including specific information on participation options:

<https://www.ohchr.org/sites/default/files/documents/issues/racism/wgeapd/session32/WGEPAD-32nd-session-Economic-empowerment-How-to-participate.pdf>, as well as a link to CAGI information relating to accommodation support <https://www.cagi.ch/en/practical-infos/accommodation-support/>

accommodating different time zones to inform his report on women and girls; the Special Rapporteur on the right to housing, whose 2021 online consultations on housing discrimination were open to all and had interpretation in English, French, Spanish, Portuguese and Italian;<sup>23</sup> and the Independent Expert on sexual orientation and gender identity, who convened open consultations to inform his 2021-2023 work plan and priorities for the rest of his mandate.<sup>24</sup>

20. We call for the mainstreaming of open consultations with remote participation modalities, including the option to participate via video statements, interpretation in UN languages, sign language interpretation, closed captioning and other accessibility measures for persons with disabilities.<sup>25</sup> This is key given that CSOs and activists interested in working with the Special Procedures are often not based in Geneva, and the travel costs and logistics required to ensure participation in meetings including and beyond the Human Rights Council regular sessions are often prohibitive for smaller organizations. Making all civil society consultations open to all interested, hybrid and interpreted in UN languages would allow more to participate, rather than restrict participation based on access, location, language and resources.

### **3. Country visits**

#### **a. Consistent advance notice, calls for input and translation**

21. We welcome the efforts made to publish calls for inputs in advance of country visits. While these are now almost standard practice, a minority of visits were conducted without prior call for input or public advance notice apart from the press release usually issued a few days before the visit. In addition, the different pages and sources of information listing upcoming country visits do not always seem standardized. For instance, some confirmed visits do not appear on the Forthcoming visits page<sup>26</sup>, but can be found on the search page,<sup>27</sup> which is more difficult to navigate. A lack of prior call for input or information about the visit makes it very difficult for national activists, groups

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<sup>23</sup> Housing discrimination and spatial segregation: Public consultation by the Special Rapporteur on the right to adequate housing with civil society organizations. 12 April 2021.

[https://www.ohchr.org/sites/default/files/Documents/Issues/Housing/SegregationCSOconsultation-Flyer\\_EN.pdf](https://www.ohchr.org/sites/default/files/Documents/Issues/Housing/SegregationCSOconsultation-Flyer_EN.pdf)

<sup>24</sup> Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity: virtual consultation on the 2021-2023 work plan.

[https://www.ohchr.org/sites/default/files/IE\\_SOI\\_Concept\\_Note\\_Consultation\\_EN.pdf](https://www.ohchr.org/sites/default/files/IE_SOI_Concept_Note_Consultation_EN.pdf)

<sup>25</sup> Please see the Feminist Accessibility Protocol for good practices on ensuring accessibility in meetings and events, and for more information on barriers to accessibility. Inclusive Generation Equality Collective: Feminist Accessibility Protocol. December 2022. <https://womenenabled.org/reports/the-feminist-accessibility-protocol/>

<sup>26</sup> Forthcoming country visits: <https://spinternet.ohchr.org/Forthcomingcountryvisits.aspx?lang=en>

<sup>27</sup> Search country visits: <https://spinternet.ohchr.org/Search.aspx>



and organizations to know about and engage with the visit unless they were previously contacted by the mandate or the Secretariat, which tends to favor larger, mainstream and well-resourced organizations, including international NGOs, rather than smaller, less-resourced national and local organizations, groups and collectives working on underrepresented and neglected issues.

22. In addition, translation and interpretation in local languages is critical to facilitate engagement with local CSOs, including in meetings with civil society, calls for inputs, and openness in relation to the language of submissions.

**b. More information and clarity about how to engage for national organizations and activists**

23. It is sometimes difficult for national organizations and activists to get an audience with a mandate-holder during country visits. We encourage mandate-holders and the Secretariat to provide more information about how to meet with a mandate-holder or to participate in a consultation, and about the coordination and respective roles of the UN country offices, desk officers and Special Procedures staff.

24. In this regard, the initiative by some mandates to request contact details of people to contact for a meeting as part of their call for inputs is a good practice.<sup>28</sup> We also highlight the importance of responding to organizations sending inputs for country visits and/or requesting to participate in consultations or meetings with the mandate-holder, including those who are not part of the more well-known or mainstream organizations in a specific human rights area or country and who sometimes find it more difficult to access the necessary information to participate in country visits.

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<sup>28</sup> For instance, the Special Rapporteur on the rights of Indigenous peoples had requested "contact information for organisations and representatives to meet in different locations" for his visit to Canada. Call for Inputs for the country visit to Canada: <https://www.ohchr.org/en/calls-for-input/2023/call-inputs-country-visit-canada>