

## Background

The special procedures consist of a number of experts who bear different titles such as special rapporteurs, special representatives, independent experts or working groups and whose mandates were received from the Human Rights Council (formerly the Commission on Human Rights).

Although the titles of the special procedures vary, there are no major differences in their general responsibilities and methods of work.\* The experts are entrusted with the mandate to examine, monitor, advise and publicly report on human rights situations in specific countries or on major human rights related themes worldwide.

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

## Urgent appeals and letters of allegation

### *When does a mandate holder take action?*

#### *Admissibility criteria of information received*

Some experts are entrusted by their mandate to receive information from different sources: Governments, intergovernmental organizations, non-governmental organizations, alleged victims of human rights abuses, and witnesses.

When they receive credible information that a human rights violation has occurred or is about to occur within the scope of their mandate, some experts intervene directly with Governments.

They can send a communication, usually taking the form of a letter, transmitted through the Office of the High Commissioner for Human Rights,

to the Government concerned requesting information and comments on the allegation and that preventive or investigatory action be taken.

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

The intervention can relate to a human rights violation that has already occurred, one that is ongoing, or one that will very likely take place if no action is taken. The decision to intervene is at the discretion of the special procedure mandate-holder and should correspond to the criteria laid out in the Code of Conduct for special procedures, adopted by the Human Rights Council in June 2006.\*

According to the admissibility criteria in the Code of Conduct, communications should not be manifestly unfounded, politically motivated, abusive, or based exclusively on mass media reports. Communications should contain a factual description of the alleged violation and be submitted by a person or organization claiming to have direct and reliable knowledge of alleged violations. In deciding whether to act on information received, mandate holders will generally consider the reliability of the source; the internal consistency of the information received; the factual details included in the information; and the scope of the mandate itself.

### *What type of action can an expert take?*

#### *Sending communications to Governments*

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

“**Urgent appeals**” are used to communicate information about time-sensitive violations which involve loss of life, life-threatening situations or imminent or on-going damage of a grave nature that require urgent intervention to cease the violation.

The intention is to ensure that the appropriate State authorities are informed as quickly as possible.

ble of the circumstances so that they can intervene to end or prevent a human rights violation.

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

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

Communications are not accusatory per se, cannot replace a judicial proceeding, and do not imply any kind of value judgment on the part of the mandate holder. They are a means of requesting clarification on alleged violations with a view to trying to ensure, along with the Government concerned, the protection of human rights.

All communications sent and received are confidential until the expert submits his/her report to the Human Rights Council on communications sent and replies received from Governments on specific cases. The names of the alleged victims are reflected in the reports to the Council, except in the case of children or specific circumstances.

### *How to submit information*

The following minimum information must be provided to all special procedures in order for the alleged human rights violation to be assessed:

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

\* All special procedures mandate holders are referred to here as experts or mandate holders.

\* Human Rights Council Resolution 5/2

name(s) if known and/or title/function, and suspected motive;

- Where relevant, specify if steps have been taken at the national level (e.g. have police been contacted, have inquiries been conducted, are other national authorities involved, the position - if any of the Government);

- Where relevant, specify if steps have been taken at the international level (e.g. if other international mechanisms have been activated)

The identity of the source of information will be kept confidential.

Some mandate holders have devised specific forms or questionnaires to collect information for communications.

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

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

The information or the form should be sent by fax to:

+41 22 917 90 06

by e-mail to:  
[urgent-action@ohchr.org](mailto:urgent-action@ohchr.org)

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

LIST OF THEMATIC SPECIAL PROCEDURES SENDING URGENT APPEALS AND LETTERS OF ALLEGATION

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

OFFICE OF THE UNITED NATIONS  
HIGH COMMISSIONER FOR  
HUMAN RIGHTS



SPECIAL PROCEDURES OF THE  
HUMAN RIGHTS COUNCIL

Urgent appeals and letters of allegation on  
human rights violations