

## **Overview on UN Human Rights Mechanisms which can be used by Churches**

### **1. The Universal Periodic Review**

Detailed guide: <http://www.ohchr.org/EN/HRBodies/UPR/Documents/PracticalGuideCivilSociety.pdf>

Through a mechanism called the Universal Periodic Review, the Human Rights Council reviews, on a periodic basis, the fulfilment by each of the 193 United Nations Member States of their human rights obligations and commitments.

#### **How does it work?**

A review of a State is based on three documents:

- a- a national report prepared by the State<sup>1</sup> under review;
- b- a compilation of United Nations information on the State under review prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR);
- c- and a summary of information submitted by other stakeholders (including civil society actors), also prepared by OHCHR.

At its regular sessions, the adoption of UPR outcomes by the Human Rights Council is followed by a general debate on the Universal Periodic Review. States that have been reviewed under the UPR will provide an update on their progress in the implementation of the commitments that they have made and the recommendations that they have supported in their examination under the UPR.

#### **How to submit information to be included in the summary of stakeholders' information?**

Civil society actors, including NGOs, can submit information. Information used in the summary will be subsequently posted on the OHCHR website as a background document.

#### **How to participate in a session of the Working Group?**

Through its consultative status with the United Nations Economic and Social Council (ECOSOC) the CCIA can be accredited to participate in the session of the Working Group as observers.

#### **How to participate at the adoption of the UPR outcome in the Human Rights Council?**

Because of its consultative status with the United Nations Economic and Social Council (ECOSOC) The Commission of Churches on International Affairs (CCIA) can be accredited to participate in the plenary session of the Human Rights Council as an observer. During the Human Rights Council session, a CCIA working group may submit written statements, and organize parallel events. In the plenary meetings Commissioners can observe the proceedings and make oral statements, provided that they are inscribed on the list of speakers, and can be given the floor during the 20 minute-segment allocated to them.

Sessions devoted to the adoption of UPR outcome documents are broadcast live via webcast, like all other agenda items of the Council. A link to the webcast service and background documents can be found at <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>.

**Deadlines for stakeholders' submissions** are posted on the OHCHR UPR webpage (<http://www.ohchr.org/EN/HRBodies/UPR/Pages/NgosNhris.aspx>), indicatively ten to eight months before the review.

UPR Working Group Sessions	Tentative deadline to submit written contribution	Countries
<b>23rd session (2-13 November, 2015)</b>	<i>Passed (23 March 2015)</i>	Micronesia, Lebanon, Mauritania, Nauru, Rwanda, Nepal, Saint Lucia, Oman, Austria, Myanmar, Australia, Georgia, Saint Kitts and Nevis, Sao Tome and Principe
<b>24th session (Jan/Feb, 2016)</b> <i>- session dates to be confirmed</i>	<i>Passed (22 June 2015)</i>	Namibia, Niger, Mozambique, Estonia, Paraguay, Belgium, Denmark, Palau, Somalia, Seychelles, Solomon Islands, Latvia, Sierra Leone, Singapore
<b>25th session (April/May 2016)</b> <i>- session dates to be confirmed</i>	<i>Passed (21 September 2015)</i>	Suriname, Greece, Samoa, Saint Vincent and the Grenadines, Sudan, Hungary, Papua New Guinea, Tajikistan, United Republic of Tanzania, Antigua and Barbuda, Swaziland, Trinidad and Tobago, Thailand, Ireland
<b>26th session (October/November, 2016)</b> <i>- session dates to be confirmed</i>	<b>21 March 2016</b> <b>** tentative</b>	Togo, Syrian Arab Republic, Venezuela (Bolivarian Republic of), Iceland, Zimbabwe, Lithuania, Uganda, Timor Leste, Republic of Moldova, Haiti, South Sudan

## 2. Human Rights Treaty Bodies

Detailed guide: [http://www.ishr.ch/sites/default/files/article/files/isshr\\_simpleguide\\_eng\\_web.pdf](http://www.ishr.ch/sites/default/files/article/files/isshr_simpleguide_eng_web.pdf)

### The Treaty Bodies

The nine treaty bodies have the task of monitoring the implementation of treaty obligations meet primarily in Geneva, and are serviced by the Office of the UN High Commissioner for Human Rights (OHCHR). These are:

- the Committee on the Elimination of Racial Discrimination (CERD)
- the Human Rights Committee (HRC)
- the Committee on Economic, Social and Cultural Rights (CESCR)
- the Committee on the Elimination of Discrimination Against Women (CEDAW)
- the Committee Against Torture (CAT)
- the Committee on the Rights of the Child (CRC)
- the Committee on Migrant Workers (CMW)
- the Committee on the Rights of Persons with Disabilities (CRPD)
- the Committee on Enforced Disappearance (CED).

## **How can Churches engage with the treaty bodies?**

Regarding formal avenues for participation, civil society organisations can provide input at almost every stage of the work of the treaty bodies.

Churches can submit a report of their own to the treaty bodies, based on their findings and views on the national implementation of the relevant treaty. Such reports can help committee members to achieve a more comprehensive picture of the human rights situation in a country and are therefore very important.

If time is not available for a comprehensive report a brief submission highlighting key issues that deserve the attention of the committee is also of great value. In addition, Churches can suggest questions and recommendations that the treaty bodies can use in their examination of the State report.

Churches members can also submit written information to assist the committee in drawing up the list of issues for each State. Since the list can influence the focus of the review, this is a valuable opportunity for input.

For deadlines to submit written information: see annex.

### **General Overview of the Process:**

The complaints procedures associated with each of the four human rights treaties are not identical, but the process of making a complaint is similar. The main steps to making a complaint:

- The author or complainant prepares the complaint, also called a "communication" or "petition".
- The communication is received by the Secretary-General of the United Nations who brings it to the attention of the relevant treaty body.
- The treaty body examines the communication and considers the admissibility of the communication, and if admissible the merits of the communication.
- The treaty body issues its "Views", also called an "Opinion" or "Decision", to the parties.
- The treaty body may engage in some follow-up activities to monitor the states parties' response to its Views.

### **3. Special Procedures of the Human Rights Council**

The United Nations (UN) Human Rights Council serves several functions, one of which is to promote and monitor human rights worldwide through the establishment of special procedures. Special procedures are individual independent human rights experts, or groups of such experts, who report and advise on human rights issues. They are called by many names, including "Special Rapporteurs", "Special Representatives", "Working Groups", and "Independent Experts".

The Human Rights Council oversees 41 thematic mandates and 14 country-specific mandates. An overview can be found in the *annex 2* to this overview and at <http://www.ohchr.org/EN/HRBodies/SP/Pages/Currentmandateholders.aspx>.

Special procedures mandate holders serve in their personal capacities, meaning they are not UN staff, are not paid a salary for their work, and do not represent their countries of citizenship. Each mandate holder may serve for a maximum of six years. This independent status is intended to allow these experts to carry out their functions with impartiality.

Special procedures mechanisms can intervene directly with Governments on allegations of violations of human rights that come within their mandates by means of letters which include urgent appeals and other communications. The intervention can relate to a human rights violation that has already occurred, is ongoing, or which has a high risk of occurring. The process involves sending a letter to the concerned State identifying the facts of the allegation, applicable international human rights norms and standards, the concerns and questions of the mandate-holder(s), and a request for follow-up action.

Communications may deal with individual cases, general patterns and trends of human rights violations, cases affecting a particular group or community, or the content of draft or existing legislation, policy or practice considered not to be fully compatible with international human rights standards. In some cases, communications are also sent to inter-governmental organisations or non-State actors.

The decision to intervene is at the discretion of mandate-holders and will depend on the various criteria established under their respective mandates. Communications can be sent by mandate-holders irrespective of whether an alleged victim has exhausted domestic remedies and whether the concerned State has ratified an international or regional human rights instruments.

After the special procedures mandates holders assess a specific human rights situation, they may report their findings or thematic studies to the Human Rights Council or the UN General Assembly and release public statements to the media.

#### **Submitting information to the special procedures:**

In order for a complaint to be assessed, the following information is needed:

1. Identification of the alleged victim(s).
2. Identification of the alleged perpetrators of the violation (if known), including substantiated information on all the actors involved, including non-state actors if relevant.
3. Identification of the person(s) or organization(s) submitting the communication, if different from the victim (this information will be kept confidential).
4. Date, place and detailed description of the circumstances of the incident(s) or violation. The information submitted can refer to violations that are said to have already occurred, that are ongoing or about to occur.

#### **4. Special Representatives of the UN General Secretary**

See full overview at: <http://www.un.org/sg/srsg/other.shtml>

For regular news updates the following phone application is of interest (co-sponsored by the WCC):

<https://itunes.apple.com/us/app/geneva-human-rights-agenda/id933720422?mt=8>