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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Human rights bodies and mechanisms

**Report on the activities of special rapporteurs, independent
experts and working groups of the special procedures of the
Human Rights Council in 2020, including updated
information on special procedures***

Report of the Secretariat

* The present report was submitted after the deadline in order to reflect the latest developments.

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I. Introduction

1. The present report contains an overview of the special procedures system, highlighting activities undertaken by mandate holders in 2020. It also provides information on the work of the Coordination Committee of Special Procedures and elaborates on additional activities undertaken by the system of special procedures as a whole.

2. 2020 has been particularly challenging given the pandemic and financial situation of the United Nations, with both having significantly affected the conditions under which special procedures mandate holders implement their mandates. Despite these unprecedented challenges, mandate holders were able to revise their plans and adapt their working methods in light of the evolution of the situation and demonstrate resilience. Still, some key activities had to be postponed. The real risk of a protection gap was also a major concern. The exceptional circumstances faced this year have tested the system to its limit. Overall mandate holders rose to the challenges. However, it also demonstrated that in-person interactions in headquarters and in the field are key for the system of special procedures and represent one of their primary benefits. They cannot be fully replaced by virtual means and should therefore resume as soon as possible.

II. Facts and figures

A. New mandates

3. The Human Rights Council at its forty-fifth session in September 2020 decided to end the mandate of the Independent expert on the human rights situation in Sudan by its resolution A/HRC/RES/45/25. The total number of mandates stands reduced at 55, of which 44 are thematic and 11 country-specific (A/HRC/46/61/Add.1, chap. XV).

B. Mandate holders

4. The special procedures system currently includes 79 mandate holder positions. The Human Rights Council appointed 24 (twenty-four) new mandate holder in 2020. Of these 12 (twelve) were appointed at the 43rd session, 4 (four) at the 44th session and 8 (eight) at the 45th session of the Human Rights Council. The gender balance has remained stable: 44 per cent of current mandate holders are female, and 56 per cent male.

5. As of 31 December 2020, 22.78 per cent of mandate holders came from Member States of the United Nations belonging to the African Group, 17.72 per cent from the Asia-Pacific Group, 10.13 per cent from the Eastern European Group, 17.72 per cent from the Latin American and Caribbean Group and 31.65 per cent from the Group of Western European and Other States (A/HRC/46/61/Add.1, chap. II).

6. The Office of the High Commissioner for Human Rights organised two induction sessions for newly appointed mandate holders, ensuring that they receive the relevant support and advice on working methods in a timely manner.

C. Country visits

7. In light of the constraints triggered by the COVID-19 pandemic and the financial situation of the United Nations, the number of country visits reduced significantly. Mandate holders conducted 13 in situ visits to 11 States and territories and one institution (A/HRC/46/61/Add.1, chap. V). In 2020, one Member State extended a standing invitation to the special procedures, resulting in 127 Member States having extended a standing invitation (A/HRC/46/61/Add.1, chaps. III and IV).

8. As of 31 December 2020, the large majority of Member States, namely 171, had received at least one visit from a mandate holder. However, 22 Member States had not yet been visited by any mandate holder, of which 4 had not yet received a request for a visit, 15

had not yet accepted a request, 1 had extended an invitation and 2 had accepted visits that had not yet taken place as of 31 December 2020 (A/HRC/46/61/Add.1, chap. VII).¹

D. Communications

9. In 2020, mandate holders transmitted 681 communications, 600 of which were sent jointly, to 132 States and 76 non-State actors. The communications covered 1,296 individuals, 307 of whom were identified as female. A total of 433 replies, of which 330 were substantive replies, were received in 2020 (this includes replies to communications sent before 2020). A total of 384 replies to communications sent in 2020 were received, of which 338 (48.46 per cent reply rate)² were substantive replies. Some communications received more than one reply (A/HRC/46/61/Add.1 chaps. IX and X).

10. Three communications reports were issued in 2020 (A/HRC/43/77, A/HRC/44/59 and A/HRC/45/3). Communications sent and replies received are made available through a dedicated website on communications³. The website provides access to all communications sent and replies received since the nineteenth session of the Human Rights Council. The website allows communications and associated replies from Governments and others to be searched by mandate, country, geographic region, period and by the communications reports submitted to different sessions of the Council since 2011. All communications are made public after 60 days and other letters (related to draft or existing legislation, policy or practice not deemed to be in compliance with international human rights norms and standards) after 48 hours through the communications website. Any government and other responses received are also released publicly. If received within 60 days then both the communication and the response are made public at the same time. Otherwise, they are made public as and when received, unless they require translation into English. Responses to OLs are also made public as and when they are received and when it does not require translation into English. For replies requiring translation, they are released when the translations become available.

11. In 2020, the Working Group on Enforced or Involuntary Disappearances transmitted 698 new alleged cases of enforced disappearance to States, of which 78 were transmitted under its urgent action procedure. The Working Group was able to clarify 313 cases.

12. The Working Group on Arbitrary Detention issued 92 opinions under its regular communications procedure in 2020, thus maintaining the increase in the number of opinions issued since 2017. This has been one of the measures taken by the Working Group to address the existing backlog of cases. During 2020, the Working Group on Arbitrary Detention received information indicating that at least 19 subjects of its previously adopted opinions had been released.

E. Media outreach and public awareness

13. Mandate holders issued 386 media products, either individually or jointly, 320 of which were press releases, 20 were media advisories and 46 were media statements, raising awareness and voicing concerns regarding a range of human rights issues, including individual cases.

F. Thematic reports and studies

14. In 2020, mandate holders submitted 182 reports: 134 were submitted to the Human Rights Council, including 64 country visit reports, and 48 to the General Assembly (see A/HRC/46/61/Add.1, chap. XI, for the list of reports and the themes addressed).

¹ Information on the status of all country visits requested by mandate holders and forthcoming visits is available at <https://spinternet.ohchr.org/Home.aspx?lang=en>.

² As of 2018, the response rate includes only substantive replies.

³ <https://spcommreorts.ohchr.org>.

15. Three mandate holders decided to devote one of their reports to celebrating an anniversary or taking stock of the past activities of the mandate: the Special Rapporteur on the rights to freedom of peaceful assembly and of association submitted a report marking the tenth anniversary of the establishment of the mandate (A/HRC/44/50); the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes submitted a report marking the twenty-fifth anniversary of the creation of the mandate (A/75/290); the Special Rapporteur on the human rights to safe drinking water and sanitation submitted a report in which he described the progress made towards the realization of the human rights to water and sanitation in the past decade (A/HRC/45/11).

16. Four mandate holders, reaching the end of their term, submitted final reports providing an overview of their six-year tenure: the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/44/45); the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material (A/HRC/43/40); the Special Rapporteur on the right to food (A/HRC/43/44); and Special Rapporteur on the rights of indigenous peoples (A/HRC/45/34).

17. The thematic reports published in 2020 addressed a wide range of human rights issues. Seven crosscutting themes emerged in particular: the implementation of the 2030 Agenda, the gender perspective, prevention and peacebuilding, migration, climate change, new technologies, and the coronavirus disease (COVID-19).

18. Several reports related to the implementation of the 2030 Agenda and the Sustainable Development Goals. They included the report of the Special Rapporteur on freedom of religion or belief highlighting the importance of safeguarding freedom of religion for the successful implementation of the 2030 Agenda (A/75/385), the report of the Independent Expert on the enjoyment of human rights by persons with albinism referring to the 2030 Agenda in the context of albinism development initiatives (A/HRC/43/42 and A/75/170), the Special Rapporteur on the rights to freedom of peaceful assembly and of association considering the 2030 Agenda with regard to the importance of civic space (A/HRC/44/50) and the report of the Special Rapporteur on the right to development highlighting the link between the 2030 Agenda and the right to development (A/HRC/45/15).

19. Gender featured prominently in several studies. The Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence examined the gender perspective in transitional justice processes (A/75/174). The Special Rapporteur on freedom of religion or belief focused on gender-based violence and discrimination in the name of religion or belief (A/HRC/43/48). The Special Rapporteur on violence against women, its causes and consequences focused on combating violence against women journalists (A/HRC/44/52), and also addressed the intersection between the coronavirus disease (COVID-19) pandemic and the pandemic of gender-based violence against women, with a focus on domestic violence (A/75/144). The Working Group on discrimination against women and girls analysed the gender dimensions of major trends changing the world of work (A/HRC/44/51).

20. Mandate holders continued to focus on the prevention of human rights violations and on peace and security issues, with the Working Group on the issue of human rights and transnational corporations and other business enterprises focusing on business-related human rights abuse in conflict and post-conflict contexts (A/75/212), the Special Rapporteur on the situation of human rights defenders analysing the situation of human rights defenders operating in conflict and post-conflict areas (A/HRC/43/51), the 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 examining the evolution of the use of mercenaries and related actors in the light of the changes in the nature of contemporary armed conflicts (A/75/259), and the Special Rapporteur on extrajudicial, summary or arbitrary executions examining in her report (A/HRC/44/38) how drone attacks pose a fundamental challenge to international legal standards and the institutions established to safeguard peace and security.

21. Mandate holders also addressed migration issues, with the Special Rapporteur on the human rights of migrants focusing on the right to freedom of association of migrants and their defenders (A/HRC/44/42) and considering the international legal framework protecting

the human rights of migrant children (A/75/183). The Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material addressed the issue of the vulnerability of migrant and refugee children (A/HRC/43/40) while the Special Rapporteur on trafficking in persons, especially women and children considered mixed migration movements in her analysis of protection gaps in the legal and policy framework to prevent and combat trafficking (A/HRC/44/45). She also reflected on the negative impact of restrictive migration policies on the protection of trafficked and exploited persons (A/75/169).

22. Mandate holders continued to maintain a focus on climate change, with the Special Rapporteur on the human rights of internally displaced persons examining internal displacement in the context of the slow-onset adverse effects of climate change (A/75/207), the Independent Expert on human rights and international solidarity examining the enjoyment, or lack thereof, of human rights-based international solidarity in the context of climate change (A/HRC/44/44), and the Special Rapporteur in the field of cultural rights considering the negative impact of climate change on human cultures and on the enjoyment of cultural rights (A/75/298).

23. The impact of new technologies on human rights was addressed in numerous studies, with the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance focusing on racial discrimination and emerging digital technologies (A/HRC/44/57), the report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment analysing the challenges arising from emerging technologies in relation to psychological torture (A/HRC/43/49), the report of the Special Rapporteur on the right to education considering the digitalization of education (A/HRC/44/39), and the report of the Special Rapporteur on the right to privacy addressing digital technologies in connection with gender-based privacy infringements (A/HRC/43/52).

24. Mandate holders continued to address thematic issues of common interest through individual or joint actions. A web page⁴ reflecting the cross-cutting thematic engagement of special procedures provides access to all the reports authored by mandate holders on climate change, migration, new technologies, the Sustainable Development Goals (disaggregated by Goal) and the coronavirus disease (COVID-19). A comprehensive overview of the conclusions and recommendations made by special procedures in 2020 is available in the report of the Secretary General on this matter (A/HRC/46/24). Information on themes of upcoming reports by special procedures will be made public on the OHCHR website.

G. Special procedures and the coronavirus disease (COVID-19)

25. While the pandemic has made it difficult for mandate holders to perform some of their duties, this has not prevented them from continuing to work and produce remarkable output in relation to COVID-19. Despite the challenges, mandate holders were up to the tasks in responding to the challenges created by the pandemic and offering their support and concrete advice to all stakeholders concerned within and outside the United Nations.

26. In 2020, special procedures took several initiatives in relation to COVID-19 with the aim of stressing the importance of adopting a human rights approach in addressing the pandemic. They identified trends and emerging issues, and formulated advice in connection with the emergency. A general call stressing that “everyone has the right to life saving interventions” was initiated by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and issued by more than 60 mandate holders. They stressed that the COVID-19 crisis could not be solved with public health and emergency measures only, but all other human rights, too, had to be addressed.

27. On 30 April 2020, special procedures represented by the Coordination Committee held a virtual informal conversation with the Human Rights Council, whose aim was to present and discuss the work done by mandate holders in relation to COVID-19. The

⁴ www.ohchr.org/EN/HRBodies/SP/Pages/CrosscuttingThematicIssues.aspx.

President of the Human Rights Council called mandate holders “the eyes and ears of the Council” and emphasised both the creativity and innovation of the tools and means developed by them to assist Member States and other stakeholders in their response to the crisis. Ms. Anita Ramasastry and Mr. Dainius Pūras, representing the Coordination Committee, highlighted the broad variety of actions undertaken by mandate holders and presented three documents reflecting the contribution made by special procedures: a working report collecting all key messages and public actions of special procedures in relation to COVID-19, an informational note, and a flyer showing at a glance the range of tools produced by mandate holders.

28. Special procedures issued 133 press releases addressing aspects of the pandemic. In addition, they sent 228 communications directly connected to COVID-19 or the measures adopted in the context of the crisis. They also produced guidelines, dispatches and other reference tools, issued open letters and promoted social media campaigns.

29. As many as 14 mandate holders devoted one of their official reports to COVID-19. Among these, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health addressed the COVID-19 pandemic from a right-to-health perspective (A/75/163), the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity focused on the impact of the COVID-19 pandemic on the human rights of lesbian, gay, bisexual, trans and gender-diverse persons, communities and/or populations (A/75/258), the Independent Expert on the enjoyment of all human rights by older persons examined the impact of COVID-19 on the enjoyment of all human rights by older persons (A/75/205), and the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context focused on the impact of the pandemic on the right to adequate housing (A/75/148). In addition, the Special Rapporteur on extreme poverty and human rights issued an unofficial report entitled “Looking back to look ahead: A rights-based approach to social protection in the post-COVID-19 economic recovery”.

30. All the documents and information about the work done by special procedures on COVID-19 are available on a dedicated web page.⁵ The flyer is also available in the addendum to this report (A/HRC/46/61/Add.1, chap. XXI).

H. Contributions to standard-setting, and human rights protection and promotion

31. The following mandate holders contributed to clarifying human rights norms and standards in relation to their mandates:

(a) The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context presented Guidelines for the Implementation of the Right to Adequate Housing, focusing on the key requirements of effective rights-based responses to emerging challenges;

(b) The Independent Expert on the enjoyment of human rights by persons with albinism provided guiding principles to Member States for implementing national plans of action with measures and best practices to ensure the protection of the rights of persons with albinism worldwide;

(c) The Working Group on the issue of human rights and transnational corporations and other business enterprises clarified the practical steps and outlined practical measures that States and business enterprises should take to prevent and address business-related human rights abuse in conflict and post-conflict contexts, focusing on heightened human rights due diligence and access to remedy;

(d) The Special Rapporteur on the rights of persons with disabilities provided guidance to States on how to ensure that international cooperation is inclusive of and accessible to persons with disabilities;

⁵ <https://www.ohchr.org/EN/HRBodies/SP/Pages/COVID-19-and-Special-Procedures.aspx>.

(e) The Special Rapporteur on the right to education presented guidelines for the provision of water and sanitation in educational settings, for the realization of the right to education;

(f) The Special Rapporteur on the right to food, blending trade and human rights policy, provided principles and an institutional map to guide States and people to understand the right to food anew in political, economic and ecological terms;

(g) The Special Rapporteur on freedom of religion or belief proposed a set of indicators to operationalize international standards on freedom of religion or belief, calling on States to adapt the indicator framework to their own country situations to identify protection gaps and formulate measurable and time bound steps to close such gaps;

(h) The Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members set out a policy framework for rights-based action plans aimed at the enforcement of de facto equality for persons affected by leprosy and their family members.

(g) The Working Group on Enforced and Involuntary Disappearances published a report (A/HRC/45/13/Add.3) on standards and public policies for an Effective investigation of enforced disappearances, with a dedicated sections on Victims access to investigation and protection from reprisals.

I. Forums, consultations, workshops and other meetings

32. In 2020, mandate holders organized or attended more than 300 forums, consultations, expert meetings, workshops and events, in collaboration and/or engaging with Governments, the United Nations system, civil society and the private sector (see A/HRC/43/64/Add.1, chap. XIX for a non-exhaustive list of events organized by mandate holders). Most of these events, more numerous than in the past years, were held virtually due to the restrictions imposed worldwide to contain the spread of the coronavirus disease (COVID-19).

33. The Forum on Minority Issues held its thirteenth session virtually on 19 and 20 November 2020, under the guidance of the Special Rapporteur on minority issues, with a particular focus on hate speech, social media and minorities. Participants included approximately 400 representatives from States, international and regional organizations, civil society and other relevant stakeholders. Invited expert panellists representing the world's five regions shared their expertise and highlighted the pressing need to address the critical challenges of tackling hate speech, xenophobic rhetoric and incitement to hatred against minorities. The report will be presented to the Human Rights Council at its forty-sixth session (A/HRC/46/58).

34. The ninth annual Forum on Business and Human Rights took place virtually from 16 to 18 November 2020, under the guidance of the Working Group on the issue of human rights and transnational corporations and other business enterprises. The Forum attracted over 3,700 participants and allowed for a discussion among Governments, businesses, civil society, affected individuals and communities and international organizations on trends, challenges and progress in advancing the implementation of the Guiding Principles on Business and Human Rights in all regions of the world. Held under the theme "Preventing business-related human rights abuses: The key to a sustainable future for people and planet," the 2020 Forum reinforced the message that strengthening prevention of business-related human rights abuses – by learning both from good practices and from when things have gone wrong, as well as by addressing systemic gaps – can help build a sustainable future for people and the planet. The report will be presented to the Human Rights Council at its forty-seventh session (A/HRC/47/50).

J. Engagement with other parts of the United Nations system and regional mechanisms

35. Throughout the year, mandate holders sought closer cooperation with the wider United Nations system and agencies, programmes and funds and with regional mechanisms

(A/HRC/46/61/Add.1, chap. XX), including by raising awareness of their mandates and conducting joint activities.

36. The special procedures interaction with the Human Rights Council and the General Assembly have been severely impacted by the COVID-19 and the budget restrictions. Engaging with these bodies virtually had a negative impact on their ability to engage with stakeholders in Geneva and New-York and move the human rights agenda ahead. Organising this virtual interactions created additional challenges and constraints for mandate holders with some of them joining very early in the morning or late in the evening or experiencing serious technical issues or additional burden. The current circumstances have shown that while new technologies and virtual means can offer useful temporary solutions and additions to the normal working methods, they cannot become the only way the UN human rights system operate.

37. Special procedures continued to provide a short document in advance of the presentation of their report to the Human Rights Council highlighting the main issues raised and the elements on which they would welcome the views of States and other stakeholders with the objective to enhance interaction with the Council. In this context, the decision of the Council to hold the interactive dialogues with thematic mandate holders individually has contributed to a more focused and dedicated discussion with mandate holders.

38. The launch of the Call to Action for Human Rights by the Secretary General in February 2020 gave an important impetus to the integration of human rights throughout the action of the United Nations. This Call refers to the role of human rights mechanisms, including special procedures. Special procedures engaged with various stakeholders, in particular within the United Nations, to ensure that human rights have the place they deserve within the system and to enhance the impact of the work of special procedures. The Coordination Committee in particular engaged with various United Nations interlocutors. Channels of communication with various parts of the United Nations system have been consolidated. Special procedures continued to take early action in relation to several country situations, including through communications, reports to States, statements and press releases. Joint public statements by SP on country situations are other examples of their early warning role. Special procedures also raised the alarm regarding worrying developments concerning thematic issues such as the impact of the COVID-19 pandemic on human rights or racism and discrimination among others.

39. Special procedures also enhanced their engagement with various UN agencies to foster cooperation, including through participation in briefings, trainings and the sharing of relevant material about how to engage with mandate holders.

40. Despite the challenges caused by the COVID-19 pandemic and the financial situation of the United Nations, engagement with New York-based entities, including the General Assembly and the Security Council, continued, as was engagement with the United Nations entities engaged in peacebuilding and the Sustainable Development Goals and, more generally, with the United Nations country teams. Some informal interactions between mandate holders and members of the Security Council took place. For the third time, the Chair of the Coordination Committee sent a letter to all members of the Security Council (S/2020/631, annex), sharing information about the work of special procedures in 2019 deemed pertinent to the work of the Security Council in terms of country and thematic issues. The letter had a particular focus on the prevention role of special procedures, the impact of the COVID-19 pandemic and the Call to Action for Human Rights. The purpose of this letter was to raise attention and facilitate access to the information gathered by special procedures, making the human rights system responsive and innovative in confronting human rights challenges, and enhancing synergies between human rights and the other pillars of the work of the UN. Engagement also continued with the Peace Building Architecture in light of a joint workplan and in following-up to the dedicated meetings held in November 2019. This cooperation focused on some country situations as well as on thematic issues.

41. Progress on raising awareness and improving the work of SP on prevention and peacebuilding has been made through active participation in the consultations on the peacebuilding architecture or the Geneva peace week and various other meetings related prevention and the preparation and dissemination of various written inputs.

42. On 15 April 2020, the Special Rapporteur on the rights of persons with disabilities participated as a keynote speaker in a webinar organized by the Executive Office of the Secretary-General and the World Health Organization on “COVID-19 and disability: a UN response.” The meeting brought together over 300 disability focal points from United Nations entities, staff in regions and countries, and representatives of organizations of persons with disabilities to reflect on the response to the coronavirus disease (COVID-19) and extract lessons learned, and to set the stage for a coordinated response to minimize the impact of COVID-19.

43. The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism is a signatory of the United Nations Global Counter-Terrorism Coordination Compact and an active member of its working groups. She had sustained positive working relationships with the Office of Counter-Terrorism and the Counter-Terrorism Committee Executive Directorate.

44. On 25 June 2020, the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights held a virtual meeting with the Under-Secretary-General of the United Nations Office on Counter-Terrorism. They discussed cooperation and the engagement of the mandate relating to the implementation of the global counter-terrorism strategy.

45. On 4 September 2020, the Special Rapporteur on the situation of human rights in Belarus participated in a virtual Arria-formula meeting of the Security Council on the deterioration of the human rights situation during and after the presidential election in Belarus.

46. On 25 November 2020, the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights participated in a virtual Arria-formula meeting of the Security Council on “End unilateral coercive measures now.”

47. Special procedures assessed and gave concrete recommendations to States on how to integrate human rights in the implementation of the Sustainable Development Goals by addressing the issue in their thematic reports, issuing open letters, participating in meetings and raising matters related to the Sustainable Development Goals.

48. In relation to cooperation with regional organizations, special procedures consolidated their joint activities with such bodies. The table in “Facts and figures with regard to the special procedures in 2020” (A/HRC/46/61/Add.1, chap. XX) contains the list of regional bodies and organizations with which special procedures engaged. This engagement took various forms, including participation in respective meetings, issuance of joint statements and joint activities such as joint reports, seminars and visits.

49. The road map agreed by the special procedures of the Human Rights Council and the Inter-American Commission on Human Rights in December 2018 and the Addis Ababa road map agreed by the special procedures of the Human Rights Council and the African Commission on Human and Peoples’ Rights continued to be implemented.

K. Follow-up activities

50. Recommendations from the special procedures system, especially following country visits, continued to be used by the Office of the United Nations High Commissioner for Human Rights (OHCHR) field presences and United Nations country teams. The Universal Human Rights Index contains all recommendations issued by human rights mechanisms in relation to countries⁶. In 2020, the Office launched a renewed Index based on stakeholder demands and needs. It contains an enhanced group/theme/SDG search functionalities for faster and easier access to recommendations from human rights mechanisms.

51. Mandate holders continued to prioritize follow-up and implementation of their assessments, conclusions and recommendations. The Implementation of human rights recommendations would play a key role, as the world would recover from the pandemic.

⁶ <https://uhri.ohchr.org>

Mandate holders worked with States at the national level and with the United Nations, including Country Teams, to ensure the integration of their advice and recommendations in the work of the United Nations. This is also a priority highlighted in the Call to Action for Human Rights. Mandate holders issued 173 follow-up communications to cases previously transmitted to States and non-State actors, observations on communications reports and follow-up press releases. They also sent questionnaires and presented reports to follow up on the implementation of recommendations made after country visits, and convened meetings and consultations. A non-exhaustive list of follow-up activities is contained in “Facts and figures with regard to the special procedures in 2020” (A/HRC/46/61/Add.1, chap. XIII).

L. Cooperation with special procedures

52. Special procedures mandate holders, States, UN representatives, civil society and other stakeholders demonstrated resilience, determination and creativity in finding ways to continue engaging and cooperating with each other and in using inputs and expertise from special procedures despite the difficult circumstances. While working methods are important, they are only a means to achieve a larger objective, which is ensuring that human rights are respected worldwide and are in the centre of the actions, in particular in the context of the aftermath of the pandemic.

53. The issue of cooperation from States and its assessment remained a priority for special procedures. The assessment of cooperation by States takes into account all aspects of the work of special procedures. The present report contains improved information on the status of States’ cooperation, including the number of standing invitations, the number of visits in 2020, the number of visits in the past five years,⁷ States never visited, the number of communications by country and responses received (A/HRC/46/61/Add.1, chaps. X and XV).

54. In line with the decision taken by mandate holders in their Annual Meeting in 2019, an enhanced system to record the various status of country visit requests and better assess cooperation and actions taken on both sides has been implemented in 2020. The new webpage reflecting this more detailed information, including the status of country visits and related requests is regularly updated.⁸ In addition mandate holders implemented the decision taken in 2019 to review once a year the list of pending country visit requests sent to States, either by themselves or by their predecessors, and send reminders to those States where visits remained a priority for the mandate holder.

55. One new standing invitation was recorded during the year from Kyrgyzstan (A/HRC/46/61/Add.1, chap. VII). The number of States that had never received a visit by a mandate holder was reduced to 22 (18 of them had received requests for a visit). With the onset of pandemic in 2020 and associated travel precautions, the mandate holders restricted their visit during the year. Country visits are an essential part of the special procedures mandates and mandate holders count on the support of all stakeholders to resume them as soon as possible. Some States received more than one visit by thematic mandate per year and 15 States received five or more visits in the past five years (Argentina, Australia, Canada, Ecuador, El Salvador, Georgia, Honduras, Mexico, Nigeria, Qatar, Sri Lanka, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America).

56. In relation to country mandates, some countries, like Cambodia, the Central African Republic, Mali, Somalia and the Sudan, were willing to give access to the country mandate while keeping in mind the COVID-19 pandemic with some visits taking place at the beginning of 2020, while Belarus, the Democratic People’s Republic of Korea, Eritrea, Iran (Islamic Republic of), Israel and Myanmar continued not to. Even in such situations, there

⁷ The information related to the past five years in the present report covers the period from 1 January 2015 to 31 December 2019.

⁸ See www.ohchr.org/EN/HRBodies/SP/Pages/CountryandothervisitsSP.aspx.

were some differences, with some States refusing any engagement while others engaged with mandate holders outside country visits.

57. The collection of information on the impact of the work of special procedures has been enhanced. The good stories webpage has been revamped and is now called “making a difference”⁹. More stories have been added to the webpage and invitations have been sent to external stakeholders to send inputs to make this webpage more comprehensive. The non-exhaustive compilation of examples collected so far shows that this impact can take many forms. It could, for example, result in the revision of a law, the adoption of a new policy decision, a change in the attitude of a country towards a specific issue, a positive outcome for specific individuals, the documentation and the end of a specific human rights violation, a successful contribution to United Nations processes, such as those involving migration and climate change, the development of new standards or, more generally, raising awareness about a human rights issue and facilitating dialogue and advocacy on these issues. Mandate holders have undertaken assessments of their work or participated in various meetings with stakeholders on assessing cooperation with their mandate or the impact of their work. This is an integral part of the efforts to ensure that human rights are transformative and provide solutions as stressed in the Call to Action for Human Rights.

58. With 681 communications sent in 2020, the response rate has improved, reaching now 48,46%.

59. While some States devoted considerable efforts to developing constructive cooperation with mandate holders, others continued to refuse their visits or accepted only a select few. A total of 65 countries had not yet received a visit by a special procedure during the past five years, although 49 had received at least one request. Seventeen countries did not accept a visit despite having five or more pending requests during the same period. Cooperation could also be partial or selective. For example, some States only cooperated with a select few special procedures, or responded to communications but did not accept visits in spite of having extended standing invitations.

60. The fact that a number of mandate holders had again been subjected to public and ad hominem attacks for carrying out their work is of serious concern. Inciting hatred and violence against a mandate holder is unacceptable.

III. Coordination Committee of Special Procedures

61. In 2020, the Coordination Committee was composed of Anita Ramasastry, Chair and Member of the Working Group on the issue of human rights and transnational corporations and other business enterprises; Victor Madrigal-Borloz, Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity; Javaid Rehman, Special Rapporteur on the situation of human rights in the Islamic Republic of Iran; Leigh Toomey, member of the Working Group on Arbitrary Detention; and Clement Nyaletsossi Voule, Special Rapporteur on the rights to freedom of peaceful assembly and of association. The outgoing Chair of the Coordination Committee, the Special Rapporteur on the right of everyone to the enjoyment of highest attainable standard of physical and mental health, Dainius Puras, remained as ex officio member until the end of July 2020.

62. The COVID 19 pandemic and the financial situation of the United Nations compelled the Coordination Committee to revise its plans and priorities for 2020. The Committee could not meet in person this year or engage with stakeholders in person as it usually does. The Annual Meeting of Special Procedures could not take place, preventing mandate holders from having discussion on working methods, engaging with States and other stakeholders, and adopting the necessary decisions, including in relation to the update of the Manual of Operations. Despite these challenges, the Committee designed alternative ways to meet its objectives.

63. The Committee developed alternative avenues to maintain engagement and exchange of information within and outside the system of special procedures. The Committee held

⁹ See www.ohchr.org/EN/HRBodies/SP/Pages/SPGoodStories.aspx.

dozens of virtual meetings throughout the year. It had virtual interactions with other mandate holders, officials of the United Nations, Member States or the Human Rights Council with a significant increase in the workload of the Coordination Committee. These virtual interactions were made difficult by the fact that members of the Committee are located in different time zones.

64. The Committee faced a significant additional burden triggered by the COVID and financial situations, including in facilitating and coordinating the special procedures response to COVID-19 (see section G) or providing support to mandate holders who were facing difficult constraints this year. Mandate holders faced serious additional constraints in implementing their mandate in 2020. They have made exceptional efforts, both professional and personal, to continue their work despite these challenges. The Committee communicated these concerns to various stakeholders, including the High Commissioner and the President of the Human Rights Council. It engaged in a task force with the Office of the High Commissioner for Human Rights to develop possible responses to these concerns.

65. The Committee also warned of the damaging impact on special procedures of the funding crisis of the United Nations with various stakeholders, including in a press release issued on 28 September in which the Committee stressed that the lack of urgent action to address the situation could create a protection gap, as some of the work of special procedures was not taking place and that they had no further capacity to continue working in such unacceptable conditions. The Committee further stressed that new technologies and virtual means cannot replace working methods that have been developed over years and make the added value of the special procedures system. It urged States to take urgent action to address the situation, including through financial contributions to the regular budget, to ensure the mandate holders can effectively carry out their work.

66. The Committee committed its best efforts to maintain its dialogue with States despite the absence of in-person meetings. It had a virtual informal conversation with the Human Rights Council on the response of the special procedures to COVID 19 in April. The Chair sent a letter to States in March updating on the latest developments. The Committee also had a virtual informal conversation on special procedures-related matters with States, representatives of the United Nations and civil society in December.

67. A member of the Coordination Committee presented the report on the twenty-sixth annual meeting of the special procedures to the Human Rights Council, which included facts and figures with regard to the special procedures in 2019 and information on the achievements of the special procedures system (A/HRC/43/64 and Add.1). This report has been improved by adding additional information and analysis about the work of special procedures.

68. The Committee further maintained dialogue among mandate holders by organising virtual exchanges in April and September to keep them abreast of developments. In addition, it held virtual welcome meetings with newly appointed mandate holders.

69. The three one-week in person meetings of the Committee could not take place with consequences for the enhanced engagement with the other parts of the UN system, at headquarters and in the field. Despite this challenge, the Coordination Committee held virtual consultations with a wide range of stakeholders, including the High Commissioner for Human Rights and the Deputy High Commissioner for Human Rights. Virtual meetings took place with the President of the Human Rights Council and the Chair of the Third Committee to raise awareness about issues related to special procedures, their contributions to intergovernmental processes and the significant constraints faced by mandate holders due to the virtual interactions with these bodies. It was agreed that this virtual interaction was only a temporary and exceptional solution in light of the pandemic and that the objective was to ensure in person participation of mandate holders as soon as possible.

70. The Coordination Committee engaged with the Consultative Group regarding the selection procedure for mandate holders and sent three letters containing the views and inputs of outgoing mandate holders.

71. The absence of Committee meetings in person and of the Annual Meeting of Special procedures affected the plans related to the continuing improvement of special procedures

working methods. The Committee pursued its initiatives in relation to the working methods despite the challenges by engaging with relevant stakeholders, soliciting inputs and fostering discussions on issues such as the procedures related to communications and their sources, public expression including on social media, confidentiality, and conflict of interest. The outcome of these reflections will be presented at the 2021 Annual Meeting.

72. A complete set of rules and guidelines governing the work of special procedures is contained in the Code of Conduct, the Manual of Operations and additional guidelines developed over the years. Mandate holders are committed to respecting them. The Coordination Committee has a facilitation role in this context and has engaged with all stakeholders individually or in a group. The Internal Advisory Procedure offers a more formal channel for complaints. All the details on how to use the procedure are public and available on the OHCHR website¹⁰. Stakeholders may approach the Committee in a formal bilateral meeting or in writing. The way a request for advice or concern is brought to the attention of the Committee will determine how the outcomes will be communicated. The requests fell within three categories: (a) mandate holders seeking advice on contemplated activities; (b) specific cases referred by States or other stakeholders; and (c) cases highlighting policy or systemic issues that needed to be addressed by the system. While responses to individual cases and questions may entail simple response or advice on the way forward, responses to more global working methods issues may entail more time and consultations and may require discussion and decisions at the Annual Meeting. This procedure is confidential.

73. Despite the impossibility for the Committee to hold its three in person annual meetings and the consequences on its ability to address submissions received in a timely manner, progress has also been achieved in relation to the Internal Advisory Procedure. An increasing number of stakeholders have approached the Committee to raise questions and trusting the system to address them. This has helped clarifying issues and working methods. Twenty-six requests have been received by the current Committee since June 2019, 15 from States from all regions or groups of States, 5 from mandate holders, 3 from NGOs, groups of NGOs or individuals and 1 from various sources. The CC took also action on its own initiatives on two cases.

74. The issues raised related to a variety of topics, inter alia:

(a) communications related issues, such as clarification on the use of Other Letters and their publication after 48 hours, the credibility and verification of sources, the timely reflection of States responses to communications, the issuance of communications with regional mechanisms, questions emanating from the issuance of press releases before the expiration of the deadline for State comments and the reflection of States comments in these press releases;

(b) Conflict of interest, in particular in relation to submissions received from former mandate holders, new positions or consultancies, participation in meetings, engagement with particular stakeholders, receipt of support from external stakeholders, and the use of information gathered by a mandate;

(c) The respect of confidentiality;

(d) Country visits and their reports;

(e) Issues related to the scope and application of mandates of special procedures, the Code of Conduct or the engagement of mandate holders with other bodies of the United Nations;

(f) Relationship of mandate holders with judicial processes;

(g) Clarification of procedures followed by various mandate holders;

(h) Advice in relation to participation in meetings or questions related to the virtual participation of mandate holders in meetings;

¹⁰ See www.ohchr.org/EN/HRBodies/SP/CoordinationCommittee/Pages/InternalAdvisoryProcedure.aspx.

- (i) Editing and documentation issues;
- (j) Issues related to the lack of respect for human rights principles.

75. As a result, the Committee issued one advice about the participation in meetings, five advices on conflict of interest, six advices aiming at the development of new guidance or improvements of the current practices, five clarifications of the scope of application of existing rules and practices and corrective measures, four remedial actions, four facilitations of dialogue with the mandate holders concerned, one withdrawal of a case and two decisions not to pursue the case further. Following a request of the President of the Human Rights Council, the Committee provided its advice to the Bureau on two letters of complaint made by groups of States regarding two special procedures mandate holders. The advice of the Committee is available on the HRC extranet.

76. All these inputs and discussions have helped improving the practices and working methods of special procedures in line with the Code of Conduct and the Manual of Operations, addressing potential gaps and ensuring greater coherence. It also contributes to the ongoing work on updating the Manual of Operations.

77. The Coordination Committee implemented the modalities for disclosure of external support received through and outside OHCHR. The Committee requested mandate holders to provide information on external support received in 2020. Of the 64 mandate holders who responded, 32 indicated that they had received external support, while the remaining 32 had not received any external support. Support had mostly been in-kind in nature, including research assistance and the granting of the use of facilities by their home institutions; financial support, for instance, for specific events or research; and administrative assistance. Financial support was, in most cases, provided by Governments, foundations or the home institutions of mandate holders (A/HRC/46/61/Add.1, chap. XIV).

IV. Acts of intimidation and reprisal

78. Special procedures continued to take up cases concerning acts of intimidation and reprisal, in relation not only to their work, but also to the wider United Nations system in the field of human rights. They implemented their internal guidelines on reprisals and intimidation in a coherent and systematic manner. In 2020, mandate holders continued to use communications, public statements, press releases, reports and meetings with various stakeholders to express their serious concern regarding all such acts. The issue has also been raised with the President of the Human Rights Council and the Chair of the Third Committee as appropriate.

79. The most recent report of the Secretary-General on efforts made to address acts of intimidation and reprisal against those seeking to cooperate or having cooperated with the United Nations, its representatives and mechanisms in the field of human rights (A/HRC/45/36) included information on 24 new cases involving 21 States taken up by special procedures and follow-up on 12 cases included in previous reports based on the continued work of special procedures. Special procedures also addressed issues related to ensuring access to the United Nations and raised concerns about the role played by the Committee on Non-Governmental Organizations in that context.