



10 March 2020

Excellencies,

I have the honour of writing to you on behalf of the Coordination Committee of Special Procedures and in my capacity as its Chair following the informal conversation held on 16 December 2019 in Geneva and in view of my upcoming presentation to the Council on 11 March.

The informal conversation was part of the ongoing dialogue and engagement of the Coordination Committee with States, civil society and other stakeholders. The conversation was an opportunity for the Committee to follow-up on the announcements made in my statement of 23 June 2019 and my letter of 18 September 2019 and discuss progress made in that context. Several of the decisions adopted by mandate holders last June have been implemented. Communications and press releases are not sent after business hours anymore, except for urgent cases. In this regard, we also keep in mind the need to ensure sufficient time for Capitals to be informed of our intention when it comes to press releases. According to the data we have received, this decision has been respected.

I also reiterated our commitment that all end-of-mission statements be shared with the visited States in advance of their release to the public and that social media must be used in a manner consistent with the Code of Conduct and the applicable regulations in the Manual and the country visit terms of reference. The length of end-of-mission statements issued by mandate holders continued to respect the average of 10 pages long.

Mandate holders have also taken due note of the call for the timely submission of reports contained on the President's Statement adopted in the Council last December. Progress has been made in this context at the last sessions of the Council and the General Assembly, recognizing that additional progress is desirable. This is an issue that mandate holders take seriously and that we discuss regularly with relevant departments of the UN, involved with translation and editing of our reports.

My colleagues presenting reports at the current session of the Council have once again shared in advance a one-page document highlighting the main issues raised in the reports and the elements on which they would welcome the views of States and other stakeholders. The objective of this initiative, which has been welcomed by the Council in the President's Statement adopted in December 2019, is to contribute further to the interactivity of the dialogues at the Council.

The informal conversation was also an occasion to share information about the latest developments related to special procedures, including in relation to cooperation with States, engagement on thematic issues or the collection of good stories.



I was happy to report that the level of cooperation with States is broadly positive with an increase in the number of States issuing standing invitations to special procedures and a decrease in the number of States that have never received a visit by a mandate holder. As announced earlier, an enhanced system to record the various status of country visit requests and better assess cooperation on both sides has been developed. Updated information will be shared on this matter in my upcoming presentation to the Council and our annual report.

Similarly the webpage on good stories about how the recommendations of mandate holders have been implemented has been populated with a non-exhaustive compilation of examples. The objective is to better document the various ways in which special procedures contribute to the promotion and protection of human rights at all levels¹. We hope to make this webpage a living document of positive stories and will update it frequently. I would therefore encourage all of you to send examples of good stories to the Secretariat so that they continue to be shared widely.

I would call your attention to another initiative aimed at reinforcing the positive impact of the work of special procedures. OHCHR has launched a new webpage reflecting the cross-cutting thematic engagement of special procedures. It reflects all the reports authored by mandate holders on climate change, migration, new technologies and Sustainable Development Goals (disaggregated per goal). Other cross-cutting thematic issues could be covered in the future².

Another positive sign of engagement is the fact that an increasing number of stakeholders have approached the Committee to make proposals or raise questions or concerns, formally or informally, demonstrating trust in the Committee and the role of the Internal Advisory Mechanism. This has helped us to refine our working methods and clarify issues. Information about the use of this procedure and corresponding recommendations and outcomes will be shared in my presentation to the Council and related report. These questions or requests for clarification fall within three categories: a) mandate holders seeking advice on contemplated activities ; b) specific cases referred by States; and c) cases highlighting policy or systemic issues that need to be addressed by the system.

During the informal conversation I also presented the priorities and ideas of the Committee for improvements in the months to come based on consultations and inputs received. My colleagues and I continue our internal deliberation on a number of issues as part of our ongoing innovation and improvement and update of our Manual of Operations. In this context, the Committee would welcome your views on the following issues:

a) Questionnaires and requests for inputs sent to States: there is a fatigue among States about receiving questionnaires from mandate holders, in addition to many other information requests from other bodies. OHCHR is exploring the possibility to put all our requests for inputs and questionnaires on a dedicated webpage (in addition to our mandate page). This

¹ <https://www.ohchr.org/EN/HRBodies/SP/Pages/SPGoodStories.aspx>

² <https://www.ohchr.org/EN/HRBodies/SP/Pages/CrosscuttingThematicIssues.aspx>



would allow for better coordination. It will also facilitate the exchange of information among us. It would also be good to give some thinking about other ways of soliciting inputs from stakeholders. We would welcome any ideas or practices that you would like to share in this context. Other options to be considered could also include establishing a recommended minimum timeline for response to these questionnaires and a reasonable limit to the number of questions.

b) Permanent missions have noted that sometimes they are not informed on time of communications or press releases as the messages are sent to generic email addresses, which are not regularly checked, leading to a delay in notice of the communication. Permanent missions could consider giving the contact details (phone and email) of a contact person who will systematically receive a copy of our communications and press releases.

c) In relation to social media, in particular in the context of country missions, mandate holders agreed that its use should be in line of Code of Conduct and Terms of Reference for Country Visits. We also agreed that more guidance would be helpful. The Committee has invited mandate holders to share their experience and practices in relation to social media. The Committee would also welcome the views of States and other stakeholders on this matter. Based on the information received, further guidance or compilation of good practices would be developed for the next Annual Meeting of Special Procedures and induction sessions for new mandate holders.

d) Several interlocutors stressed that meetings in person between States and mandate holders help a lot to build a better understanding of our work. One of the proposals raised in that context is the possibility to organize a sort of “SP office hours” when several mandate holders are in town, for example during the Annual Meeting or the induction sessions, to allow States to meet experts and engage with them outside of formal channels and also see how different mandates might be able to collaborate on various issues. The Committee would welcome your views on this proposal.

e) In relation to end-of mission statements, we agreed to keep in mind their preliminary nature and ensure that they would be shared with the State concerned before its issuance to the public. The fundamental objective of preliminary observations is to document the immediate conclusions of the mandate holder and open dialogue with the concerned State. The practices developed by mandate holders over years provide useful guidance in this context and allow to identify optimal conditions for engagement:

- As reflected in our Manual, debriefing should take place at the end of the mission. In addition, the end-of-mission statement should be shared in advance of this meeting to allow for substantive discussion.
- Written preliminary observations should not be of a length that prevents active engagement by State stakeholders. As a general guideline, it is estimated that a length close to half of the words allowed for the final report (i.e. 5000 to 6000 words) is a reasonable parameter.
- The debriefing to the State and the ensuing dialogue must be carried out before any press activity, public statement or debriefing to civil society.



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f) Another issue raised is the issuance of press releases after communications and the fact that this may be perceived as a lack of intention to engage or take into account the views expressed by States. According to the existing working methods, mandate holders have to engage with the States concerned before expressing their views publicly. They can also issue a press release before the expiration of the deadline for States's response should the situation requires it. Mandate holders are exploring how to resolve this perceived contradiction while respecting the Code of Conduct and the Manual and how to maintain their public voice, which is essential for their work, while preserving the main objective of communications, which is to engage with the State concerned to improve the situation on the ground. Options explored include a revised format for communications that will better reflect the objective expected and give an opportunity to States to share any important issue before going public, including for example by shortening communications or focusing them on the main concerns of the mandate holders, and addressing points likely to be raised in a press release.

g) Issues raised also related to how mandate holders deal with issues related to their own country or how former mandate holders continue to engage with the system. The Committee is collecting relevant information about how former mandate holders continue to engage with the system to better understand the scope of such activity with the objective of proposing a course of action to all mandate holders during the upcoming annual meeting in June 2020.

The Committee is grateful for the fruitful discussion and positive feedback received on 16 December and will make sure that these will feed the internal discussion of mandate holders and further consultations with stakeholders. My colleagues and I will continue to remain available to consider suggestions from all stakeholders and to address them to improve the system. I also look forward to my presentation to the Council on 11 March as another opportunity to exchange on these matters. I count on the continued support of all to ensure that special procedures will continue to play their role as a vital part of the human rights framework and will continue to inform you regularly on these matters.

Please accept, Excellencies, the assurances of my highest consideration.

A handwritten signature in cursive script, reading "Anita Ramasastry".

Anita Ramasastry

Chair of the Coordination Committee of Special Procedures