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## Human Rights Council

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Agenda items 2 and 5

**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**

## **Activities of special rapporteurs, independent experts and working groups of the special procedures of the Human Rights Council undertaken in 2021, including updated information on special procedures and information on the twenty-seventh annual meeting of special rapporteurs, independent experts and chairs of working groups**

### **Report of the Secretariat\***

#### *Summary*

The present report, submitted pursuant to Human Rights Council decision 2/102, contains an overview of the special procedures system, highlighting activities undertaken by mandate holders in 2021. It also contains information on the work of the Coordination Committee of Special Procedures and additional activities undertaken by the special procedures system. The main points and the conclusions reached during the twenty-seventh annual meeting of special rapporteurs, independent experts and chairs of working groups of the special procedures are also elaborated upon.

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\* The present report was submitted after the deadline so as to include the most recent information.



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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 2021. It also contains information on the work of the Coordination Committee of Special Procedures and additional activities undertaken by the special procedures system. The main points and the conclusions reached during the twenty-seventh annual meeting of special rapporteurs, independent experts and chairs of working groups of the special procedures are also elaborated upon.

## II. Facts and figures

### A. New mandates

2. At its forty-eighth session, the Human Rights Council decided to create new special procedure mandates, focusing on climate change (resolution 48/14), Afghanistan (resolution 48/1) and Burundi (resolution 48/16). The total number of mandates stands at 58, of which 45 are thematic and 13 are country-specific.<sup>1</sup>

### B. Mandate holders

3. The special procedures system currently includes 79 mandate holder positions. The Human Rights Council appointed 14 new mandate holders in 2021. Of those, 4 were appointed at the forty-sixth session of the Council, 7 at the forty-seventh session and 3 at the forty-eighth session. The gender balance has reversed for the first time with more women than men: 51 per cent of current mandate holders are women and 49 per cent are men.

4. As at 31 December 2021, mandate holders came from States Members of the United Nations belonging to the following groups: African States, 24.05 per cent; Asia-Pacific States, 18.99 per cent; Eastern European States, 8.86 per cent; Latin American and Caribbean States, 20.25 per cent; and Western European and other States, 27.85 per cent.<sup>2</sup>

5. The Office of the United Nations High Commissioner for Human Rights (OHCHR) organized one induction session for newly appointed mandate holders in Geneva.

### C. Country visits

6. In the light of the continuing situation due to the coronavirus disease (COVID-19) pandemic, the number of country visits remained significantly reduced in 2021. Mandate holders conducted 26 in situ visits to 24 States and territories and one institution.<sup>3</sup> In 2021, 1 State extended a standing invitation to all special procedure mandate holders; 128 States and 1 non-member observer State had extended a standing invitation as at the time of reporting.<sup>4</sup>

7. As at 31 December 2021, a large majority of Member States, namely, 171, had received at least one visit from a mandate holder. However, 22 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 at 31 December 2021.<sup>5</sup>

<sup>1</sup> A/HRC/49/82/Add.1, sect. XV.

<sup>2</sup> Ibid., sect. II.

<sup>3</sup> Ibid., sect. V.

<sup>4</sup> Ibid., sects. III–IV.

<sup>5</sup> Ibid., sect. VII. Information on the status of all country visits requested by mandate holders and on forthcoming visits is available at <https://spinternet.ohchr.org/Home.aspx?lang=en>.

## **D. Communications**

8. In 2021, mandate holders transmitted 1,002 communications, 931 of which were sent jointly, to 149 States and 257 non-State actors. The communications covered 2,256 individuals, 317 of whom were identified as female. A total of 651 replies (584 substantive replies) were received in 2021, which includes replies to communications sent before 2021. A total of 527 replies to communications sent in 2021 were received, of which 459 (45.91 per cent reply rate)<sup>6</sup> were substantive replies. Some communications received more than one reply.<sup>7</sup>

9. Three communications reports were issued in 2021. Communications sent and replies received are made available through a dedicated website,<sup>8</sup> through which users may access the database of all communications sent and replies received since the eighteenth session of the Human Rights Council. Searches for communications and associated replies from Governments and others may be searched for by mandate, country, geographical region, time period and/or by the communications reports submitted to the Council since 2011. All communications are made public after 60 days, and other letters, which are 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. Any response received is 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 they are received, unless they require translation. Responses to other letters are also made public as and when they are received, when they do not require translation. For replies requiring translation, they are released when the translations become available.

10. In 2021, the Working Group on Enforced or Involuntary Disappearances transmitted 538 new alleged cases of enforced disappearance to States, of which 51 were transmitted under its urgent action procedure. The Working Group also transmitted 17 newly reported cases of violations that were tantamount to enforced disappearances allegedly perpetrated by non-State actors in Libya (1) and Yemen (14) and Myanmar (2). The Working Group was able to clarify 204 cases.

11. The Working Group on Arbitrary Detention issued 85 opinions under its regular communications procedure in 2021, thereby maintaining the increase in the number of opinions issued since 2017, which has been one of the measures taken by the Working Group to address the existing backlog of cases. In 2021, the Working Group received information indicating that at least 11 subjects of its previously adopted opinions had been released.

12. Special procedures have also used the communications procedure to address cross-cutting issues affecting several States and stakeholders. They sent similar communications to various stakeholders related, for example, to the unequal access to COVID-19 vaccines, the use of forced labour in company supply chains or the return and repatriation of foreign fighters and their families from conflict zones.

## **E. Media outreach and public awareness**

13. Mandate holders issued 375 media products, either individually or jointly, 346 of which were press releases (of which 161 were done jointly), 17 were media advisories and 12 were media statements, raising awareness and voicing concerns regarding a range of human rights issues, including on individual cases.

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<sup>6</sup> As of 2018, the response rate includes only substantive replies.

<sup>7</sup> [A/HRC/49/82/Add.1](#), sects. IX–X.

<sup>8</sup> See <https://spcommreports.ohchr.org>.

## F. Thematic reports and studies

14. In 2021, mandate holders submitted 139 reports; 89 were submitted to the Human Rights Council, including 19 country visit reports, and 50 to the General Assembly.<sup>9</sup>

15. Initiatives have been taken to facilitate access to information on upcoming reports and related calls for inputs. A new web page compiling all calls for inputs and questionnaires issued by mandate holders has been created.<sup>10</sup> It reflects all valid calls for inputs. The list of themes for upcoming reports is also available on the web page.

16. Two mandate holders devoted one of their reports to taking stock of the activities undertaken to date in furtherance of the mandate. 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, provided an assessment of achievements and contributions made by the successive mandate holders at the local, country and global levels since the mandate was established in the year 2000;<sup>11</sup> and the Special Rapporteur on violence against women, its causes and consequences took stock of two of the main initiatives implemented by her during her tenure: the femicide watch initiative and the Platform of Independent Expert Mechanisms on the Elimination of Discrimination and Violence against Women.<sup>12</sup>

17. Two mandate holders, reaching the end of their terms, submitted final reports providing an overview of their six-year tenures: the Special Rapporteur on extrajudicial, summary or arbitrary executions<sup>13</sup> and the Independent Expert on the enjoyment of human rights by persons with albinism.<sup>14</sup>

18. The thematic reports published in 2021 addressed a wide range of human rights issues. Seven cross-cutting themes emerged in particular: implementation of the 2030 Agenda for Sustainable Development; women's rights and gender; prevention of human rights violations and abuses, security and peacebuilding; migration; climate change; new technologies; and the COVID-19 pandemic. All reports authored by mandate holders on climate change, migration, new technologies, the Sustainable Development Goals, disaggregated by goal, and COVID-19 may be accessed on the web page on cross-cutting thematic issues.<sup>15</sup> Information on the themes of the upcoming reports of special procedure mandate holders is available on the OHCHR website.<sup>16</sup>

19. A comprehensive overview of the conclusions and recommendations made by special procedure mandate holders in 2021 is available in the report of the Secretary-General on the subject.<sup>17</sup> This report provides a comprehensive overview of all the reports presented by special procedure mandate holders in 2021. In that report, references are made to Our Common Agenda and "The highest aspiration: a call to action for human rights" and how the conclusions and recommendations of special procedure mandate holders contribute to making the human rights system responsive and innovative in confronting human rights challenges, and enhancing synergies between human rights and all pillars of the work of the United Nations.

20. Several reports were related to the implementation of the 2030 Agenda and the Sustainable Development Goals. They included the reports of: the Special Rapporteur on minority issues, in which he outlined the historical positioning of minority issues in relation to the Millennium Development Goals and their place in the 2030 Agenda;<sup>18</sup> the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, in which he emphasized transformative actions that

<sup>9</sup> See [A/HRC/49/82/Add.1](#), sect. XI, for the list of reports and the themes addressed.

<sup>10</sup> See [www.ohchr.org/en/special-procedures-human-rights-council/reports-and-related-calls-input](http://www.ohchr.org/en/special-procedures-human-rights-council/reports-and-related-calls-input).

<sup>11</sup> [A/HRC/47/43](#).

<sup>12</sup> [A/76/132](#).

<sup>13</sup> [A/HRC/47/33](#).

<sup>14</sup> [A/HRC/46/32](#).

<sup>15</sup> See [www.ohchr.org/EN/HRBodies/SP/Pages/CrosscuttingThematicIssues.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/CrosscuttingThematicIssues.aspx).

<sup>16</sup> See [www.ohchr.org/EN/HRBodies/SP/Pages/Consultations-calls-for-input-reports.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/Consultations-calls-for-input-reports.aspx).

<sup>17</sup> [A/HRC/49/26](#).

<sup>18</sup> [A/76/162](#).

would concurrently contribute to progress on multiple Sustainable Development Goals, resulting in healthy, equitable and sustainable food systems;<sup>19</sup> the Special Rapporteur in the field of cultural rights, in which she reflected on the interrelation between cultural rights and the Sustainable Development Goals;<sup>20</sup> the Special Rapporteur on the right to education, in which she considered the cultural dimensions of the right to education as crucial in ensuring that the universal right to inclusive and quality education is realized, as called for in Goal 4;<sup>21</sup> the Special Rapporteur on extreme poverty and human rights, in which he focused on various Sustainable Development Goals, recommending the establishment of a global fund for social protection;<sup>22</sup> or the Special Rapporteur on the situation of human rights in Cambodia, in which he called on the Government to apply the Sustainable Development Goals in an inclusive, participatory and gender-sensitive manner, with a particular focus on Goal 16.<sup>23</sup>

21. Women's rights and gender featured prominently in several reports. The Special Rapporteur on violence against women, its causes and consequences addressed rape as a grave, systematic and widespread human rights violation.<sup>24</sup> She also took stock of progress made in the implementation of the femicide watch initiative.<sup>25</sup> The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression examined the challenges that women faced offline and online, and analysed the relevant legal standards and the responsibilities of States and companies.<sup>26</sup> The Special Rapporteur on the independence of judges and lawyers examined the current status of women's representation in judicial systems.<sup>27</sup> The Independent Expert on the enjoyment of all human rights by older persons unpacked the gendered effects of ageing with a focus on the key human rights challenges and concerns of older women.<sup>28</sup> The Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, focused on the gender dimension of the sexual exploitation of children and the importance of integrating a child-centred and gender-inclusive approach to combating and eradicating the scourge.<sup>29</sup> The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism addressed the global, regional and national effects of the widespread use of counter-terrorism and preventing and countering (violent) extremism law, policies and practice on the lives of women, girls and the family.<sup>30</sup> The Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity analysed the current state of international human rights law in relation to the recognition of gender and gender identity and expression, in connection with the struggle against violence and discrimination in its different forms.<sup>31</sup> He also analysed the backlash against the incorporation of gender frameworks in international human rights law.<sup>32</sup>

22. Mandate holders continued to focus on the prevention of human rights violations and on peace and security issues, with the Special Rapporteur on the human rights of internally displaced persons addressing the prevention of arbitrary displacement in situations of armed conflict and generalized violence,<sup>33</sup> the Special Rapporteur on trafficking in persons, especially women and children, highlighting the need for more effective prevention and protection measures for all forms of trafficking, particularly in conflict and humanitarian settings,<sup>34</sup> the Special Rapporteur on violence against women, its causes and consequences,

<sup>19</sup> [A/76/179](#).

<sup>20</sup> [A/HRC/46/34](#).

<sup>21</sup> [A/HRC/47/32](#).

<sup>22</sup> [A/HRC/47/36](#).

<sup>23</sup> [A/HRC/48/79](#).

<sup>24</sup> [A/HRC/47/26](#).

<sup>25</sup> [A/76/132](#).

<sup>26</sup> [A/76/258](#).

<sup>27</sup> [A/76/142](#).

<sup>28</sup> [A/76/157](#).

<sup>29</sup> [A/76/144](#).

<sup>30</sup> [A/HRC/46/36](#).

<sup>31</sup> [A/HRC/47/27](#).

<sup>32</sup> [A/76/152](#).

<sup>33</sup> [A/76/169](#).

<sup>34</sup> [A/76/263](#).

making recommendations for further progress on the prevention of femicide or gender-related killings of women and girls,<sup>35</sup> the Working Group on the issue of human rights and transnational corporations and other business enterprises offering an overview of the key observations and messages emerging from the ninth session of the Forum on Business and Human Rights, which focused on preventing business-related human rights abuses,<sup>36</sup> the Special Rapporteur on the rights of persons with disabilities examining the protection of the rights of persons with disabilities in the context of armed conflict,<sup>37</sup> the Special Rapporteur on the human rights to safe drinking water and sanitation identifying promoting water as a key to peace as one of the three challenging objectives that would mark the main strands of his work,<sup>38</sup> and the Working Group on discrimination against women and girls examining threats and risks posed to the sexual and reproductive health and autonomy of women and girls before and during crisis-related events.<sup>39</sup>

23. Mandate holders also addressed migration issues, with the Special Rapporteur on the human rights of migrants focusing on means of addressing the human rights impact of pushbacks of migrants on land and at sea<sup>40</sup> and also examining the impact of the COVID-19 pandemic on the human rights of migrants,<sup>41</sup> the Working Group on Arbitrary Detention examining discriminatory drug control measures directed at migrants,<sup>42</sup> the Special Rapporteur on extrajudicial, summary or arbitrary executions examining the unlawful death of refugees and migrants and the criminalization of life-saving actions and organizations,<sup>43</sup> the Special Rapporteur on trafficking in persons, especially women and children, demanding the non-criminalization of migrants who are victims of the crime of trafficking in persons,<sup>44</sup> and the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, focusing on the vulnerability of displaced persons with irregular or uncertain migration status.<sup>45</sup>

24. Mandate holders continued to maintain a focus on climate change, with the Special Rapporteur on the right to development examining the relationship between the right to development and climate change<sup>46</sup> and also assessing climate action at the national level from the perspective of the right to development,<sup>47</sup> the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment addressing climate change in the context of the global water crisis,<sup>48</sup> the Special Rapporteur on the human rights of internally displaced persons examining the adverse effects of climate change on internal displacement,<sup>49</sup> 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, addressing climate change and rights-compliant resilient housing.<sup>50</sup>

25. The impact of new technologies on human rights was addressed in numerous reports, with the Working Group on the issue of human rights and transnational corporations and other business enterprises examining the role of technology and social media companies,<sup>51</sup> the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression examining the role of digital technology in the spread of disinformation,<sup>52</sup> the

<sup>35</sup> [A/76/132](#).

<sup>36</sup> [A/HRC/47/50](#).

<sup>37</sup> [A/76/146](#).

<sup>38</sup> [A/HRC/48/50](#).

<sup>39</sup> [A/HRC/47/38](#).

<sup>40</sup> [A/HRC/47/30](#).

<sup>41</sup> [A/76/257](#).

<sup>42</sup> [A/HRC/47/40](#).

<sup>43</sup> [A/HRC/47/33](#).

<sup>44</sup> [A/HRC/47/34](#).

<sup>45</sup> [A/HRC/48/52](#).

<sup>46</sup> [A/76/154](#).

<sup>47</sup> [A/HRC/48/56](#).

<sup>48</sup> [A/HRC/46/28](#).

<sup>49</sup> [A/HRC/47/37](#).

<sup>50</sup> [A/HRC/47/43](#).

<sup>51</sup> [A/HRC/47/39/Add.2](#).

<sup>52</sup> [A/HRC/47/25](#).

Special Rapporteur on the rights to freedom of peaceful assembly and of association focusing on the impact of Internet shutdowns,<sup>53</sup> the Special Rapporteur on minority issues addressing the widespread targeting of minorities through hate speech in social media,<sup>54</sup> the Special Rapporteur on the right to privacy examining artificial intelligence and privacy and children's privacy,<sup>55</sup> the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance focusing on racial and xenophobic discrimination and the use of digital technologies in border and immigration enforcement,<sup>56</sup> and 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 provision of military and security products and services in cyberspace by mercenaries and its human rights impacts.<sup>57</sup>

26. Several mandate holders devoted one of their official reports to addressing aspects of the COVID-19 pandemic. As at 31 December 2021, special procedure mandate holders had issued 158 press releases addressing aspects of the COVID-19 pandemic and sent 547 communications directly connected to, or the measures adopted in the context of, the crisis. They had also produced guidelines, dispatches and other reference tools, issued open letters and promoted social media campaigns. All the documents and information about the work done by special procedure mandate holders concerning COVID-19 are available on a dedicated web page.<sup>58</sup> An infographic is also available in the addendum to the present report.<sup>59</sup>

## **G. Contributions to standard-setting and the protection and promotion of human rights**

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

(a) The Special Rapporteur on the rights to freedom of peaceful assembly and of association provided a set of key principles on the role of lawyers in upholding the rights to freedom of assembly and association, as well as a non-exhaustive list of practical recommendations for lawyers, aimed at supporting them in their work to provide access to justice in the context of peaceful assemblies;

(b) The Working Group on the issue of human rights and transnational corporations and other business enterprises provided guidance to States and businesses on the implications of the Guiding Principles on Business and Human Rights for engaging with, and safeguarding the rights of, human rights defenders;

(c) The Working Group of Experts on People of African Descent provided guidance on how to effectively address environmental injustice, racial disparities, unequal protection, the unique impact of the climate crisis and environmental racism on people of African descent;

(d) Through their work and advocacy over the years, successive Special Rapporteurs on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment contributed to the recognition by the Human Rights Council of the human right to a clean, healthy and sustainable environment (resolution 48/13).

<sup>53</sup> [A/HRC/47/24/Add.2](#).

<sup>54</sup> [A/HRC/46/57](#).

<sup>55</sup> [A/HRC/46/37](#).

<sup>56</sup> [A/HRC/48/76](#).

<sup>57</sup> [A/76/151](#).

<sup>58</sup> See [www.ohchr.org/EN/HRBodies/SP/Pages/COVID-19-and-Special-Procedures.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/COVID-19-and-Special-Procedures.aspx).

<sup>59</sup> [A/HRC/49/82/Add.1](#), sect. XXII.



## H. Forums, consultations, workshops and other meetings

28. In 2021, mandate holders organized or attended more than 340 forums, consultations, expert meetings, workshops and events, in collaboration and/or engaging with Governments, the United Nations system, civil society and the private sector.<sup>60</sup>

29. The Forum on Minority Issues held its fourteenth session in a hybrid format in Geneva, on 2 and 3 December 2021, under the guidance of the Special Rapporteur on minority issues. The session was focused on conflict prevention and the protection of the human rights of minorities. Participants included approximately 650 representatives from States, international and regional organizations and civil society and other relevant stakeholders. Expert panellists representing the world's five regions examined the prevention of conflicts through the protection of the human rights of minorities and made recommendations to that effect. The report on the session will be submitted to the Human Rights Council at its forty-ninth session.<sup>61</sup>

30. The tenth annual session of the Forum on Business and Human Rights took place virtually, from 29 November to 1 December 2021, under the guidance of the Working Group on the issue of human rights and transnational corporations and other business enterprises. The Forum attracted more than 3,000 participants and allowed for a discussion among Governments, businesses, civil society, affected individuals and communities and international organizations on trends, challenges and progress made in advancing the implementation of the Guiding Principles on Business and Human Rights in the next decade and beyond. Held under the theme "The next decade of business and human rights: increasing the pace and scale of action to implement the Guiding Principles on Business and Human Rights", the Forum addressed critical business and human rights issues, including the role of business in confronting climate and environmental harms and related global human rights impacts, and what business should do to help confront racism and discrimination. The report on the session will be submitted to the Human Rights Council at its fiftieth session.<sup>62</sup>

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

31. Throughout the year, mandate holders sought closer cooperation with the wider United Nations system and agencies, funds and programmes and with regional mechanisms, including by raising awareness of their mandates and conducting joint activities. A non-exhaustive list of those activities is available in the addendum to the present report.<sup>63</sup>

32. The interaction of special procedure mandate holders with the Human Rights Council and the General Assembly continued to be affected by the COVID-19 pandemic. Mandate holders were able to resume in-person participation in the Council's sessions, which is a welcome development. However, their engagement with the Third Committee of the General Assembly was exclusively virtual, which created additional challenges and constraints for mandate holders and prevented them from interacting with a range of stakeholders at Headquarters.

33. Special procedure mandate holders continued to provide short documents in advance of the presentation of their reports 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 of enhancing interaction with the Council.

34. "The highest aspiration: a call to action for human rights" and Our Common Agenda launched by the Secretary-General in 2021 gave important impetus to the integration of human rights throughout the work of the United Nations and the role of human rights mechanisms in this context. In those initiatives, the Secretary-General calls for the fuller use

<sup>60</sup> See [A/HRC/49/82/Add.1](#), sect. XIX, for a non-exhaustive list of events organized by mandate holders.

<sup>61</sup> [A/HRC/49/81](#).

<sup>62</sup> [A/HRC/50/41](#).

<sup>63</sup> [A/HRC/49/82/Add.1](#), sect. XX.

of human rights mechanisms, including special procedures, to solve pressing social, economic and political challenges and to better link them to other processes to maximize their impact. He also calls for ways to put human rights on a more sustainable financial footing. Special procedures engaged with various stakeholders, in particular within the United Nations system, to contribute to human rights mainstreaming within the system, using also the momentum created by the call to action and Our Common Agenda. During their annual meeting, special procedures had a dedicated discussion on the call to action and the contribution of special procedures with the Assistant Secretary-General for Human Rights and the Assistant Secretary-General for Strategic Coordination and identified concrete avenues to further enhance cooperation between mandate holders and the United Nations system. The call to action provides for a renewed momentum and the necessary framework to foster the inclusion of the work of special procedures in their engagement with the United Nations system, including United Nations country teams and regional coordinators.

35. The Coordination Committee of Special Procedures, in particular, engaged with various United Nations interlocutors. Channels of communication with various parts of the United Nations system have been consolidated. Mandate holders continued to take early action in relation to several thematic or country situations, including through communications, reports to States, statements and press releases.

36. Despite the challenges caused by the COVID-19 pandemic, engagement with New York-based entities continued, as did engagement with United Nations country teams. Some informal and formal interactions between mandate holders and members of the Security Council took place. For the fourth time, the Chair of the Coordination Committee of Special Procedures sent a letter to all members of the Security Council,<sup>64</sup> sharing information about the work of special procedure mandate holders in 2020 deemed pertinent to the work of the Security Council in terms of country and thematic issues.

37. On 22 January 2021, the Special Rapporteur on the promotion and protection of freedom of opinion and expression participated in an Arria-formula meeting of the Security Council on media freedom in Belarus.

38. On 15 March 2021, the Working Group on Enforced or Involuntary Disappearances participated in the Security Council's monthly briefing on the Syrian Arab Republic set against the backdrop of the tenth anniversary of the conflict.

39. On 22 December 2021, the Special Rapporteur on minority issues participated in a virtual Arria-formula meeting of the Security Council on the situation of national minorities and the glorification of Nazism in the Baltic and Black Sea regions.

40. In addition, several mandate holders engaged with the members of the Security Council Committee established pursuant to resolution 1988 (2011) on the situation in Afghanistan.

41. Engagement also continued with the peacebuilding architecture in the light of a joint workplan and in follow-up to the dedicated meetings held in November 2019. Progress in raising awareness and improving the work of special procedure mandate holders on prevention and peacebuilding was made, through active participation in various meetings related to prevention and the preparation and dissemination of various written inputs.

42. Special procedure mandate holders assessed and made specific recommendations to States on how to integrate human rights into the realization 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 goals.

43. In relation to cooperation with regional organizations, special procedure mandate holders consolidated their joint activities with such bodies. The engagement took various forms, including participation in meetings, the issuance of joint statements and joint activities, such as joint reports, seminars and visits.

<sup>64</sup> [S/2020/631](#), annex.

## **J. The contribution of special procedures to prevention**

44. In a recent study,<sup>65</sup> OHCHR illustrated the extent to which special procedures contributed to assisting States and other stakeholders in preventing human rights violations and abuses, demonstrating their significant prevention potential. In this study, prevention was approached from a broad perspective that encompassed all human rights and covered the whole spectrum of human rights actions, from providing guidance on the implementation of international standards, monitoring and reporting on their implementation and contributing to early warning and early action systems to provide advice and recommendations for technical assistance to States. Recommendations included ensuring more attention to the implementation of the recommendations of special procedures, including in the Human Rights Council, fostering continued dialogue between States and special procedures on follow-up or ensuring partnerships between special procedures and other stakeholders, including within the United Nations, for an effective prevention strategy. OHCHR also recommended that resolutions on special procedure mandates contained a reference to prevention. The function of special procedures to provide technical expert advice to States and other United Nations bodies on how to implement their human rights obligations also has an important preventive role.

45. The preventative role of special procedures and their cooperation with the wider United Nations system was also addressed in an exchange with representatives of the Development Coordination Office, the Office of the United Nations High Commissioner for Refugees, the Peacebuilding Support Office, the United Nations Children's Fund, the United Nations Development Programme, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the United Nations Population Fund during an annual meeting. The discussion highlighted the various aspects of the work of special procedures, their potential for prevention and how they offer opportunities for engagement with the wider United Nations system, including United Nations agencies and intergovernmental bodies. For prevention to be effective, it was stressed that such engagement was essential. The meeting was focused on an exchange of experiences and practices from all sides and the identification of concrete avenues to strengthen cooperation on prevention.

## **K. Follow-up activities**

46. Efforts have been made to make the work and the recommendations of the special procedures more visible and accessible to facilitate follow-up.<sup>66</sup> Recommendations emanating from the special procedures system, especially following country visits by mandate holders, continued to be used by OHCHR field presences and United Nations country teams. The Universal Human Rights Index contains all recommendations issued by human rights mechanisms in relation to countries.<sup>67</sup>

47. Mandate holders continued to prioritize follow-up to, and implementation of, their assessments, conclusions and recommendations. Mandate holders worked with States at the national level and with the United Nations, including United Nations country teams, to ensure the integration of their advice and recommendations into the work of the United Nations. Mandate holders issued 233 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 drafted reports in order 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 the addendum to the present report.<sup>68</sup>

48. Follow-up and implementation being a priority, special procedures resort to a combination of tools and networks to foster implementation and collaborate with other

<sup>65</sup> A/HRC/48/21.

<sup>66</sup> A/HRC/49/82/Add.1, sect. XIII.

<sup>67</sup> See <https://uhri.ohchr.org>.

<sup>68</sup> A/HRC/49/82/Add.1, sect. XIII.

mandates, human rights mechanisms and the wider United Nations system, including United Nations country teams. Mandate holders can work jointly on follow-up, including by following up on each other's recommendations when visiting countries successively or when assessing jointly the implementation of recommendations made by several mandates to the same country. In addition, recommendations from the special procedures system continue to be used by OHCHR field presences and United Nations country teams.

## **L. Cooperation with special procedure mandate holders**

49. The issue of cooperation from States, and the assessment thereof, remained a priority for special procedures, taking into account all aspects of the work of mandate holders. The present report contains information on the status of that cooperation, including the number of standing invitations, the number of visits undertaken in 2021, the number of visits in the past five years,<sup>69</sup> States that have never received a visit from a mandate holder, and the numbers of communications by country and responses received.<sup>70</sup> The enhanced system to record the various status of country visit requests and better assess cooperation and actions taken on all sides continued to be implemented. The OHCHR web page reflecting that more detailed information, including the status of country visits and related requests, is regularly updated.<sup>71</sup>

50. One new standing invitation was recorded during the year, from the United States of America.<sup>72</sup> The number of States that have never received a visit by a mandate holder remains at 22, 18 of which had received requests for a visit. With the continuation of the COVID-19 pandemic and the associated travel restrictions, mandate holders accordingly reduced their visits in 2021. Country visits are an essential part of the fulfilment of special procedure mandates, and mandate holders count on the support of all stakeholders to resume them as soon as possible. Some States have received more than one visit by thematic mandate holders each year, and nine States have received five or more visits in the past five years (Argentina, Canada, Ecuador, Italy, Mongolia, Qatar, Sri Lanka, Tunisia and the United Kingdom of Great Britain and Northern Ireland).

51. With regard to country-related mandates, some countries, such as Cambodia, the Central African Republic, Mali and Somalia, were willing to grant access to the country-related mandate holder, while keeping in mind the measures to curb the spread of the COVID-19 pandemic, whereas Belarus, the Democratic People's Republic of Korea, Eritrea, Iran (Islamic Republic of), Israel and Myanmar continued not to grant such access. Even in those situations, there were some differences, with some States refusing any engagement and others engaging with mandate holders outside of country visits.

52. The collection of information on the impact of the work of special procedure mandate holders continued. More stories have been added to the web page "Making a difference".<sup>73</sup> The non-exhaustive compilation of examples collected shows that the impact can take many forms. Mandate holders have also carried out assessments of their work or participated in various meetings with stakeholders on assessing the impact of their work. It 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.

53. With 1,002 communications sent in 2021, the substantive response rate was at 45.91 per cent.

54. 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 76 countries had not yet received a visit by a special procedure mandate holder during the past five years, although 59 had received at least one request. Twenty-two countries did not accept a visit, despite having five or more pending requests during the same

<sup>69</sup> Covering the period from 1 January 2017 to 31 December 2021.

<sup>70</sup> A/HRC/46/61/Add.1, sects. III–IV, VI–VIII and X.

<sup>71</sup> See [www.ohchr.org/EN/HRBodies/SP/Pages/CountryandothervisitsSP.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/CountryandothervisitsSP.aspx).

<sup>72</sup> A/HRC/46/61/Add.1, sect. III.

<sup>73</sup> See [www.ohchr.org/EN/HRBodies/SP/Pages/Making-a-difference.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/Making-a-difference.aspx).

period. Cooperation could also be partial or selective. Some States only cooperated with a select few mandate holders or responded to communications but did not accept visits, in spite of having extended standing invitations.

55. The fact that a number of mandate holders were again subjected to public and ad hominem attacks for carrying out their work during the reporting period is of serious concern. This is an issue that special procedures, the Coordination Committee and OHCHR take very seriously and that requires a coherent and systematic response from all concerned.

56. To facilitate the timely exchange of information regarding special procedures communications and press releases, OHCHR invited the Permanent Missions to the United Nations Office and other international organizations in Geneva that wish to do so to give the contact details of a person who would systematically receive a copy of communications and press releases, in addition to the generic email addresses that will remain the official channel for the transmission of correspondence.

## **M. Contribution of special procedures to technical cooperation**

57. Special procedures provide advice and recommendations to States and other stakeholders using a variety of tools and processes. Thematic reports are one of them. These reports contain recommendations that provide technical advice to States and other stakeholders to help build their respective capacities to, among other things, prevent human rights violations and ensure full compliance with international human rights norms.<sup>74</sup>

58. The recommendations issued after country visits, as well as the engagement of special procedures with States and stakeholders in following up on those recommendations, also play a significant role. Communications issued by special procedures also contain important advice to States and other stakeholders. Other letters in particular address more systemic human rights issues and contain recommendations on how draft or existing legislation, policies or practices could be designed so as to fully comply with international human rights standards. These communications are a way to provide meaningful technical advice to States, which has been identified as a successful tool for prevention.

59. Special procedures also respond to requests from States and other stakeholders to provide advice and recommendations on a series of human rights issues, such as the development of laws and policies, the establishment of specific human rights plans or programmes or specific responses to human rights challenges. Briefings and trainings are also organized by OHCHR at its headquarters and in the field.

60. Through these various tools, special procedures make recommendations and identify areas for technical assistance and capacity-building. These recommendations cover general thematic issues but can also be more country focused, in particular in relation to country visits. However, special procedures lack the necessary resources and funding to ensure appropriate follow-up to their recommendations or to respond to all requests for advice or support received.

## **III. Coordination Committee of Special Procedures**

61. In 2021, the Coordination Committee continued to facilitate coordination among mandate holders and interaction with a range of stakeholders. The Committee pursued its efforts and initiatives to implement its mandate despite the challenges related to the COVID-19 pandemic. The Committee had one face-to-face and one virtual one-week meeting. It also had several additional virtual meetings. It had several virtual conversations with mandate holders, including those recently appointed.

62. The Coordination Committee maintained dialogue and interaction with various stakeholders, including United Nations representatives, States and civil society. The Committee also held discussions with States in different formats, including an informal

<sup>74</sup> [A/HRC/49/82/Add.1](#), sect. XXI.

conversation with the Human Rights Council in May and meetings with several geographical and political groups to discuss issues related to special procedures.

63. 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 and their inputs to intergovernmental processes. In addition, the Coordination Committee engaged with the Consultative Group of the Human Rights Council regarding the selection procedure for mandate holders and sent several letters containing the views of, and inputs from, outgoing mandate holders. The Committee participated in several urgent debates and special sessions of the Human Rights Council and facilitated joint statements.<sup>75</sup> The Chair of the Committee presented the annual report of special procedures to the Human Rights Council,<sup>76</sup> which included facts and figures with regard to the special procedures and information on the achievements of the special procedures system.<sup>77</sup>

64. The Coordination Committee pursued its initiatives in relation to the continuous improvement of the working methods of special procedures, in spite of the challenges, by engaging with relevant stakeholders, soliciting inputs and fostering discussions on issues such as the procedures related to the update of the Manual of Operations, communications, public expression, including on social media, and conflict of interest.

65. A complete set of rules and guidelines governing the work of the special procedures system is contained in the Code of Conduct for Special Procedure Mandate Holders of the Human Rights Council and the Manual of Operations, and additional guidelines have been developed over the years. Mandate holders are committed to respecting them. The Coordination Committee has a facilitation role in that context and has engaged with all stakeholders individually or in groups. The internal advisory procedure offers a more formal channel for complaints. The details of how to use the procedure are publicly available on the OHCHR website. Stakeholders may approach the Committee in a formal bilateral meeting or in writing. The way in which a request for advice or concern is brought to the attention of the Committee will determine how the outcome will be communicated. The requests fall 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 need to be addressed by the system. Responses to individual cases and questions may entail a simple response or the provision of advice on the way forward, whereas responses to requests concerning more global working method issues may entail more time and consultations and may require discussion and decisions to be taken at the annual meeting. The internal advisory procedure is confidential.

66. Progress was also achieved in relation to the internal advisory procedure. Stakeholders have approached the Coordination Committee to raise questions or concerns. Cases brought to the attention of the Committee concern mandate holders seeking advice before acting, States or other stakeholders asking questions about a particular procedure or mandate and cases highlighting policy or systemic issues that need to be addressed by the system. This has helped to clarify and improve working methods. The main outcomes of the procedure are available on the OHCHR website.<sup>78</sup> The issues raised in 2021 related to a variety of topics, including the following:

- (a) Communications, such as the time given to States before the issuance of a press release or clarification of procedures;
- (b) Conflict of interest, including in relation to new positions or receipt of support from external stakeholders and the use of information gathered by a mandate holder;
- (c) Respect of confidentiality;
- (d) Reporting to the Human Rights Council;

<sup>75</sup> A/HRC/49/82/Add.1, sect. XII.

<sup>76</sup> A/HRC/46/61.

<sup>77</sup> A/HRC/46/61/Add.1.

<sup>78</sup> See [www.ohchr.org/en/special-procedures-human-rights-council/coordination-committee-special-procedures](http://www.ohchr.org/en/special-procedures-human-rights-council/coordination-committee-special-procedures).



- (e) Participation of mandate holders in legal or parliamentary proceedings;
- (f) Clarification of procedures followed by various mandate holders;
- (g) Use of correct terminology to refer to States and territories;
- (h) Issuance of joint statements.

67. The Coordination Committee implemented the modalities for the disclosure of external support received through and outside OHCHR. This disclosure was decided by mandate holders in 2014 to ensure full transparency about funding received from all sources and to avoid real and perceived conflict of interest. The Committee requested mandate holders to provide information on external support received in 2021. Of the 65 mandate holders who responded, 27 indicated that they had received 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, including 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.<sup>79</sup>

#### **IV. Acts of intimidation and reprisal**

68. Special procedure mandate holders 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 2021, 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 was raised with the President of the Human Rights Council and the Chair of the Third Committee of the General Assembly, as appropriate. Mandate holders held a dedicated discussion during their annual meeting, in line with their enhanced response to reprisals adopted in 2015. Leigh Toomey, focal point of the Coordination Committee on this issue, led the discussion, which allowed for an assessment of the actions taken by the United Nations on this issue, the identification of trends and possible follow-up action by the Committee. In this context, the importance of a coherent and coordinated approach was once again highlighted.

69. 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<sup>80</sup> included information on new allegations from 13 communications concerning 9 States and follow-up information on cases previously reported concerning 17 States. Mandate holders also addressed issues relating to ensuring access to the United Nations and raised concerns about the role played by the Committee on Non-Governmental Organizations in that context.

#### **V. Twenty-seventh annual meeting of special rapporteurs, independent experts and chairs of working groups**

70. The twenty-seventh annual meeting of special rapporteurs, independent experts and chairs of working groups took place in Geneva from 30 August to 3 September 2021. It followed a gap in 2020 due to the COVID-19 pandemic.

71. The meeting offered the opportunity to discuss issues of common interest, coordinate work and meet with a range of stakeholders, including States, United Nations representatives and civil society organizations. The meeting was focused on strategic issues and working methods.

72. Mandate holders sought to enhance working methods on a number of mandate-transcending issues and held discussions on several cross-cutting thematic topics, including

<sup>79</sup> [A/HRC/46/61/Add.1](#), sect. XIV.

<sup>80</sup> [A/HRC/48/28](#).

on the communications procedure, media-related issues, engagement with United Nations agencies and Secretariat entities, recent improvements in work processes, acts of intimidation and reprisal for cooperation with the United Nations on human rights, and ongoing efforts in responding to the COVID-19 pandemic from diverse thematic and country perspectives. Discussions were also held on the issue of prevention with United Nations agencies and on the call to action for human rights. Mandate holders also held consultations with the United Nations High Commissioner for Human Rights, the President of the Human Rights Council, the Assistant Secretary-General for Human Rights and the Assistant Secretary-General for Strategic Coordination.

73. The fact that mandate holders met in person to discuss strategic and working methods issues was essential and brought concrete added value. The system of special procedures is a collective that should be able to discuss and decide on matters that concern the whole system. This collective requires dedicated space and support, such as the annual meeting. It also showed that the system continues working and responds to expectations from right holders, while taking the necessary measures to adapt to the COVID-19 pandemic.

## **A. Coordination Committee**

74. The Chair of the Coordination Committee provided an overview of the activities undertaken during the 2019–2021 cycle. Relevant documents were made available to the participants; including the summaries of the informal conversations between the Committee, States and other stakeholders during these two years, and relevant statements.

75. The meeting elected Victor Madrigal-Borloz, the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, as Chair of the Coordination Committee for the period 2021–2022; and Melissa Upreti, member of the Working Group on discrimination against women and girls, as the Rapporteur. The meeting selected three other members: Olivier De Schutter, Special Rapporteur on extreme poverty and human rights; Tlaleng Mofokeng, Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and Yao Agbetse, Independent Expert on the situation of human rights in the Central African Republic. The outgoing Chair of the Coordination Committee, Anita Ramasastry, member of the Working Group on the issue of human rights and transnational corporations and other business enterprises, will remain as ex officio member for the coming year.

## **B. Thematic issues and working methods**

76. In terms of strategic issues, the challenges of implementing mandates during the COVID-19 pandemic and beyond percolated throughout the meeting. The importance of resuming activities fully was repeatedly stressed, for which the support of the United Nations and States will be crucial. Mandate holders welcomed the fact that country visits had resumed. Participants discussed the implementation of mandates during the COVID-19 pandemic and beyond. These past two years have been difficult, shedding light on several challenges facing the United Nations, the human rights system and special procedures. The COVID-19 crisis and the financial situation of the United Nations has pushed the human rights system to its limit, showing its strengths and weaknesses. Despite those difficulties, special procedures did their best to rise to the challenges. Throughout the COVID-19 pandemic, mandate holders have stepped up to meet the challenges posed by limits to travel and resources, and have shined a spotlight on critical human rights concerns relating to the pandemic response and recovery. They have also proposed concrete suggestions to respond to the COVID-19 pandemic that respect human rights. The increased demands on the system from all sides demonstrate its resilience and continued relevance.

77. Mandate holders also shared experiences on the impact of their work and their engagement with stakeholders on follow-up. The current situation regarding finance and the COVID-19 pandemic and the Dignity at Work policy of OHCHR and its impact on special procedures were also addressed. Security-related issues, including the physical safety of



mandate holders, issues related to the protection of their material, privileges and immunities and the security of emails and other virtual tools, were also discussed.

78. In terms of working methods, mandate holders reviewed the progress achieved during the past two years, in particular in the implementation of the decisions taken in June 2019, including the improvement in reflecting the status of cooperation with States in relation to country visits, better collection of examples of the impact of the work of special procedures, the availability of all questionnaires and calls for input on a single web page, improved visibility of the work of mandate holders on thematic issues and upcoming reports, the fact that communications and press releases are not sent after business hours anymore, the development of tools to facilitate engagement between States and special procedures and consolidation of the internal advisory procedure, including by increasing the visibility of its outcomes.

79. The discussions covered the update of the Manual of Operations and other procedural and methodological issues, including communications, press releases, reprisals, security-related issues and good practice in engaging with former mandate holders. Mandate holders also discussed the challenges faced by different mandates: individual thematic mandates, country mandates and working groups.

80. Significant progress on the update of the Manual of Operations was achieved. Issues discussed in that context included, among others, communications-related issues, the use of social media, the use of United Nations terminologies for referring to States and territories, the timely submission of reports, conflict of interest, security of sources, privileges and immunities, engagement with non-State actors and the various types of visit by mandate holders. The Committee is refining the revisions and will share them as soon as possible with all mandate holders for final consideration. On the issue of communications and press releases, options for better clarity on the procedure were identified and are currently being finalized.

## **C. Consultations with stakeholders**

81. Participants met with key stakeholders, including the United Nations High Commissioner for Human Rights, the President of the Human Rights Council, United Nations agencies and regional mechanisms. The conversation with States and civil society focused on: (a) a continuing conversation about building back better during the COVID-19 pandemic and beyond, challenges and opportunities; (b) best practices and added value in implementing and following up on the work and recommendations of special procedures within the United Nations and at the country level; and (c) an update on the continuous improvements in the working methods of the special procedures and on the discussions held among mandate holders during their annual meeting. The consultations with regional mechanisms focused on the human rights response to the COVID-19 pandemic from the international and regional perspectives.