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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

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

Report of the Secretariat*

* The present report was submitted to the conference services 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 2020. It also contains information on the work of the Coordination Committee of Special Procedures and additional activities undertaken by the system of special procedures as a whole.

2. The year 2020 has been particularly challenging, given the coronavirus disease (COVID-19) pandemic and the financial situation of the United Nations, with both having significantly affected the conditions under which special procedure mandate holders implement their mandates. Despite those unprecedented challenges, mandate holders were able to revise their plans and adapt their working methods, in the light of the evolution of the situation, and demonstrate resilience. Those efforts notwithstanding, some key activities had to be postponed. The real risk of a protection gap was a major concern. The exceptional circumstances faced in 2020 tested the system to its limit. Overall, mandate holders rose to the challenges. However, it also demonstrated that in-person interactions at headquarters and in the field are key components of the functioning of the system of special procedures and represent one of the primary benefits. Such in-person interactions cannot be fully replaced by virtual means, and they should therefore resume as soon as possible.

II. Facts and figures

A. New mandates

3. At its forty-fifth session, held from 14 September to 7 October 2020, the Human Rights Council decided to end the mandate of the Independent Expert on the situation of human rights in the Sudan, by its resolution 45/25. The total number of mandates stands at 55, of which 44 are thematic and 11 are country-specific.¹

B. Mandate holders

4. The special procedures system currently includes 79 mandate holder positions. The Human Rights Council appointed 24 new mandate holders in 2020. Of those, 12 were appointed at the forty-third session of the Council, 4 at the forty-fourth session and 8 at the forty-fifth session. The gender balance has remained stable: 44 per cent of current mandate holders are women, and 56 per cent are men.

5. As at 31 December 2020, mandate holders came from States Members of the United Nations belonging to the following groups: African States, 22.78 per cent; Asia-Pacific States, 17.72 per cent; Eastern European States, 10.13 per cent; Latin American and Caribbean States, 17.72 per cent; and Western European and other States, 31.65 cent.²

6. The Office of the United Nations High Commissioner for Human Rights (OHCHR) organized two induction sessions for newly appointed mandate holders, ensuring that they received the relevant support and advice on working methods in a timely manner.

C. Country visits

7. In the light of the constraints triggered by the coronavirus disease (COVID-19) pandemic and the financial situation of the United Nations, the number of country visits was significantly reduced in 2020. Mandate holders conducted 13 in situ visits to 11 States and territories and one institution.³ In 2020, one State extended a standing invitation to all special

¹ A/HRC/46/61/Add.1, sect. XV.

² Ibid., sect. II.

³ Ibid., sect. V.

procedure mandate holders; 127 States had extended a standing invitation as at the time of reporting.⁴

8. As at 31 December 2020, 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 2020.⁵

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 (330 substantive replies) were received in 2020, which 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)⁶ were substantive replies. Some communications received more than one reply.⁷

10. Three communications reports were issued in 2020.⁸ Communications sent and replies received are made available through a dedicated website on communications,⁹ 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 into English. Responses to other letters are also made public as and when they are received, when they do 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, 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 2020, the Working Group 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 on individual cases.

⁴ Ibid., sects. III–IV.

⁵ 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>.

⁶ As of 2018, the response rate includes only substantive replies.

⁷ A/HRC/46/61/Add.1, sects. IX–X.

⁸ A/HRC/43/77, A/HRC/44/59 and A/HRC/45/3.

⁹ See <https://spcommreports.ohchr.org>.

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.¹⁰

15. Three mandate holders devoted one of their reports to celebrating an anniversary or taking stock of the activities undertaken to date in furtherance 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;¹¹ 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;¹² and the Special Rapporteur on the human rights to safe drinking water and sanitation submitted a report in which he described the progress made over the past decade towards the realization of the human rights to water and sanitation.¹³

16. Four mandate holders, reaching the end of their terms, submitted final reports providing an overview of their six-year tenures: Special Rapporteur on trafficking in persons, especially women and children;¹⁴ Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material;¹⁵ Special Rapporteur on the right to food;¹⁶ and Special Rapporteur on the rights of indigenous peoples.¹⁷

17. The thematic reports published in 2020 addressed a wide range of human rights issues. Seven crosscutting themes emerged in particular: implementation of the 2030 Agenda for Sustainable Development; incorporation of a gender perspective; prevention and peacebuilding; migration; climate change; new technologies; and COVID-19 pandemic.

18. 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 freedom of religion or belief, in which he highlighted the importance of safeguarding freedom of religion for the successful implementation of the 2030 Agenda,¹⁸ the Independent Expert on the enjoyment of human rights by persons with albinism, in which she referred to the 2030 Agenda in the context of albinism development initiatives,¹⁹ the Special Rapporteur on the rights to freedom of peaceful assembly and of association, in which he considered the 2030 Agenda with regard to the importance of civic space,²⁰ and the Special Rapporteur on the right to development, in which he highlighted the link between the 2030 Agenda and the right to development.²¹

19. Gender featured prominently in several studies. The Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence considered the gender perspective in transitional justice processes.²² The report of the Special Rapporteur on freedom of religion or belief was focused on gender-based violence and discrimination in the name of religion or belief.²³ The Special Rapporteur on violence against women, its causes and consequences addressed violence against women journalists²⁴ and the intersection between the COVID-19 pandemic and the pandemic of gender-based violence against

¹⁰ See A/HRC/46/61/Add.1, sect. XI, for the list of reports and the themes addressed.

¹¹ A/HRC/44/50.

¹² A/75/290.

¹³ A/HRC/45/11.

¹⁴ A/HRC/44/45.

¹⁵ A/HRC/43/40.

¹⁶ A/HRC/43/44.

¹⁷ A/HRC/45/34.

¹⁸ A/75/385.

¹⁹ A/75/170 and A/HRC/43/42.

²⁰ A/HRC/44/50.

²¹ A/HRC/45/15.

²² A/75/174.

²³ A/HRC/43/48.

²⁴ A/HRC/44/52.

women, with a focus on domestic violence.²⁵ The Working Group on discrimination against women and girls analysed the gender dimensions of major trends in the changing world of work.²⁶

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,²⁷ the Special Rapporteur on the situation of human rights defenders analysing the situation of human rights defenders operating in conflict and post-conflict areas,²⁸ 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 conflict²⁹ and the Special Rapporteur on extrajudicial, summary or arbitrary executions examining how drone attacks pose a fundamental challenge to international legal standards and the institutions established to safeguard peace and security.³⁰

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 defenders³¹ and the international legal framework protecting the human rights of migrant children.³² 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,³³ and 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 trafficking³⁴ and reflected on the negative impact of restrictive migration policies on the protection of trafficked and exploited persons.³⁵

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,³⁶ 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 change³⁷ 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.³⁸

23. The impact of new technologies on human rights was addressed in numerous studies, with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance focusing on racial discrimination and emerging digital technologies,³⁹ 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,⁴⁰ the Special Rapporteur on the right to education considering the digitalization of education⁴¹ and the Special Rapporteur on the right to

²⁵ A/75/144.

²⁶ A/HRC/44/51.

²⁷ A/75/212.

²⁸ A/HRC/43/51.

²⁹ A/75/259.

³⁰ A/HRC/44/38.

³¹ A/HRC/44/42.

³² A/75/183.

³³ A/HRC/43/40.

³⁴ A/HRC/44/45.

³⁵ A/75/169.

³⁶ A/75/207.

³⁷ A/HRC/44/44.

³⁸ A/75/298.

³⁹ A/HRC/44/57.

⁴⁰ A/HRC/43/49.

⁴¹ A/HRC/44/39.

privacy addressing digital technologies in connection with gender-based privacy infringements.⁴²

24. Mandate holders continued to address thematic issues of common interest through individual or joint actions. 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 page⁴³ reflecting their cross-cutting thematic engagement. A comprehensive overview of the conclusions and recommendations made by special procedure mandate holders in 2020 is available in the report of the Secretary-General on the subject.⁴⁴ Information on themes of upcoming reports of special procedure mandate holders will be made public on the OHCHR website.

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

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

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

27. On 30 April 2020, special procedure mandate holders, represented by the Coordination Committee of Special Procedures, held a virtual, informal conversation with the Human Rights Council, the aim of which was to present and discuss the work done by mandate holders in relation to the COVID-19 pandemic. The President of the Human Rights Council called mandate holders “the eyes and ears of the Council” and emphasized both the creativity and innovation of the tools and means developed by them to assist States and other stakeholders in their response to the crisis. The Chair of the Coordination Committee, Anita Ramasastry, and Committee member, Dainius Pūras, highlighted the broad variety of actions undertaken by mandate holders and presented three documents reflecting the contributions of special procedure mandate holders, namely, a working report containing all key messages and public actions of mandate holders in relation to COVID-19, an informational note and an infographic illustrating the range of tools produced by mandate holders.

28. Special procedure mandate holders issued 133 press releases addressing aspects of the COVID-19 pandemic. In addition, they sent 228 communications directly connected to, 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 the COVID-19 pandemic. 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;⁴⁵ 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

⁴² A/HRC/43/52.

⁴³ See www.ohchr.org/EN/HRBodies/SP/Pages/CrosscuttingThematicIssues.aspx.

⁴⁴ A/HRC/46/24.

⁴⁵ A/75/163.

persons, communities and populations;⁴⁶ the Independent Expert on the enjoyment of all human rights by older persons examined the impact of the COVID-19 pandemic on the enjoyment of all human rights by older persons;⁴⁷ 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.⁴⁸ 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 procedure mandate holders concerning COVID-19 are available on a dedicated web page.⁴⁹ An infographic is also available in the addendum to the present report.⁵⁰

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

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, compiled 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 States for the implementation of 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 abuses in conflict and post-conflict contexts, focusing on heightened human rights due diligence and access to remedies;

(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;

(e) The Special Rapporteur on the right to education set out guidelines on 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 individuals 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 upon States to adapt the indicator framework to their own country situations in order 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;

⁴⁶ A/75/258.

⁴⁷ A/75/205.

⁴⁸ A/75/148.

⁴⁹ See www.ohchr.org/EN/HRBodies/SP/Pages/COVID-19-and-Special-Procedures.aspx.

⁵⁰ A/HRC/46/61/Add.1, sect. XXI.

(i) The Working Group on Enforced or Involuntary Disappearances published a report⁵¹ on standards and public policies for the effective investigation of enforced disappearances, with dedicated sections on access for victims to the investigations 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.⁵² Most of those events, and many more than in previous years, were held virtually, due to the restrictions imposed worldwide to contain the spread of the COVID-19 pandemic.

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; the session was focused in particular on hate speech, social media and minorities. Participants included approximately 400 representatives from States, international and regional organizations and civil society and other relevant stakeholders. Expert panellists representing the world's five regions were invited to share their expertise, and they 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 submitted to the Human Rights Council at its forty-sixth session.⁵³

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 made 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 Forum reinforced the message that strengthening the 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 to build a sustainable future for people and the planet. The report will be submitted to the Human Rights Council at its forty-seventh session.⁵⁴

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, funds and programmes and with regional mechanisms,⁵⁵ including by raising awareness of their mandates and conducting joint activities.

36. The interaction of special procedure mandate holders with the Human Rights Council and the General Assembly was severely affected by the COVID-19 pandemic and the Organization's budget-related restrictions. Engaging with those bodies virtually had a negative impact on the ability of mandate holders to engage with stakeholders in Geneva and New York and to move the human rights agenda ahead. Organizing such 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 other additional burdens. The current circumstances have shown that, while new technologies

⁵¹ A/HRC/45/13/Add.3.

⁵² See A/HRC/43/64/Add.1, sect. XIX, for a non-exhaustive list of events organized by mandate holders.

⁵³ A/HRC/46/58.

⁵⁴ A/HRC/47/50.

⁵⁵ A/HRC/46/61/Add.1, sect. XX.

and virtual means of meeting can offer useful temporary solutions and supplement the normal working methods, they cannot become the only way that the United Nations human rights system operates.

37. 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. In that context, the decision of the Council to hold the interactive dialogues with thematic mandate holders individually has contributed to more focused and dedicated discussions with them.

38. The launch of the call to action for human rights by the Secretary-General in February 2020 gave important impetus to the integration of human rights throughout the work of the United Nations. In his call, the Secretary-General referred to the role of human rights mechanisms, including special procedures. Special procedure mandate holders engaged with various stakeholders, in particular within the United Nations system, to ensure that human rights had the place that they deserved within the system and to enhance the impact of the work of mandate holders. 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 country situations, including through communications, reports to States, statements and press releases. Joint public statements by special procedure mandate holders on country situations is another way in which they fulfil their early warning role. They also raised the alarm regarding worrying developments concerning thematic issues, such as the impact of the COVID-19 pandemic on human rights, and racism and discrimination.

39. Special procedure mandate holders also enhanced their engagement with various United Nations agencies to foster cooperation, including through participation in briefings and training programmes 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 did engagement with the United Nations entities engaged in peacebuilding and the realization of the Sustainable Development Goals and, more generally, with 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 of Special Procedures sent a letter to all members of the Security Council,⁵⁶ sharing information about the work of special procedure mandate holders in 2019 deemed pertinent to the work of the Security Council in terms of country and thematic issues, with 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 the letter was to draw attention, and facilitate access, to the information gathered by mandate holders, 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 United Nations. 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. Those cooperation efforts were focused on certain country situations and on thematic issues.

41. Progress on raising awareness and improving the work of special procedure mandate holders on prevention and peacebuilding was made, through active participation in the consultations on the peacebuilding architecture, Geneva Peace Week and various other meetings related to 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 a United Nations response to

⁵⁶ S/2020/631, annex.

COVID-19 and disability. The meeting brought together over 300 disability focal points from United Nations entities, staff in various regions and countries and representatives of organizations of persons with disabilities to reflect on the response to the COVID-19 pandemic, extract lessons learned and set the stage for a coordinated response, to minimize the impact of the COVID-19 pandemic.

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 related working groups. She has 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 in efforts 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 ending unilateral coercive measures.

47. 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.

48. In relation to cooperation with regional organizations, special procedure mandate holders consolidated their joint activities with such bodies. A table in the addendum to the present report⁵⁷ contains the list of regional bodies and organizations with which special procedure mandate holders engaged. The engagement took various forms, including participation in meetings, the issuance of joint statements and joint activities, such as joint reports, seminars and visits.

49. The road map agreed upon 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 upon by the special procedures of the Council and the African Commission on Human and Peoples' Rights continued to be implemented.

K. Follow-up activities

50. 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.⁵⁸ In 2020, the Office launched a renewed website for the Index based on stakeholder demands and needs. It contains enhanced functionalities to search by country, human rights mechanism or theme or concerned group, as well as by Sustainable Development Goal, for faster and easier access to recommendations emanating from human rights mechanisms.

51. Mandate holders continued to prioritize follow-up to, and implementation of, their assessments, conclusions and recommendations. The implementation of human rights recommendations will play a key role, as the world recovers from the pandemic. Mandate holders worked with States at the national level and with the United Nations, including

⁵⁷ A/HRC/46/61/Add.1, sect. XX.

⁵⁸ See <https://uhri.ohchr.org>.

United Nations country teams, to ensure the integration of their advice and recommendations into the work of the United Nations. That 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 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.⁵⁹

L. Cooperation with special procedure mandate holders

52. Special procedure mandate holders and representatives of States, the United Nations, civil society and other stakeholders demonstrated resilience, determination and creativity, despite the difficult circumstances, in finding ways to continue to engage and cooperate with each other and in using inputs and expertise from special procedure mandate holders. Although working methods are important, they are only a means of achieving a larger objective, which is ensuring that human rights are respected worldwide and are at the centre of action taken, in particular in the context of the aftermath of the pandemic.

53. The issue of cooperation from States, and the assessment thereof, remained a priority for special procedure mandate holders. Assessment of cooperation by States takes into account all aspects of the work of mandate holders. The present report contains an improved presentation of the information on the status of States' cooperation, including the number of standing invitations, the number of visits undertaken in 2020, the number of visits in the past five years,⁶⁰ States that have never received a visit from a mandate holder, and the numbers of communications by country and responses received.⁶¹

54. In line with the decision taken by mandate holders at 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 was implemented in 2020. The new web page reflecting that more detailed information, including the status of country visits and related requests, is regularly updated.⁶² In addition, mandate holders implemented the decision taken in 2019 to review yearly the list of pending country visit requests sent to States by all holders of the mandates and to send reminders to those States for which visits remained a priority for mandate holders.

55. One new standing invitation was recorded during the year, from Kyrgyzstan.⁶³ The number of States that have never received a visit by a mandate holder was reduced to 22, 18 of which had received requests for a visit. With the onset of the pandemic and the associated travel restrictions, mandate holders accordingly reduced their visits in 2020. 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 received more than one visit by thematic mandate holders 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. With regard to country-related mandates, some countries, such as Cambodia, the Central African Republic, Mali, Somalia and the Sudan, 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, with some visits taking place at the beginning of 2020, 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

⁵⁹ A/HRC/46/61/Add.1, sect. XIII.

⁶⁰ Covering the period from 1 January 2016 to 31 December 2020.

⁶¹ A/HRC/46/61/Add.1, sects. X and XV.

⁶² See www.ohchr.org/EN/HRBodies/SP/Pages/CountryandothervisitsSP.aspx.

⁶³ A/HRC/46/61/Add.1, sect. VII.

some differences, with some States refusing any engagement and others engaging with mandate holders outside of country visits.

57. The collection of information on the impact of the work of special procedure mandate holders has been enhanced. The “Good stories” web page has been revamped and is now called “Making a difference”.⁶⁴ More stories have been added to the web page, and invitations have been sent to external stakeholders to send input, to make the web page more comprehensive. The non-exhaustive compilation of examples collected to date shows that the impact can take many forms. It could result in the revision of a law, the adoption of a new policy, 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 the issue. Mandate holders have undertaken assessments of their work or participated in various meetings with stakeholders on assessing cooperation in implementing their mandate or 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.

58. With 681 communications sent in 2020, the response rate has improved, reaching 48.46 per cent.

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 mandate holder 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. 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.

60. 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. Inciting hatred and violence against a mandate holder is unacceptable.

III. Coordination Committee of Special Procedures

61. In 2020, the Coordination Committee of Special Procedures was composed of the following members: Anita Ramasastry, Chair of the Working Group on the issue of human rights and transnational corporations and other business enterprises; Víctor 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 Clément 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 Pūras, remained as *ex officio* member until the end of July 2020.

62. Owing to the COVID-19 pandemic and the financial situation of the United Nations, the Coordination Committee was compelled to revise its plans and priorities for 2020. The Committee could not meet in person in 2020 or engage with stakeholders in person as it usually does. The annual meeting of special rapporteurs, independent experts and chairs of working groups could not take place, preventing them from having a 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 of the Special Procedures of the Human Rights Council. Despite those challenges, the Committee devised alternative ways to meet its objectives.

⁶⁴ See www.ohchr.org/EN/HRBodies/SP/Pages/Making-a-difference.aspx.

63. The Coordination Committee developed alternative avenues to maintain engagement and exchange information within and outside the system of special procedures. The Committee held dozens of virtual meetings throughout the year. It had virtual interactions with other mandate holders, officials of the United Nations, States and the Human Rights Council, with a significant increase in the workload of the Committee. Virtual interactions were made difficult by the fact that members of the Committee were located in different time zones.

64. The Coordination Committee faced a significant additional burden triggered by the pandemic and the financial situation of the Organization, including in facilitating and coordinating the response of special procedure mandate holders to the COVID-19 pandemic (see sect. G above) or providing support to mandate holders who were facing difficult constraints in 2020. Mandate holders indeed faced serious additional constraints in implementing their mandates in 2020. They made exceptional efforts, both professional and personal, to continue their work, despite those challenges. The Committee communicated those concerns to various stakeholders, including the High Commissioner and the President of the Human Rights Council. It engaged in a task force with OHCHR to develop possible ways to address those concerns.

65. The Coordination Committee warned of the damaging impact of the funding crisis of the United Nations on the special procedures system, 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, given that some of the work of special procedure mandate holders was not taking place, and that mandate holders had no further capacity to continue working under such unacceptable conditions. The Committee also stressed that new technologies and virtual means could not replace working methods that had been developed over years and that formed a large part of 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 that mandate holders could effectively carry out their work.

66. The Coordination Committee committed its best efforts to maintaining its dialogue with States, in spite of the absence of in-person meetings. It had a virtual informal conversation with the Human Rights Council on the response of special procedure mandate holders to COVID-19, in April. The Chair sent a letter to States in March updating them on the latest developments. The Committee also held 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 rapporteurs, independent experts and chairs of working groups, which included facts and figures with regard to special procedures for 2019 and information on the achievements of the special procedures system.⁶⁵ The report has been improved by adding additional information and analysis about the work of special procedure mandate holders.

68. The Coordination Committee maintained dialogue among mandate holders by organizing 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 3 one-week, in-person meetings of the Coordination Committee could not take place, which had consequences for the enhanced engagement with the other parts of the United Nations system, at headquarters and in the field. Despite that challenge, the Committee held virtual consultations with a wide range of stakeholders, including the United Nations High Commissioner for Human Rights and the United Nations 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 of the General Assembly to raise awareness about issues related to the special procedures of the Council, their contributions to intergovernmental processes and the significant constraints faced by mandate holders due to the virtual interactions with those bodies. It was agreed that virtual

⁶⁵ A/HRC/43/64 and Add.1.

interaction was only a temporary and exceptional solution in the light of the pandemic and that the objective was to ensure the in-person participation of mandate holders as soon as possible.

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

71. The absence of in-person meetings of the Coordination Committee and of the annual meeting of special rapporteurs, independent experts and chairs of working groups affected the plans related to the continuing improvement of the working methods of the special procedure system. The Committee pursued its initiatives in relation to the working methods, in spite of the challenges, by engaging with relevant stakeholders, soliciting input 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 those discussions will be presented at the annual meeting to be held in 2021.

72. A complete set of rules and guidelines governing the work of the special procedure 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.⁶⁶ 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.

73. Despite the impossibility for the Coordination Committee to hold its three in-person annual meetings, and the consequences that that had for its ability to address submissions received in a timely manner, progress was also achieved in relation to the internal advisory procedure. An increasing number of stakeholders approached the Committee to raise questions, trusting that the Committee will address and resolve the issues that they raised with it. That has helped to clarify issues and working methods. Twenty-six requests have been received by the Committee since June 2019, fifteen from States from all regions or groups of States, five from mandate holders, three from non-governmental organizations, groups of non-governmental organizations or individuals and one from various sources. The Committee also took action on its own initiative in two cases.

74. The issues raised related to a variety of topics, including the following:

(a) Communications, 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 those 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 holder;

⁶⁶ See

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

- (c) Respect of confidentiality;
- (d) Country visits and the reports thereon;
- (e) Scope and application of the 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;
- (i) Editing and documentation;
- (j) Lack of respect for human rights principles.

75. As a result, the Coordination Committee provided advice on the following subjects: participation in meetings (one); conflict of interest (five); development of new guidance or improvements of the current practices (six); clarifications of the scope of the application of existing rules and practices and corrective measures (five); remedial actions (four); facilitation of dialogue with a mandate holder (four); withdrawal of a case (one); and decisions not to pursue the case further (two). Following a request from the President of the Human Rights Council, the Committee provided its advice to the Bureau of the Council on two letters of complaint made by groups of States regarding two special procedure mandate holders. The advice provided by the Committee is available on the Council extranet.

76. All those inputs and discussions have helped to improve the practices and working methods of the special procedure system in line with the Code of Conduct and the Manual of Operations, address potential gaps and ensure greater coherence. They also contribute to the ongoing work to update the Manual of Operations.

77. The Coordination Committee implemented the modalities for the 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. 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.⁶⁷

IV. Acts of intimidation and reprisal

78. 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 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 of the General Assembly, as appropriate.

⁶⁷ A/HRC/46/61/Add.1, sect. XIV.

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 rights⁶⁸ included information on 24 new cases involving 21 States taken up by special procedure mandate holders and follow-up on 12 cases included in previous reports based on the continued work of mandate holders. Mandate holders 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.

⁶⁸ A/HRC/45/36.