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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 2023, including updated information on special procedures and information on the twenty-ninth annual meeting of special rapporteurs, independent experts and chairs of working groups

Report of the Secretariat*

* The present report was submitted to the conference services for processing after the deadline for technical reasons beyond the control of the submitting office.



Contents

	<i>Page</i>
I. Introduction	3
II. Facts and figures	3
A. New mandates.....	3
B. Mandate holders.....	3
C. Country visits.....	3
D. Communications	3
E. Media outreach and public awareness	4
F. Thematic reports and studies	4
G. Contributions to standard-setting and the protection and promotion of human rights.....	7
H. Forums, consultations, workshops and other meetings.....	8
I. Engagement with other parts of the United Nations system and regional mechanisms	9
J. Contribution of special procedures to prevention	11
K. Follow-up activities	11
L. Cooperation with special procedure mandate holders	11
M. Contribution of special procedures to technical cooperation	13
III. Coordination Committee of Special Procedures	14
IV. Acts of intimidation and reprisal	15
V. Twenty-ninth annual meeting of special rapporteurs, independent experts and chairs of working groups.....	16
A. Coordination Committee.....	16
B. Thematic issues and working methods	17
C. Consultations with stakeholders	17

I. Introduction

1. The present report contains an overview of the special procedures system, highlighting activities undertaken in 2023. It also contains information on the work of the Coordination Committee of Special Procedures. The main points and the conclusions reached during the twenty-ninth 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 fifty-fourth session, the Human Rights Council decided to create a Working Group on the rights of peasants and other people working in rural areas (resolution 54/9). The total number of mandates stands at 60, of which 46 are thematic and 14 are country specific.¹

B. Mandate holders

3. The special procedures system currently includes 83 mandate holder positions, with 81 active mandate holders. The Human Rights Council appointed 16 mandate holders in 2023. The gender balance continued to reflect more women than men: 59 per cent of current mandate holders are women and 41 per cent are men.

4. As at 31 December 2023, mandate holders came from States Members of the United Nations belonging to the following groups: African States, 24.69 per cent; Asia-Pacific States, 19.75 per cent; Eastern European States, 9.88 per cent; Latin American and Caribbean States, 19.75 per cent; and Western European and other States, 25.93 per cent.²

5. In November 2023, the Office of the United Nations High Commissioner for Human Rights (OHCHR) organized an induction session for newly appointed mandate holders in Geneva. A list of current and former mandate holders for existing mandates is available on the website, along with a list of mandate holders for discontinued mandates.

C. Country visits

6. Mandate holders conducted 82 on site visits to 56 States and territories and 3 institutions.³ A total of 128 States and 1 non-member Observer State had extended standing invitations as at 31 December 2023.⁴

7. As at 31 December 2023, 172 States had been visited by at least one mandate holder, while 21 States had not yet received any visits. Among the latter, 4 had not received requests, 16 had not accepted requests and 1 had accepted requests for visits that had yet to take place.⁵

D. Communications

8. In 2023, mandate holders transmitted 723 communications, 621 of which were sent jointly to 126 States and 163 non-State actors. The communications covered 1,128 individuals, 298 of whom were identified as female. A total of 433 replies (399 substantive replies) were received in 2023, which includes replies to communications

¹ A/HRC/55/69/Add.1, sect. XV.

² Ibid., sect. II.

³ Ibid., sect. VI.

⁴ Ibid., sects. III and 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>.

sent before 2023. A total of 341 replies to communications sent in 2023 were received, of which 312 (43.15 per cent reply rate)⁶ were substantive replies. Some communications received more than one reply.⁷

9. Three communications reports were issued in 2023. Communications sent and replies received are made available on a dedicated website,⁸ through which users can access the database of all communications sent and replies received since the eighteenth session of the Human Rights Council. Communications and associated replies from Governments and others can be searched 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. Responses received are also released publicly.

10. In 2023, the Working Group on Enforced or Involuntary Disappearances transmitted 1,143 new alleged cases of enforced disappearance to States, of which 903 were transmitted under its urgent action procedure. The Working Group transmitted 37 newly reported cases of violations under its urgent and standard procedures concerning acts tantamount to enforced disappearance allegedly perpetrated by non-State actors in Afghanistan (3), Libya (5), Myanmar (1), the north-east of the Syrian Arab Republic (9) and Yemen (19). The Working Group was able to clarify 77 cases.

11. The Working Group on Arbitrary Detention issued 77 opinions under its regular communications procedure in 2023. In addition, in 2023, the Working Group received information indicating that at least 25 subjects of its opinions had been released.

12. Special procedures have also used the communications procedure to address crosscutting issues affecting several States and stakeholders. They sent similar communications to a variety of stakeholders, related, for example, to the lack of accountability for business practices and the negative impact of commercial and development projects on water, sanitation and the environment, as well as on human rights defenders, minorities and local and indigenous communities.

E. Media outreach and public awareness

13. Mandate holders issued 477 media products, either individually or jointly, of which 345 were press releases, 81 were media advisories and 51 were media statements, raising awareness and voicing concerns regarding a range of human rights issues, including individual cases. Three brochures providing an overview of the special procedures, their thematic work and country visits were finalized in order to enhance the visibility and accessibility of the special procedures.

F. Thematic reports and studies

14. In 2023, mandate holders submitted 174 reports; 126 were submitted to the Human Rights Council, including 56 country visit reports, and 48 to the General Assembly.⁹

15. In order to facilitate access to information on upcoming reports and related calls for inputs, the web page compiling all valid calls for inputs and questionnaires issued by mandate holders is regularly updated. The themes of upcoming reports are also announced in advance to facilitate engagement.¹⁰

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 the right to education marked the twenty-fifth anniversary of the mandate by delivering a review of

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

⁷ A/HRC/55/69/Add.1, sects. IX and X.

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

⁹ See A/HRC/55/69/Add.1, sect. XI, for the list of reports and the themes addressed.

¹⁰ See www.ohchr.org/en/special-procedures-human-rights-council/reports-and-related-calls-input.

achievements in the field, exploring the understanding and responsibilities associated with the right to education and examining emerging challenges that needed to be considered to ensure access to education for all;¹¹ and the Special Rapporteur on the situation of human rights defenders took stock of the 25 years that had passed since the adoption of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms and highlighted examples of achievements and success stories that human rights defenders had shared with her.¹²

17. The following incoming mandate holders decided to devote their first reports to illustrating their vision and priorities for their mandates: the Special Rapporteur on the right to development,¹³ the Special Rapporteur on the independence of judges and lawyers,¹⁴ the Special Rapporteur on the human rights of internally displaced persons,¹⁵ the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance¹⁶ and the Special Rapporteur on freedom of religion or belief.¹⁷

18. The thematic reports published in 2023 addressed a wide range of human rights issues. Seven crosscutting themes emerged, in particular: the implementation of the 2030 Agenda for Sustainable Development; women's rights and gender; the prevention of human rights violations and abuses; security and peacebuilding; migration; climate change; finance, the economy and human rights. All reports authored by mandate holders on climate change, migration, new technologies and the Sustainable Development Goals, disaggregated by Goal, may be accessed on the web page on crosscutting thematic issues.¹⁸

19. All special procedures conclusions and recommendations are available in the report of the Secretary-General on this matter,¹⁹ which provides a comprehensive overview of all the reports presented by special procedure mandate holders in 2023. 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 addressed the implementation of the 2030 Agenda and the Sustainable Development Goals, including the reports of: the Special Rapporteur in the field of cultural rights,²⁰ the Special Rapporteur on the right to development,²¹ the Special Rapporteur on the right to education,²² and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.²³

21. Women's human rights and gender featured prominently in several reports, including the reports of: the Special Rapporteur on the situation of human rights in Afghanistan and the Working Group on discrimination against women and girls,²⁴ the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment,²⁵ the Special Rapporteur on extrajudicial, summary or arbitrary executions,²⁶ the Special Rapporteur on the promotion and protection of the right to freedom

¹¹ [A/HRC/53/27](#).

¹² [A/HRC/52/29](#).

¹³ [A/HRC/54/27](#).

¹⁴ [A/HRC/53/31](#).

¹⁵ [A/HRC/53/35](#) and [A/78/245](#).

¹⁶ [A/HRC/53/60](#).

¹⁷ [A/HRC/52/38](#).

¹⁸ See www.ohchr.org/en/special-procedures-human-rights-council/cross-cutting-thematic-issues.

¹⁹ [A/HRC/55/19](#).

²⁰ [A/77/290](#).

²¹ [A/HRC/54/27](#) and [A/78/160](#).

²² [A/HRC/53/27](#).

²³ [A/HRC/53/25](#).

²⁴ [A/HRC/53/21](#).

²⁵ [A/HRC/52/33](#).

²⁶ [A/78/254](#).

of opinion and expression,²⁷ the Special Rapporteur on the situation of human rights defenders,²⁸ the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity,²⁹ the Special Rapporteur on violence against women and girls, its causes and consequences,³⁰ and the Working Group on discrimination against women and girls.³¹

22. Mandate holders continued to focus on the prevention of human rights violations and on peace and security issues in the reports of: the Special Rapporteur on the rights of persons with disabilities,³² the Special Rapporteur on the right to food,³³ the Special Rapporteur on the rights to freedom of peaceful assembly and of association,³⁴ the Special Rapporteur on the situation of human rights defenders,³⁵ the Special Rapporteur on trafficking in persons, especially women and children,³⁶ the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence,³⁷ and the Special Rapporteur on the human rights to safe drinking water and sanitation.³⁸

23. Mandate holders addressed the issues of migration and displacement in the reports of: the Special Rapporteur in the field of cultural rights,³⁹ the Special Rapporteur on the promotion and protection of human rights in the context of climate change,⁴⁰ the Special Rapporteur on the rights to freedom of peaceful assembly and of association,⁴¹ the Special Rapporteur on the human rights of migrants,⁴² and the Special Rapporteur on trafficking in persons, especially women and children.⁴³

24. Mandate holders continued to maintain a focus on climate change in the reports of: the Independent Expert on the enjoyment of human rights by persons with albinism,⁴⁴ the Special Rapporteur on the promotion and protection of human rights in the context of climate change,⁴⁵ the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes,⁴⁶ 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,⁴⁷ and the Independent Expert on the enjoyment of all human rights by older persons.⁴⁸

25. The impact of new technologies on human rights was addressed in different reports, including the reports of: the Working Group on Enforced or Involuntary Disappearances,⁴⁹ the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health,⁵⁰ the Special Rapporteur on contemporary forms of slavery, including its causes and consequences,⁵¹ and the Special Rapporteur on the

²⁷ [A/78/288](#).

²⁸ [A/78/131](#).

²⁹ [A/HRC/53/37](#) and [A/78/227](#).

³⁰ [A/HRC/53/36](#) and [A/78/256](#).

³¹ [A/HRC/53/39](#).

³² [A/78/174](#).

³³ [A/HRC/52/40](#).

³⁴ [A/78/246](#).

³⁵ [A/78/131](#).

³⁶ [A/78/172](#).

³⁷ [A/HRC/54/24](#).

³⁸ [A/78/253](#).

³⁹ [A/HRC/52/35](#).

⁴⁰ [A/HRC/53/34](#).

⁴¹ [A/HRC/53/38/Add.3](#).

⁴² [A/HRC/53/26](#) and [A/78/180](#).

⁴³ [A/HRC/53/28](#).

⁴⁴ [A/78/167](#).

⁴⁵ [A/HRC/53/34](#) and [A/78/255](#).

⁴⁶ [A/HRC/54/25](#).

⁴⁷ [A/HRC/52/28](#).

⁴⁸ [A/78/226](#).

⁴⁹ [A/HRC/54/22/Add.5](#).

⁵⁰ [A/HRC/53/65](#).

⁵¹ [A/78/161](#).

promotion and protection of human rights and fundamental freedoms while countering terrorism.⁵²

26. Finally, several mandate holders focused on the impact of finance and the economy on human rights in the reports of: the Working Group of Experts on People of African Descent focused,⁵³ the Working Group on the issue of human rights and transnational corporations and other business enterprises,⁵⁴ the Special Rapporteur in the field of cultural rights,⁵⁵ the Special Rapporteur on the right to development,⁵⁶ the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights,⁵⁷ the Special Rapporteur on the rights to freedom of peaceful assembly and of association,⁵⁸ the Special Rapporteur on the rights of Indigenous Peoples,⁵⁹ and the Special Rapporteur on extreme poverty and human rights.⁶⁰

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 Working Group on the issue of human rights and transnational corporations and other business enterprises outlined how the Guiding Principles on Business and Human Rights apply to development finance institutions;⁶¹

(b) The Special Rapporteur on the promotion and protection of human rights in the context of climate change explored the application of human rights obligations in climate change litigation, the critical role of such litigation in addressing climate change, and the principle of intergenerational equity and its evolution into intergenerational justice;⁶²

(c) The Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, presented a set of 13 draft non-binding and practical guidelines on human rights and the repatriation of State assets, consistent with existing international human rights law in that context;⁶³

(d) The Independent Expert on human rights and international solidarity presented a revised draft declaration on the right to international solidarity;⁶⁴

(e) The Special Rapporteur on the elimination of discrimination against persons affected by leprosy (Hansen's disease) and their family members discussed how the provisions of international human rights law and jurisprudence from international human rights monitoring mechanisms bind States to develop and enact both general and specific anti-discrimination legal frameworks in order to fulfil their positive obligations to protect all persons, especially those in more disadvantaged situations, from discrimination;⁶⁵

⁵² [A/HRC/52/39](#).

⁵³ [A/HRC/54/67](#) and [A/HRC/54/67/Corr.1](#).

⁵⁴ [A/HRC/53/24/Add.4](#).

⁵⁵ [A/78/213](#).

⁵⁶ [A/78/160](#).

⁵⁷ [A/HRC/52/34](#) and [A/HRC/52/45](#).

⁵⁸ [A/HRC/53/38/Add.3](#).

⁵⁹ [A/HRC/54/31](#).

⁶⁰ [A/HRC/53/33](#) and [A/78/175](#).

⁶¹ [A/HRC/53/24](#).

⁶² [A/78/255](#).

⁶³ [A/HRC/55/54](#).

⁶⁴ [A/78/176](#).

⁶⁵ [A/HRC/53/30](#).

(f) The Special Rapporteur on minority issues critically reviewed and assessed the implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;⁶⁶

(g) The Special Rapporteur on the right to privacy highlighted the importance of the principles of transparency and explainability in the processing of personal data using artificial intelligence;⁶⁷

(h) The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment examined the obligations of States to criminalize, investigate and prosecute acts of torture and other ill-treatment, and presented a range of State practices;⁶⁸

(i) The Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence provided an analysis of the international legal standards underpinning the five pillars of transitional justice: truth, justice, reparation, memorialization and guarantees of non-recurrence.⁶⁹

H. Forums, consultations, workshops and other meetings

28. In 2023, mandate holders organized or attended more than 250 forums, consultations, expert meetings, workshops and events, in collaboration and/or engaging with Governments, entities of the United Nations system, civil society and the private sector.⁷⁰

29. The Forum on Minority Issues held its sixteenth session in Geneva, on 30 November and 1 December 2023, under the guidance of the Special Rapporteur on minority issues. Participants at the Forum discussed the theme “Minorities and cohesive societies: equality, social inclusion, and socioeconomic participation”; the session was attended by more than 550 participants, including representatives of Member States, United Nations mechanisms, bodies and specialized agencies, intergovernmental organizations, regional organizations and mechanisms in the field of human rights, national human rights institutions and other relevant national bodies, academics and experts on minority issues, and representatives of minorities and minority and non-governmental organizations. The report will be submitted to the Human Rights Council at its fifty-fifth session.⁷¹

30. The twelfth annual session of the Forum on Business and Human Rights took place in Geneva, from 27 to 29 November 2023, under the guidance of the Working Group on the issue of human rights and transnational corporations and other business enterprises. The session focused on the theme “Towards effective change in implementing obligations, responsibilities and remedies”. In total, 483 people registered to attend the Forum in person, and 1,510 online, with countless others following on United Nations Web TV and on social media. Participants from 144 countries registered to engage in the three-day multi-stakeholder dialogue on business and human rights. The agenda of the Forum included 39 thematic, regional and high-level sessions that addressed trends and challenges in implementing the Guiding Principles on Business and Human Rights. Over 219 panellists, including rights holders, business leaders, policymakers, representatives of Indigenous Peoples, heads of international and regional organizations, international experts and representatives of Governments, civil society, trade unions, industry associations, academia and law firms, discussed concrete actions required by States and business to advance business respect for human rights and to strengthen corporate accountability and access to remedy. The report will be submitted to the Human Rights Council at its fifty-sixth session.⁷²

⁶⁶ A/HRC/52/27.

⁶⁷ A/78/310.

⁶⁸ A/HRC/52/30.

⁶⁹ A/HRC/54/24.

⁷⁰ See A/HRC/55/69/Add.1, sect. XIX, for a non-exhaustive list of events organized by mandate holders.

⁷¹ A/HRC/55/70.

⁷² A/HRC/56/66.

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 its agencies, funds and programmes as well as with regional mechanisms. A non-exhaustive list of those activities is available in the addendum to the present report.⁷³

32. 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 2023, they initiated a similar practice at the Third Committee of the General Assembly.

33. The Secretary-General's call to action for human rights and Our Common Agenda continued to provide key momentum and opportunities to integrate the work of the special procedures within the United Nations system and to foster engagement between those mechanisms and United Nations bodies and entities. As part of those initiatives, the Secretary-General called for the fuller use 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 and for finding ways to put the human rights mechanisms on a more sustainable financial footing.

34. The Coordination Committee of Special Procedures engaged with various United Nations interlocutors to strengthen cooperation and enhance awareness about the achievements of special procedures. The Committee met with the Secretary-General, the Associate Administrator of the United Nations Development Programme, the Director of the Peacebuilding Support Office, the President of the General Assembly, the President of the Economic and Social Council, the Chair of the Peacebuilding Commission, the Bureau of the Third Committee, the Co-facilitators of the Summit of the Future and representatives of States and non-governmental organizations. The level of engagement on the part of United Nations interlocutors was significant and substantive and the meetings are part of overall efforts to foster the engagement of special procedures with other processes of the United Nations system. Several entry points for engagement have been identified, including the sharing of information related to the events to be led by the President of the General Assembly, the listing of the upcoming meetings and processes of the Economic and Social Council in which special procedures can participate, the sharing of information on contributions of special procedures to the implementation of the Sustainable Development Goals and the collection of success stories on cooperation and engagement between United Nations entities, agencies and special procedures.

35. The Coordination Committee continued to engage with all concerned on the Summit of the Future. It facilitated a discussion at the annual meeting on the potential contribution to the Summit and its outcome. The Committee met with the co-facilitators on the Summit and participated in the consultations held on 13 December, stressing that human rights should be fully and substantively reflected in the outcome document of the Summit, "A Pact for the Future", as a reaffirmation that human dignity is at the heart of our societies and that respect for human rights is essential to the prevention of conflict and the promotion of human development. As the outcome document is expected to pave the way for the future of the United Nations in the years to come, the Committee called for the full inclusion of human rights in its chapeau and across all its chapters. More specifically, it should reflect the call for a fuller use of the human rights mechanisms, including the universal periodic review process, treaty bodies and special procedures, to solve pressing social, economic and political challenges and to better link them with other processes in order to maximize their impact and assist States parties with compliance. The outcome document should also put human rights mechanisms on a more sustainable financial footing and should therefore include an unequivocal commitment to significantly strengthen the human rights pillar at the same level as the other pillars of the Organization, including by reinforcing and significantly increasing

⁷³ [A/HRC/55/69/Add.1](#), sect. XX.

the resources of OHCHR and human rights mechanisms, including special procedures. The Committee sent a written contribution to the co-facilitators of the Summit along similar lines.

36. Some informal and formal interactions between mandate holders and members of the Security Council took place.

37. On 17 March 2023, the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea participated in an Arria-formula meeting of the Security Council on the situation of human rights in the Democratic People's Republic of Korea.

38. On 20 March 2023, the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity participated in an Arria-formula meeting of the Security Council on how to better integrate consideration of the human rights of lesbian, gay, bisexual, transgender and intersex persons into the work of the Security Council.

39. On 17 August 2023, the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea participated in an open briefing of the Security Council on the situation in the Democratic People's Republic of Korea, along with the High Commissioner for Human Rights.

40. Engagement also continued with the peacebuilding architecture. 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, as well as a dedicated meeting between the Coordination Committee of Special Procedures and the Peacebuilding Support Office.

41. During the twenty-ninth annual meeting of special rapporteurs, independent experts and chairpersons of working groups of the special procedures of the Human Rights Council in June 2023, a joint declaration was adopted underscoring the critical role of human rights as a tool for the implementation of the transformative changes needed to meet all of the Sustainable Development Goals.⁷⁴ Adopted ahead of the high-level political forum on sustainable development under the auspices of the General Assembly in September 2023, the mandate holders called on all governments to fully implement the 2030 Agenda by prioritizing those furthest behind, including those historically excluded in situations of vulnerability, and stressed that international human rights obligations and recommendations should be integrated into national action plans and domestic implementation mechanisms. Some special procedure mandate holders participated in the high-level political forum on sustainable development convened under the auspices of the Economic and Social Council in July 2023.

42. Cooperation with other human rights mechanisms was also strengthened. The Coordination Committee had a meeting with the chairs of the treaty bodies to assess the level of cooperation between special procedures and treaty bodies and to explore possible avenues to foster such cooperation. The discussion was fruitful and led to an agreement to work on a list of entry points for cooperation for special procedures and treaty bodies, to improve the sharing of information through their respective secretariats on upcoming activities and to have a similar meeting at least once a year. Mandate holders also engaged with representatives of the treaty bodies and investigative mechanisms during their annual meeting in order to foster cooperation among all human rights mechanisms.

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, joint reports, seminars and visits.

⁷⁴ See <https://www.ohchr.org/sites/default/files/documents/hrbodies/annual-meeting/Annual-Meeting-29-Joint-Declaration-SDG-Summit.pdf>.

J. Contribution of special procedures to prevention

44. Following up on previous discussions, mandate holders, with the participation of representatives of the Quaker United Nations Office in Geneva, discussed their engagement with the peace and security, peacebuilding and prevention architecture of the United Nations system during the annual meeting. Mandate holders underscored the importance of infusing a human rights perspective into the domain of peace and security and discussed strategic opportunities in that context.

45. Several avenues and areas of cooperation were identified, including the focusing of reports on issues related to peacebuilding and prevention, the organization of joint events, the inclusion of peacebuilding or prevention in country visits and related recommendations, engagement with various United Nations entities and interaction with intergovernmental bodies such as the Security Council and the Peacebuilding Commission. Information on reports by special procedures related to peace and security and prevention, as well as their interactions with the peace and security and peacebuilding architecture, has been recorded and made available in various public reports and website.

K. Follow-up activities

46. Efforts have been made to make the work and the recommendations of the special procedures more visible and accessible, with a view to facilitating follow-up. Recommendations of the special procedures continued to be used by OHCHR, including its field presences, and United Nations country teams and are available in the Universal Human Rights Index.⁷⁵

47. Mandate holders continued to prioritize follow-up to, and implementation of, their assessments, conclusions and recommendations. They worked with States and with the United Nations, including United Nations country teams, to ensure the integration of their advice and recommendations into the work of the Organization. Mandate holders issued 338 follow-up communications to cases previously transmitted to States and non-State actors, and follow-up press releases. They also sent questionnaires and convened meetings and consultations. A non-exhaustive list of follow-up activities is contained in the addendum to the present report.⁷⁶

48. Special procedures resort to a combination of tools and networks to foster implementation and collaborate with other mandates, human rights mechanisms and the other parts of the United Nations system, including United Nations country teams.

L. Cooperation with special procedure mandate holders

49. Special procedure mandate holders are committed to fulfilling the mandates entrusted to them by the Human Rights Council. With the benefit of their independence and expertise in addressing the wide array of issues covered by the 60 special procedure mandates, they have the unique ability to offer independent examination and analysis of issues and situations in the light of human rights norms and standards. They conduct country visits, advise on thematic and country specific issues, raise concerns regarding individual cases directly with the relevant parties and develop international standards, facilitate national and international debate on human rights issues and, as a system, work together to promote human rights mainstreaming, connect various sectors of society and draw attention to all human rights issues, including those that might otherwise remain invisible. In achieving those ends, the full cooperation of all concerned, in particular States, is indispensable.

50. The issue of cooperation from States, and the assessment thereof, therefore remains a priority for special procedures, taking into account all aspects of the work of mandate holders. Cooperation can take many forms. It entails responses to communications, the acceptance of

⁷⁵ See <https://uhri.ohchr.org>.

⁷⁶ A/HRC/55/69/Add.1, sect. XIII.

visits, responses to requests for input for annual reports, follow-up to the recommendations made by mandate holders and overall engagement with special procedures. Efforts and initiatives to better assess the various dimensions of cooperation by States with special procedures continued during the reporting period. Looking back at the last five years, while there are clear instances of complete lack of cooperation or full cooperation by States, the majority of cases present a mixed record. Specific tools to provide a comprehensive picture of State cooperation have been developed, based on systematizing the recording of information related to country visits and communications and the maintenance of related databases and websites. Given the multifaceted dimensions of cooperation, the approach chosen in the present report has been to present two tables containing all relevant information related to States' cooperation related to communications and country visits of special procedures. The present report contains information on the status of cooperation, including the number of standing invitations, the number of visits undertaken in 2023, the number of visits in the past five years,⁷⁷ States that have never received a visit from a mandate holder, States with more than five pending requests for visits, the number of pending visits per country and the number of communications by country and the responses received.⁷⁸ This enhanced system is intended to better assess cooperation and actions taken on all sides. The OHCHR web page reflecting that detailed information, including the status of country visits and related requests, is regularly updated.⁷⁹

51. Available data indicate that special procedures generally enjoy fruitful cooperation from States and other stakeholders. As at 31 December 2023, 128 out of 193 Member States (66.32 per cent) and 1 non-member observer State had extended a standing invitation to thematic special procedures.⁸⁰ The number of States that have never received a visit by a mandate holder is 21. The number of visits by mandate holders increased in 2023. The geographical coverage of the visits undertaken indicates that mandate holders continue to visit all regions in a balanced manner. Country visits are an essential part of the fulfilment of special procedure mandates, and mandate holders count on the full cooperation by States to ensure that visits take place effectively. Some States received more than one visit by mandate holders per year, and eight States received five or more visits in the past five years (Bangladesh, Brazil, Central African Republic, Honduras, Kyrgyzstan, Mali, Mongolia and Qatar). Mandate holders have also used technical visits to address particular thematic issues.

52. With regard to country-related mandates, some countries, such as Afghanistan, Cambodia, the Central African Republic, Mali and Somalia, were willing to grant access to the country-related mandate holder, whereas Belarus, Burundi, the Democratic People's Republic of Korea, Eritrea, Iran (Islamic Republic of), Israel and Myanmar continued to decline such access. Further, among those situations, there were differences, with some States refusing any engagement and others engaging with mandate holders outside of country visits.

53. Initiatives have also been taken to illustrate that cooperation is mutually beneficial. 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 on "Making a difference".⁸¹ The non-exhaustive compilation of examples collected shows that the impact of the work of mandate holders can take many forms. Mandate holders have carried out assessments of their work or participated in various meetings with stakeholders to assess the impact of their work, especially when concluding the term of their mandates. Such activities reveal that mandate holders have played a crucial role by offering essential solutions, working towards rendering the human rights system more responsive and innovative in addressing challenges.

54. Mandate holders sent 723 communications in 2023, and the substantive response rate was 43.15 per cent.

55. While some States devoted considerable efforts to developing constructive cooperation with mandate holders, others continued to refuse their visits or accepted only a

⁷⁷ Covering the period from 1 January 2019 to 31 December 2023.

⁷⁸ A/HRC/55/69/Add.1, sects. III–X.

⁷⁹ See www.ohchr.org/EN/HRBodies/SP/Pages/CountryandothervisitsSP.aspx.

⁸⁰ A/HRC/55/69/Add.1, sect. III.

⁸¹ See <https://www.ohchr.org/en/special-procedures-human-rights-council/making-difference-special-procedures-human-rights-council>.

select few. A total of 80 countries have not received a visit by a special procedure mandate holder during the past five years, although 67 have received at least one request. Twenty-four countries did not accept a visit, despite having five or more pending requests during the same time period. Cooperation may be partial or selective. Some States cooperated only with a select few mandate holders or responded to communications but did not accept visits, in spite of having extended standing invitations. It is worrying that some States that have formally agreed to issue standing invitations to special procedures in the context of the universal periodic review process did not honour their acceptance or asked that their country be removed from the list of States that have accepted.

56. 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. Some of those cases are particularly worrying, as they may affect the personal security and integrity of mandate holders. In some extreme cases, mandate holders have been the subject of derogatory remarks and personal attacks. This has happened within United Nations bodies, during country visits or in other contexts. Recent examples comprise disparaging personal remarks, verbal attacks against mandate holders, derogatory campaigns in the press, aggressive or insulting public statements by State representatives or by representatives of civil society and claims of partial and unprofessional conduct designed to damage reputations, including publicly involving family members, thereby potentially creating insecurity. In some cases, the legitimacy and authority of special procedures have been directly put into question, thus undermining the whole system of special procedures and the reputation of the United Nations. This is a matter that the special procedures and the Coordination Committee take very seriously, which requires a coherent and systematic response from all concerned. In some cases, mandate holders have faced challenges in obtaining access (as set out in the terms of reference of the visit), as well as the freedom of movement necessary during their visits, including private access to victims and independent civil society organizations. Some States have also announced publicly that they will boycott certain mandates.

M. Contribution of special procedures to technical cooperation

57. Special procedures continued to provide advice and recommendations to States and other stakeholders using a variety of tools and processes,⁸² including thematic reports. Thematic 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.

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, play a significant role. Communications issued by special procedures contain important advice to States and other stakeholders. Other letters address more systemic human rights issues and contain recommendations on how draft or existing legislation, policies or practices could be designed or revised to fully comply with international human rights standards. Such communications, which are a way to provide meaningful technical advice to States, have been identified as successful tools for the prevention of human rights violations. Mandate holders also engage and provide advice to businesses and international corporations, including through the communications process.

59. Special procedures respond to requests from States and other stakeholders for 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.

60. As shown in the addendum to the present report,⁸³ mandate holders also use other means to engage with States and other stakeholders in order to provide advice on human rights issues. In an example of how the special procedures of the Human Rights Council can provide technical cooperation, the Working Group on Enforced or Involuntary

⁸² A/HRC/55/69/Add.1, sect. XXI.

⁸³ Ibid.

Disappearances engaged with a delegation from Chile, including representatives from various government authorities and ministries led by the Minister of Justice and Human Rights, in February 2023. The aim of the meeting was to explore opportunities for collaboration between the Working Group and the Government of Chile in designing and developing the national plan for locating victims of enforced disappearance. The Working Group also conducted remote training sessions on enforced disappearance, including the Group's methodologies and activities, for several officials from various ministries and institutions in Egypt.

III. Coordination Committee of Special Procedures

61. In 2023, the Coordination Committee of Special Procedures continued to facilitate coordination among mandate holders and interaction with a range of stakeholders. The Committee had three one-week meetings, two in Geneva and one in New York, and several additional virtual meetings. It had several virtual conversations with mandate holders and facilitated discussion among mandate holder on issues of common concern.

62. The Coordination Committee maintained dialogue and interaction with various stakeholders, including representatives of the United Nations, States and civil society. The Committee also held discussions with States in different formats, including conversations in New York and Geneva, as well as 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 of the General Assembly 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 Council and facilitated joint statements.⁸⁴ A member of the Committee presented the annual report of special procedures to the Human Rights Council,⁸⁵ which included facts and figures with regard to the special procedures and information on the achievements of the special procedures system.⁸⁶

64. The Coordination Committee participated in the "Human Rights 75 Initiative", culminating in the high-level event celebrating the seventy-fifth anniversary of the Universal Declaration of Human Rights organized by OHCHR in Geneva in December 2023. In recognition of the role of special procedures in the human rights ecosystem, a number of special procedure mandate holders participated in the event as panellists or moderators. The Chair of the Committee made a statement during the panel on the future of human rights in peace and security. In addition, the Committee submitted pledges. Using the momentum of the commemoration of the Declaration, the Committee facilitated a discussion among mandate holders on the impact of special procedures and how they could contribute to the future of the human rights ecosystem during the twenty-ninth annual meeting.

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. 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. The requests fall into 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. Individual cases and questions may require a simple response or the provision of advice on the way forward, whereas requests concerning global

⁸⁴ *Ibid.*, sect. XII.

⁸⁵ [A/HRC/52/70](#).

⁸⁶ [A/HRC/52/70/Add.1](#).

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. Under the internal advisory procedure, stakeholders have approached the Coordination Committee to raise questions or concerns. This has helped to clarify and improve working methods. The main outcomes of the procedure are available on the website. The issues raised in 2023 included the following:

- (a) Communications, including how stakeholders' responses are taken into account by mandate holders, related press releases and the international framework guiding communications;
- (b) Conflict of interest;
- (c) Cooperation and coordination among mandates, be it between thematic mandates or between thematic and country mandates;
- (d) Country visits, including procedures to agree to a visit, respect for the terms of reference for country visits and the independence of the mandate holders in deciding which countries or territories to visit, in line with United Nations rules and regulations;
- (e) Privileges and immunities for mandate holders, including in the context of participation in legal or parliamentary proceedings;
- (f) Personal attacks against mandate holders;
- (g) Use of correct terminology to refer to States and territories;
- (h) Use of press releases and social media;
- (i) Implementation of international human rights standards and the engagement and cooperation of mandate holders with stakeholders in that context.

67. There was an increase in the use of the internal advisory procedure by several stakeholders, including mandate holders, in the scope of the cases raised. Since some of the issues brought to the attention to the Committee over the course of the last year were of a systematic nature, the Committee proposed the holding of related discussions (for example, on privileges and immunities, social media, cooperation and coordination among mandate holders and international law framing the work of special procedures) during the twenty-ninth annual meeting.

68. The Coordination Committee pursued its initiatives in relation to the continuous improvement of the working methods of special procedures, in spite of the above challenges, by engaging with relevant stakeholders, soliciting input and fostering discussions on issues such as the procedures related to the issuance of joint statements and the use of social media.

69. The Coordination Committee implemented the modalities for the disclosure of external support received through OHCHR and other sources. 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 2023. Of the 70 current mandate holders in place as at 31 December 2023 who responded, 31 indicated that they had received external support. Support was mostly in-kind, including research assistance and the granting of the use of facilities by their home institutions, administrative assistance, and financial support, including for specific events or research. Financial support was, in most cases, provided by Governments, foundations or the home institutions of mandate holders.⁸⁷

IV. Acts of intimidation and reprisal

70. Special procedures mandate holders continued to take up cases concerning acts of intimidation and reprisal in relation not only to their work, but also to the United Nations

⁸⁷ [A/HRC/55/69/Add.1](#), sect. XIV.

system in the field of human rights. They implemented their internal guidelines on reprisals and intimidation. In 2023, 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 of intimidation and reprisal was raised, as appropriate, with the President of the Human Rights Council and/or the Chair of the Third Committee of the General Assembly. Mandate holders held a dedicated discussion during their annual meeting and revised the enhanced response to reprisals adopted in 2015. Sorcha MacLeod, the focal point of the Coordination Committee on the issue, led the discussion, which allowed for an assessment of the actions taken by special procedures and the United Nations to address the issue, as well as the identification of trends and possible follow-up actions by the Committee. Mandate holders acknowledged the growing use of online platforms and new technologies for intimidation and reprisal. They also underscored the significance of reacting to such cases through various tools at their disposal and reporting on incidents in the annual report of the Secretary-General.

71. The most recent report of the Secretary-General on efforts 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 rights⁸⁸ included information on allegations from 10 communications concerning 9 States taken up by special procedure mandate holders and follow-up information on cases concerning 12 States included in previous reports based on the continued work of mandate holders. In 2023, special procedure mandate holders issued 11 communications concerning 10 States and 1 non-State actor. Mandate holders also reported cases of intimidation and reprisal in their reports to the Human Rights Council and the General Assembly, in end-of-mission statements following country visits and in press releases.

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

72. The twenty-ninth annual meeting of special rapporteurs, independent experts and chairs of working groups was held in Geneva from 12 to 16 June 2023.

73. The meeting took place in the context of the celebration of the seventy-fifth anniversary of the Universal Declaration of Human Rights and the thirtieth anniversary of the Vienna Declaration and Programme of Action. It focused on strategic and substantive issues, in particular the impact of special procedures system and ideas for its future, including its contribution to the Human Rights 75 Initiative and the Summit of the Future, as well as on working methods.

A. Coordination Committee

74. The Chair of the Coordination Committee provided an overview of the activities undertaken during the 2022–2023 cycle. Participants were informed of all the activities of the Coordination Committee and its engagement with various stakeholders, including United Nations representatives, States and civil society. Challenges and opportunities faced by the system of special procedures and possible strategic responses were discussed and the priorities of the Committee were identified.

75. The meeting elected Isha Dyfan, the Independent Expert on the situation of human rights in Somalia, as Chair of the Coordination Committee for the period 2023–2024 and Priya Gopalan, Chair of the Working Group on Arbitrary Detention, as Rapporteur of the meeting. The meeting selected three other members: Surya Deva, the Special Rapporteur on the right to development; Richard Bennett, the Special Rapporteur on the situation of human rights in Afghanistan, and Claudia Mahler, the Independent Expert on the enjoyment of all human rights by older persons. The outgoing Chair of the Committee and Special Rapporteur

⁸⁸ [A/HRC/54/61](#).

on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Tlaleng Mofokeng, will remain as ex officio member for the coming year.

B. Thematic issues and working methods

76. In terms of strategic issues, mandate holders discussed issues related to new technologies and digital transformation and their potential impact on human rights, in the light of the active role they have played in addressing the issue in their reports and communications. Mandate holders were briefed on the OHCHR shift to integrate human rights narratives into the development of digital technologies through engaging with Member States and tech companies.

77. In terms of working methods, mandate holders discussed the international law framing the work of special procedures. It was recalled that the system was established based on relevant United Nations resolutions and that special procedures operate within the framework of the Code of Conduct for Special Procedure Mandate Holders of the Human Rights Council and the Manual of Operations. In addition, mandate holders have collectively created a series of working methods. While each special procedure has unique mandates, there are commonalities in their approaches, involving a set of rules and working methods that should be consistently used and applied to ensure coherence and effectiveness in fulfilling special procedures functions; any changes in methodology should be collectively agreed upon. The importance of reaffirming and respecting international law is the overarching framework for the work of special procedures.

78. Mandate holders continued their discussion on the use of social media and related good practices and guidance on that matter. It was emphasized that all public statements made by mandate holders, including those disseminated through social media, must adhere to the Code of Conduct and the applicable regulations outlined in the Manual of Operations. The Committee will continue to revise good practices for further discussions among mandate holders.

79. Mandate holders also addressed the issue of privileges and immunities and how they affect their engagement with various legal processes.

80. Mandate holders had an exchange of views on the challenges they face in discharging their mandates and the impact on their mental health. The difficulties faced by mandate holders in balancing trauma in carrying out their functions, including through hearing testimonies of grave human rights violations while paying attention to self-care, were raised. Challenges faced in managing the workload as independent experts on top of their day-to-day jobs and the management of expectations in that context were also discussed. Mandate holders were given information on warning signs about and practical tips on how to monitor the impact of their work on their mental health and how to manage the numerous challenges encountered in the course of their work.

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, OHCHR field presences and regional mechanisms.

82. The conversation with States and civil society focused on:

(a) The seventy-fifth anniversary of the Universal Declaration of Human Rights and the thirtieth anniversary of the Vienna Declaration and Programme of Action: (i) what has been the impact of the system of special procedures since its inception; (ii) what are the experiences of the States in that context; (iii) how to shape a transformative human rights system that will underpin the next 75 years, especially as the United Nations has embarked on key processes to shape its future, including the one leading to its Summit of the Future and what the contribution of special procedures should be in that context;

(b) Current challenges facing the human rights system, and how the human rights system can contribute to addressing them;

(c) Cooperation between States and special procedures: the special procedures system has pursued the continuous improvement of its working methods and its dialogue with States and will share the latest information in that context; what are the measures that States have taken or would consider taking to foster this cooperation, be it at the national or international level? What are the good practices and challenges in that regard?
