



“ Lawyers for Lawyers “

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TRAINING MANUAL ON HUMAN RIGHTS AND HUMAN RIGHTS PROTECTION FOR LAWYERS

FILE N° 31: SPECIAL RAPORTEURS FOR HUMAN RIGHTS

In order to make the protection and defence of human rights more effective, a new category of experts, who are usually known as "rapporteurs", have been appointed to work within the existing systems for the protection of human rights at both regional and international level. They are appointed to work on a specific issue or in a geographical area.

Special rapporteurs are therefore a mean of protecting human rights outside the treaties procedures. They form part of a diverse force which includes independent experts, working groups and special representatives.

The special rapporteur's mandate usually comprises the following tasks: to study, carry out research, advise, monitor and inform the public about the human rights situations in various countries (these are country-specific mandates), or relating to specific issues (these are thematic mandates).

Special rapporteurs form part of the system for the protection of human rights set up by the United Nations, the Organization of American States and the African Union, and they complete treaty-monitoring procedures, whose purpose is to ensure the proper application of the various treaties by which such procedures were created.



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Their work is considered to make an effective contribution to the introduction of constructive dialogue with States, by which States can be helped to respect their international commitments. However, they have often been criticised because they are not able to provide an appropriate response to individuals and organisations that report human rights violations.

Thus, the possible limits of the treaty procedures, linked to their mandate or available resources, are compensated by those mechanisms. The work performed through it is essential to strengthen good practices standards and to develop concepts relating to human rights protection system. Both mechanisms form the legal basis which is necessary for the understanding and interpretation of states' obligations under respective treaties and declarations.

Special Rapporteurs' missions

Their mandate limits their action to their specific area of competence and consists of:

- Studying questions that fall within their remit. These questions generally give rise to concerns (freedom of expression, racism, poverty, etc) or involve certain categories of people who enjoy specific rights (indigenous peoples, women, children, etc). Their work may also be related to the implementation of certain legal instruments.
- Making visits to certain countries.
- Receiving information relating to the area for which they have responsibility.
- In certain cases receiving and examining victims' complaints about human rights violations in their area of competence, and taking action in their name with the governments concerned.
- Preparing reports on their area of expertise and issuing recommendations.

These various functions usually form part of the special rapporteurs' mandates set up within the framework of the **United Nations system**. Most of them are authorised to receive and examine complaints made by individuals and to ask the State concerned to take action in response.

In the **inter-American system**, rapporteurs are not authorised to examine individual complaints, but may receive information. However, requests relating to the violation of a right in the rapporteur's special field may be sent to the Inter-American Commission on Human Rights, following the procedure laid down for rights violations recognised by the American Convention on Human Rights (petition).

In the **African system**, special rapporteurs are not authorised to examine individual complaints. However, it is always possible to refer a case to the African Commission or the African Court on Human and Peoples' Rights, following the established procedures, if the violated right is guaranteed by the African Charter on Human and Peoples' Rights. It is also possible to put questions to special rapporteurs.

Identification of Special Rapporteurs on Human Rights Issues in universal and regional systems for the protection of human rights

FIELDS	UNIVERSEL SYSTEME	INTERAMERICAN SYSTEM	AFRICAN SYSTEM
Adecuate Housing	Special Rapporteur on adecuate housing. http://www2.ohchr.org/french/issues/housing/index.htm		
Children	Special Rapporteur on the sale of children, child prostitution and child pornography. http://www2.ohchr.org/english/issues/children/rapporteur/index.htm	Rapporteurship on the Rights of the Child. http://www.cidh.oas.org/Ninez/default_eng.htm	
Disappearances	Working Group on Enforced or Involuntary Disappearances. http://www2.ohchr.org/english/issues/disappear/index.htm		
Displaced Persons. Refugees.	Special Rapporteur on the Human Rights of Internally Displaced Persons. http://www2.ohchr.org/english/issues/idp/index.htm		Special Rapporteur on <i>Refugees, Asylum, Migrants and Internally Displaced Persons</i> . http://www.achpr.org/english/_info/index_rdp_en.html
Economic, Social and Cultural Rights	Independent Expert in the field of <i>cultural rights</i> . http://www2.ohchr.org/english/issues/cultural_rights/index.htm		Working Group on Economic, Social and Cultural Rights in Africa. http://www.achpr.org/english/_info/index_ECOSOC_Under_en.htm
Education	Rapporteur spécial sur le droit à l'éducation. http://www2.ohchr.org/french/issues/education/rapporteur/index.htm		
Environment	Special Rapporteur on Adverse effects of the movement and dumping of <i>toxic and dangerous products</i> and wastes on the enjoyment of human rights. http://www2.ohchr.org/english/issues/environment/waste/index.htm Special Rapporteur on the human right to safe drinking <i>water</i> and <i>sanitation</i> . http://www2.ohchr.org/english/issues/water/Ie		

FIELDS	UNIVERSEL SYSTEME	INTERAMERICAN SYSTEM	AFRICAN SYSTEM
	xpert/		
Food	Special Rapporteur on the right to food. http://www2.ohchr.org/english/issues/food/index.htm		
Freedom of opinion and expression	Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. http://www2.ohchr.org/english/issues/opinion/index.htm	Special Rapporteur for Freedom of Expression. http://www.cidh.oas.org/relatoria/index.asp?ID=1	Special Rapporteur on Freedom of Expression in Africa. http://www.achpr.org/english/_info/index_free_exp_en.html
Freedom of religion or belief	Special Rapporteur on freedom of religion or belief . http://www2.ohchr.org/french/issues/religion/index.htm		
Health	Special Rapporteur on the right of the enjoyment of the highest attainable standard of physical and mental health. http://www2.ohchr.org/english/issues/health/right/index.htm		
Human Rights Defenders	Special Rapporteur on the situation of human rights defenders. http://www2.ohchr.org/english/issues/defenders/index.htm	Unit for Human Rights Defenders. http://www.cidh.oas.org/defenders/defensores.htm	Special Rapporteur on Human Rights Defenders in Africa. http://www.achpr.org/english/_info/index_hrd_en.html
Indigenous Peoples	Special Rapporteur on the rights of indigenous peoples. http://www2.ohchr.org/english/issues/indigenous/rapporteur/index.htm	Rapporteur spécial sur les droits des peuples autochtones. http://www.cidh.oas.org/Indigenas/Casos.htm	Working Group on Indigenous Populations Communities in Africa. http://www.achpr.org/english/_info/index_WGIP_Under_ent.htm
International Solidarity	Independent Expert on human rights and international solidarity. http://www2.ohchr.org/english/issues/isolidarity/index.htm		
Justice /judicial system	<i>Working group on Arbitrary Detention.</i> http://www2.ohchr.org/english/issues/detention/index.htm <i>Special Rapporteur on extrajudicial, summary</i>	Rapporteurship on the Rights of Persons Deprived of Liberty. http://www.cidh.oas.org/PRIVADAS/default.htm	Special Rapporteur on <i>Prisons and Conditions of Detention in Africa.</i> http://www.achpr.org/english/_info/index_prison_en.html

FIELDS	UNIVERSEL SYSTEME	INTERAMERICAN SYSTEM	AFRICAN SYSTEM
	<p><i>or arbitrary executions.</i> http://www2.ohchr.org/english/issues/executions/index.htm</p> <p><i>Special Rapporteur on the Independence of Judges and Lawyers.</i> http://www2.ohchr.org/english/issues/judiciary/index.htm</p>		<p><i>Special Rapporteur on Summary, Arbitrary and Extra-Judicial Executions in Africa</i> http://www.achpr.org/english/_info/extrajk_man.html</p> <p><i>Working Group on the Implementation of Robben Island Guidelines.</i> http://www.achpr.org/english/_info/index_RIG_Under_en.htm</p> <p><i>Working Group on Death.</i> http://www.achpr.org/english/_info/index_Death%20penaltyUnder_en.htm</p>
Mercenaries	<p><i>Working Group on the use of mercenaries as a mean of violating human rights and impeding the exercise of the right of peoples to self-determination.</i> http://www2.ohchr.org/english/issues/mercenaries/index.htm</p>		
Migrants	<p><i>Special Rapporteur on the human rights of migrants.</i> http://www2.ohchr.org/english/issues/migration/rapporteur/index.htm</p>	<p><i>Rapporteurship on the Rights of Migrant Workers and Their Families</i> http://www.cidh.oas.org/Migrantes/defaultmigrants.htm</p>	<p><i>Special Rapporteur on Refugees, Asylum, Migrants and Internally Displaced Persons.</i> http://www.achpr.org/english/_info/index_rdp_en.html</p>
Minorities	<p><i>Independent Expert on minority issues.</i> http://www2.ohchr.org/english/issues/minorities/expert/index.htm</p>		
Poverty	<p><i>Independent Expert on human rights and extreme poverty.</i> http://www.ohchr.org/EN/Issues/Poverty/Pages/PovertyExpertIndex.aspx</p>		
Racism	<p><i>Special Rapporteur on Contemporary forms of racism, racial discrimination, xenophobia and related intolerance.</i> http://www2.ohchr.org/english/issues/racism/rapporteur/index.htm</p>	<p><i>Rapporteurship on the Rights of Afro-Descendants and against Racial Discrimination.</i> http://www.oas.org/es/cidh/afrodescendientes/default.asp</p>	

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	<p>Working Group of Experts on People of African Descent. http://www2.ohchr.org/english/issues/racism/groups/african/4african.htm</p>		
Slavery	<p>Special Rapporteur on Contemporary forms of slavery. http://www2.ohchr.org/english/issues/slavery/rappporteur/index.htm</p>		
Sociétés transnationales	<p>Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises. http://www.ohchr.org/EN/Issues/TransnationalCorporations/Pages/SRSGTransCorpIndex.aspx</p>		
Terrorism	<p>Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. http://www2.ohchr.org/english/issues/terrorism/rappporteur/srchr.htm</p>		
Torture	<p>Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment http://www2.ohchr.org/english/issues/torture/rappporteur/index.htm</p>		
Trafficking in persons	<p>Special Rapporteur on trafficking in persons, especially in women and children. http://www2.ohchr.org/french/issues/trafficking/index.htm</p>		
Women	<p>Special Rapporteur on violence against women, its causes and consequences. http://www2.ohchr.org/english/issues/women/rappporteur/index.htm</p>	<p>Rapporteurship on the Rights of Women. http://www.cidh.oas.org/women/Default.eng.htm</p>	<p>Special Rapporteur on the Rights of Women in Africa. http://www.achpr.org/english/_info/index_women_en.html</p>

Caption :
Rapporteur : possibility for individuals to submit a communication/to lodge a complaint.
Rapporteur : possibility for individuals to submit information (in some cases with the possibility for the Rapporteur to send a communication to the States concerned).
Rapporteur : possibility for individuals to ask questions.

For more information about United Nations' Special Rapporteurs please refer to: Fact Sheet n°27 « Seventeen Frequently Asked Questions about United Nations Special Rapporteurs » of the Office of the High Commissioner for Human Rights : <http://www.ohchr.org/EN/PublicationsResources/Pages/FactSheets.aspx>

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