



Women Enabled International

account**ABILITY** toolkit

**A Guide to Using U.N. Human Rights Mechanisms
to Advance the Rights of Women and Girls
with Disabilities**

accountABILITY:

**Using U.N. Human Rights Mechanisms
to Advance the Rights of
Women and Girls with Disabilities**



**Women Enabled
International**

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Cover image depicts three women in silhouette—one using a forearm crutch, one using a wheelchair, and one without any mobility aids—approaching a United Nations building in Geneva through a corridor of flags from countries around the world.

Photo credit:

“The “Allée des drapeaux” (“Flags Way”) at the Palais des Nations, seat of the UN Office at Geneva (UNOG).”
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Women Enabled International

1875 Connecticut Ave., NW, 10th Floor
Washington, D.C. 20009
United States

Tel. 1.202.630.3818

info@womenenabled.org
www.womenenabled.org

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The *accountABILITY Toolkit* is dedicated to the millions of disabled women and girls around the world who routinely encounter multiple and intersecting forms of discrimination. This *Toolkit* is a call to action, urging and empowering us to collectively raise our voices to demand that international human rights standards protect the rights of all women and girls, regardless of ability.

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Overview

Human rights are universal, inalienable, and indivisible. Yet, in the twenty-first century, women across the globe continue to experience gender-based discrimination that impedes the full realization of their human rights. Specifically, women constitute 70 per cent of the world's poor and two-thirds of the world's illiterate. Women are continually denied access to basic healthcare, housing, education, work and social security. Women and girls with disabilities in particular encounter multiple and intersecting forms of discrimination on the basis of both gender and ability. High rates of gender-based violence, lack of access to justice, and denial of sexual and reproductive health information, goods, and services are particularly pernicious manifestations of the discrimination to which women and girls with disabilities are subjected.

International human rights law calls on governments to dismantle legal, structural, social, economic, and other barriers that women face in achieving equality and realizing their human rights. Human rights advocacy can be an effective tool for holding governments to account for their obligations under international human rights law and pushing for effective implementation of human rights and gender equality to improve the situation on the ground for women and girls with disabilities. The United Nations (U.N.) in particular has several different mechanisms for promoting and protecting the rights of women and girls with disabilities.

Historically, people with disabilities, and women with disabilities in particular, have made scarce use of international human rights mechanisms to advance their rights. This is because information on the mechanisms—and the mechanisms themselves—have not been fully accessible for people with disabilities. There are very few members of the U.N. human rights system who identify as people with disabilities, and until the passing of the U.N. Convention on the Rights of People with Disabilities in 2006, the rights of people with disabilities were not formally a part of the international human rights agenda.

This toolkit seeks to empower women with disabilities and organizations working on their behalf to make use of the available U.N. human rights mechanisms to ensure that the human rights violations women with disabilities experience receive redress and to make sure that statements, recommendations, observations, and guidance from the U.N. incorporate an intersectional gender and disability rights perspective. Increased attention to and guidance on how international human rights standards apply to the specific human rights issues facing women and girls with disabilities will help advance the rights of women and girls with disabilities worldwide.

Chapter 1 of this guide provides an introduction to the practice and procedures of the three main U.N. human rights mechanisms: **treaty bodies**, **Special Procedures**, and the **Universal Periodic Review**. Through their comments, observations, reports, and recommendations, these bodies interpret—and strengthen our collective understanding of—what it means to have human rights and provide guidance to States on how to protect those rights within their borders.

Chapter 2 of this guide identifies the ways in which civil society can engage with the U.N. human rights system. In order to ensure that statements and guidance coming out of these bodies speak to the human rights situations of all individuals, treaty bodies depend on information they receive from States and civil society alike about the realities on the ground. This section provides an overview of when and how civil society can provide necessary information to the U.N. human rights bodies and the advantages and challenges of different types of engagement.

Chapter 3 provides guidance on developing advocacy strategies for successful U.N. engagement, looking in greater detail at the type of information that civil society should be providing to the U.N. This section also discusses collaboration with other organizations and strategies (including media strategies) for implementing U.N. standards at the national level.

This guide concludes with a **glossary** of common acronyms and terminology relevant to both U.N. advocacy and advocacy on behalf of women and girls with disabilities, as well as links to **additional resources**, including official U.N. websites, additional advocacy guides, and online research tools.

Chapter 1: Introduction to U.N. Human Rights Mechanisms

U.N. Human Rights Treaties and Treaty Bodies

OVERVIEW

The U.N. human rights system has nine human rights treaties. Treaties, also called conventions or covenants, are written agreements between States (or governments), where each State that is party to the treaty (also known as a “**State party**,” meaning the State has ratified the treaty according to its domestic legal procedures for entering into an international agreement) agrees to be bound by the provisions of the treaty. Human rights treaties create specific legal obligations for States parties to respect, protect, and fulfill the rights laid out in the treaty. See below text box for a more detailed discussion of States’ legal obligations as parties to these international human rights treaties.

State Obligations under International Human Rights Law

When a State ratifies a human rights treaty, it agrees to be bound by the terms of that treaty and has an obligation to comply in good faith.¹

International human rights treaties impose legal obligations on the States that are party to those treaties. Specifically, States must respect, protect, and fulfill the rights protected in these treaties.

The obligation to **respect** requires that the State (including any public officials) refrain from interfering directly or indirectly with the right in question.

The obligation to **protect** requires the State to prevent non-state actors (e.g., private citizens or corporations) from infringing on the right in question. Additionally, the State must investigate, prosecute, and punish non-state actors when rights violations occur.

The obligation to **fulfill** requires that the State take necessary action—legislative, administrative, budgetary, and/or judicial—to fully achieve the rights in question.

Some of these obligations are of **immediate effect**, meaning that the State must act to immediately fulfill this obligation. This is generally true of State obligations with respect to civil and political rights, provisions regarding non-discrimination, and a minimum core of economic, social, and cultural rights. Other rights are subject to **progressive realization**, meaning that the State needs to take steps over time to meet these obligations using maximum available resources (but recognizing that it might take some time before a State is fully in compliance with this obligation). Even where obligations can be progressively realized, however, States must not undo any progress they have already made toward the realization of meeting their human rights obligations, a principle known as “**non-retrogression**.”

Each of the nine U.N. human rights treaties has a corresponding treaty body—a committee of independent experts—that (1) monitors implementation of the treaty to ensure that States are taking the necessary action to implement the rights in their country and (2) provides guidance on what such actions might look like. For the purposes of this *accountABILITY* toolkit, we focus on the procedures and jurisprudence of seven of the nine U.N. treaty bodies, whose body of work has the most bearing on the rights of women and

¹ Vienna Convention on the Law of Treaties, art. 26, 1155 U.N.T.S. 331 (1980).

girls with disabilities. Table 1 lists and includes a hyperlink to each of these seven treaties and the corresponding treaty bodies; the full URL for the treaty text and treaty body homepage is included later in “Treaty Body Information,” beginning on page 6.

Table 1: U.N. Human Rights Treaties and their Corresponding Treaty Body

International Covenant on Civil and Political Rights (ICCPR)	Human Rights Committee
International Covenant on Economic, Social, and Cultural Rights (ICESCR)	Committee on Economic, Social, and Cultural Rights (ESCR Committee)
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Committee on the Elimination of Racial Discrimination (CERD Committee)
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Committee on the Elimination of Discrimination against Women (CEDAW Committee)
Convention against Torture and Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Committee against Torture (CAT Committee)
Convention on the Rights of the Child (CRC)	Committee on the Rights of the Child (CRC Committee)
International Convention on the Rights of Persons with Disabilities (CRPD)	Committee on the Rights of Persons with Disabilities (CRPD Committee)

There are three main ways that U.N. treaty bodies act to promote the full implementation of the rights protected in the treaty:

- ▶ reviewing **State Reports** to monitor compliance with treaty obligations and issuing **Concluding Observations**;
- ▶ issuing **General Comments** (or General Recommendations); and
- ▶ hearing **Individual Complaints** (or Communications), where a state has recognized its authority to do so.

Taken together, the written guidance, recommendations, and decisions that come out of these processes form the **jurisprudence**, or body of work, of these treaty bodies.

In addition to these three primary activities that the treaty bodies undertake, several treaty bodies have the authority to conduct an inquiry on their own initiative if they receive credible information of grave and systematic human rights abuses, called an **inquiry procedure**. As with the individual complaints, States

must have recognized the authority of the treaty body to undertake such an inquiry.² Several of the treaty bodies are also allowed to receive complaints by one State party concerning allegations of human rights violations by another State party, called an **inter-state complaint**, but this procedure has never been used.³

STATE REPORTING

U.N. human rights treaties require States parties to submit reports to the U.N. treaty bodies every few years explaining what efforts the State has taken to implement the treaty within its own jurisdiction. This requires the State to conduct a self-evaluation on the impact that laws and policies have had on giving full effect to the rights protected in the treaty.

The treaty body will review the information that it receives from the State party, along with any supplementary information it receives from **civil society** or **national human rights institutions** (NHRIs) (these are State-funded institutions that operate independently from the main branches of government to promote and protect human rights in the country). After reviewing all of the information it has received, the treaty body will send a **List of Issues** to the State party asking questions or for additional information from the State. As a result of some recent efforts to streamline the state reporting process, some treaty bodies have begun to send States a “list of issues prior to reporting” (LOIPR), in which case the treaty body will receive the first and only report from the State in response to questions and issues of interest to the treaty body.

The State party will reply to the List of Issues by a specific deadline. The treaty body will also set a deadline for receiving any additional information or supplemental reports from civil society sometime before the session.

During the treaty body’s session, the treaty body will have an interactive dialogue with the State’s delegation. Although civil society does not have a formal role during these sessions, **non-governmental organizations** (NGOs), NHRIs, journalists, and other interested parties are able to observe the session, participate in country and thematic briefings, and informally engage with treaty body members. See Chapters 2 and 3 of this guide for a more detailed discussion of the role civil society can play in informing the State review process.

At the conclusion of the treaty body’s session and following this interactive dialogue, the treaty body experts adopt **Concluding Observations**, which acknowledge progress made, express concerns over situations where the State is not in compliance with the treaty, and offer recommendations on what steps the State needs to take to improve implementation of the treaty within that State’s jurisdiction, such as changes to laws, policies, or programs.

Figure 1 provides a visual representation of these official steps that make up the State reporting cycle.

Some treaty bodies also have procedures that allow them to monitor implementation of the concluding observations. These procedures enable the treaty body to ask States to provide follow up information on the implementation of certain priority concluding observations within a year or two of the periodic review.

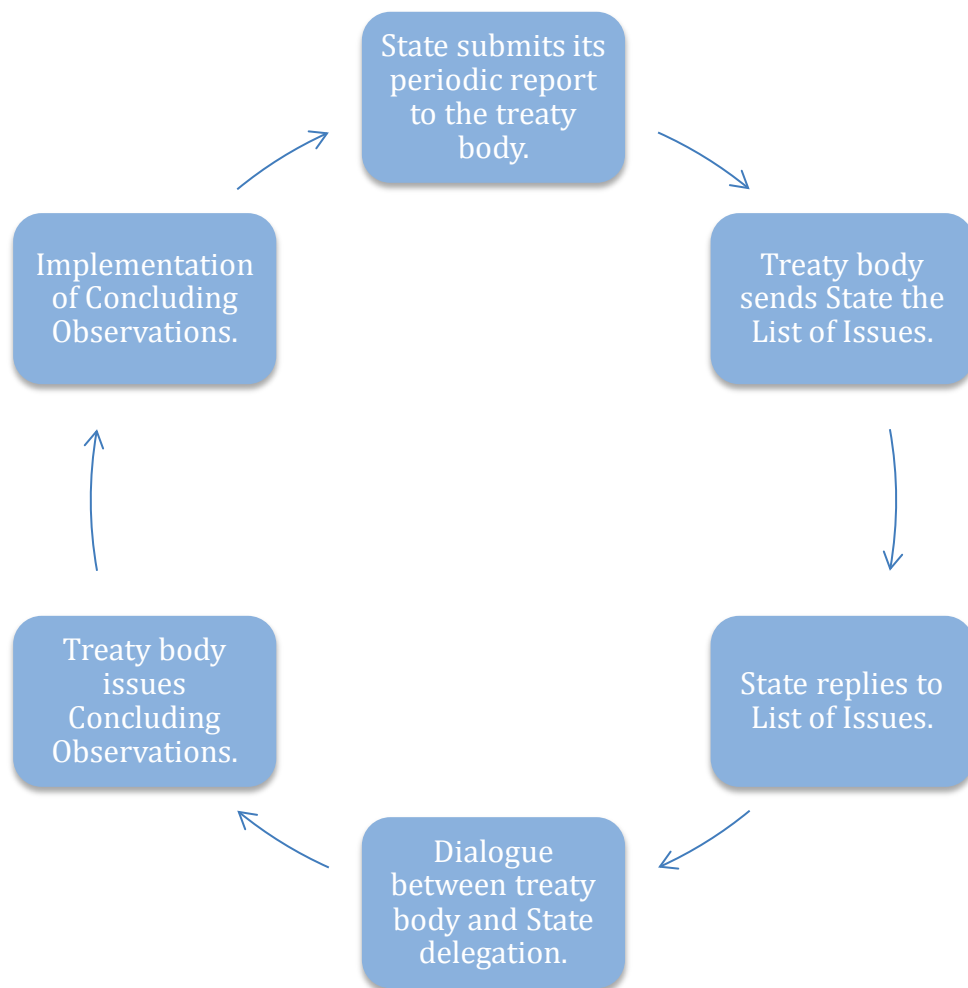
² Links to the status of ratifications for all human rights treaties can be found here:

<https://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>.

³ Office of the High Commissioner on Human Rights, Human Rights Bodies – Complaints Procedures,

<http://www.ohchr.org/EN/HRBodies/TBPetitions/Pages/HRTBPetitions.aspx#interstate> (last visited December 15, 2015).

Figure 1: State Reporting Cycle



GENERAL COMMENTS

General Comments (or General Recommendations) are authoritative interpretations of treaty rights and obligations. The Committees develop General Comments to provide greater clarity to States on their obligations under the treaty, and General Comments apply to all States that are a party to the treaty in question. General Comments frequently address substantive issues: analyzing the content of a specific right protected under the treaty, offering guidance to States on their obligations to implement that right, and in some instances, addressing cross-cutting issues that are not explicitly protected by any single treaty article, such as violence against women or the rights of older persons. They can also address procedural issues, for instance guiding States on their reporting obligations.

As discussed in Chapter 2 below, the process of writing and adopting General Comments typically includes an opportunity for both States and civil society to provide written or oral comments to inform its content.

Links to each treaty body's General Comments can be found at www.ohchr.org/EN/HRBodies/Pages/TBGeneralComments.aspx.

INDIVIDUAL COMPLAINTS

Individual Complaints (also called “communications” or “petitions”) are claims that are filed on behalf of an individual or group alleging that a State party to the treaty has violated rights protected under that treaty. Each of the seven treaty bodies covered in this guide can hear individual complaints provided that the State against whom the claim is being made has recognized the treaty body’s authority to hear the complaint. For the Human Rights Committee, the ESCR Committee, the CEDAW Committee, the CRC Committee, and the CRPD Committee, this means that the State in question must have ratified a supplementary treaty called an **Optional Protocol** that empowers the treaty body to hear individual complaints. For the CERD Committee and the CAT Committee, States parties must have made a declaration that they “recognize the competency” (meaning they recognize the authority) of the Committee to hear individual complaints under article 14 of CERD and under article 22 of CAT. A **declaration** in this context refers to a State’s official statement, typically made at the time the State ratifies a treaty, that they agree that the treaty body can hear individual complaints brought against them (see “[Reservations, Understandings, and Declarations](#),” on page 31 of this guide, for more about declarations and how to determine whether a State has made such a declaration).

Even where a State has recognized the competency of the treaty body to hear individual complaints, the petitioner (the person or organization filing the complaint) must attempt to remedy the human rights violation through domestic courts or other domestic procedures (referred to as “exhausting domestic remedies”). Each treaty body has additional requirements that must be met before the Committee will consider the merits of a complaint (see page 24 of this guide for more information on preparing and filing individual complaints).

Additional information and links to the specific details of each treaty body’s complaints procedure here: www.ohchr.org/EN/HRBodies/TBPetitions/Pages/IndividualCommunications.aspx.

INQUIRY PROCEDURE

The **inquiry procedure** empowers treaty bodies to initiate an inquiry into allegations of grave and systematic human rights violations in a specific country. On their own initiative, several treaty bodies can undertake such inquiries where they receive reliable information that rights protected in their treaty are being violated on a systematic basis.

As with individual complaints, a State must have recognized the treaty body’s authority to use this inquiry power before the body can undertake an inquiry into human rights violations in that State. The process for recognizing this authority varies. In order for the ESCR Committee to initiate inquiries, States parties must have opted in to the procedure (meaning that on ratifying the Optional Protocol to the ICESCR, the State made a declaration that they recognize the treaty body’s authority to initiate inquiries). The CAT Committee, CEDAW Committee, CRC Committee, and CRPD Committee can initiate inquiries into countries that are party to CAT or the relevant Optional Protocols to CEDAW, CRC, or CRPD unless a State party has opted out. This means that at the time of ratifying the relevant treaty, the State party must have made a declaration that they do not recognize the treaty body’s authority to conduct such inquiries.

If a treaty body decides to initiate an inquiry based on reliable information of systemic human rights violations, they seek to involve the State at all stages in the inquiry and allow them an opportunity to provide information on the situation. With the State’s consent and where warranted, some treaty body experts may conduct a visit to the country in question to evaluate the situation on the ground. If there is no country visit, the treaty body will gather information from the State and civil society sources in order to better understand the situation. Relevant information might include laws and policies of the State, testimony from impacted individuals or communities, and information gathered from fact-finding reports or written submissions on the issue.

Once the treaty body has gathered all necessary information, the treaty body will develop a report with its findings, will submit the findings and any recommendations to the State following the inquiry, and will request a response from the State on steps it is taking to implement the recommendations. The inquiry process is a confidential one, though a summary of the findings may be made available at the conclusion of the process.⁴ The process has not been widely utilized; the CAT Committee has [released findings](#) from nine inquiries and the CEDAW Committee has [released findings](#) from three inquiries.⁵ The Optional Protocols to the CRC, CRPD, and ICESCR authorizing the inquiry procedure only recently entered into force (meaning they only recently became legally enforceable treaties). Given the confidential nature of the procedure, it is unclear whether or to what extent these treaty bodies have initiated inquiries into allegations of systemic abuse that are still underway.

Additional information on the steps of the inquiry procedure can be found here:
<http://www.ohchr.org/EN/HRBodies/TBPetitions/Pages/HRTBPetitions.aspx#inquiries>.

TREATY BODY INFORMATION

Human Rights Committee

Website: www.ohchr.org/en/hrbodies/ccpr/pages/ccprindex.aspx

Treaty text: www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx

Mandate: The Human Rights Committee oversees implementation of the International Covenant on Civil and Political Rights (ICCPR), as well as its two supplementary treaties—the First Optional Protocol on individual complaints and the Second Optional Protocol aimed at abolishing the death penalty. As of June 2017, there are 169 States parties to the ICCPR.

The Human Rights Committee has issued 35 General Comments clarifying points of law and procedure under the ICCPR as of June 2017.

States parties have an obligation to submit an initial report to the Human Rights Committee within one year of ratifying the treaty and then periodic reports are typically submitted every 4-5 years (or at the request of the Human Rights Committee).

The Human Rights Committee can hear individual complaints against States that are party to the First Optional Protocol. As of June 2017, 116 countries have ratified the First Optional Protocol, authorizing the Human Rights Committee to hear individual complaints with respect to those countries.

Composition: The Human Rights Committee consists of 18 independent experts.

Sessions: The Human Rights Committee meets three times a year in Geneva, Switzerland, usually in or around March/April, June/July, and October/November.

Contact: Human Rights Committee (CCPR)
Human Rights Treaties Division (HRTD)
Office of the United Nations High Commissioner for Human Rights (OHCHR)

Palais Wilson - 52, rue des Pâquis
CH-1201 Geneva (Switzerland)
Tel.: +41 22 917 90 00

⁴ See, e.g., Committee on the Elimination of Discrimination against Women, Summary of the inquiry concerning the Philippines under article 8 of the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women, U.N. Doc. CEDAW/C/OP.8/PHL/1 (Apr. 22, 2015), available at http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/PHL/CEDAW_C_OP-8_PHL_1_7679_E.pdf.

⁵ A link to inquiry findings ("Reports under Article 20") by the CAT Committee can be found on the Committee's inquiry page: <http://www.ohchr.org/EN/HRBodies/CAT/Pages/InquiryProcedure.aspx>. A link to CEDAW Committee inquiry findings ("Access to inquiry reports") is available on that Committee's inquiry page: <http://www.ohchr.org/EN/HRBodies/CEDAW/Pages/InquiryProcedure.aspx>.

Fax: +41 22 917 90 08

E-mail: ccpr@ohchr.org

Mailing address

UNOG-OHCHR

CH-1211 Geneva 10 (Switzerland)

Committee on Economic, Social, and Cultural Rights (ESCR Committee)

Website: www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx

Treaty text: www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx

Mandate: The ESCR Committee oversees implementation of the International Covenant on Economic, Social, and Cultural Rights (ICESCR), as well as its supplementary treaty, the Optional Protocol to the ICESCR on individual complaints. As of June 2017, there are 165 States parties to the ICESCR.

The ESCR Committee has issued 23 General Comments clarifying points of law and procedure under the ICESCR as of June 2017.

States parties have an obligation to submit an initial report to the ESCR Committee within two years of ratifying the treaty and then periodic reports are typically submitted every 5 years.

Through the recent entry into force of the Optional Protocol to the ICESCR (May 5, 2013), the ESCR Committee is the one of the more recent treaty bodies to be given the authority to hear individual complaints. As of June 2017, 22 States are party to the Optional Protocol to the ICESCR, authorizing the ESCR Committee to hear individual complaints with respect to those countries.

In addition to the three primary functions, the ESCR Committee can also investigate allegations of grave and systematic human rights violations through the inquiry procedure where States have declared under article 11(8) of the Optional Protocol to the ICESCR that they recognize the ESCR Committee's competency to undertake such inquiries.

Composition: The ESCR Committee consists of 18 independent experts.

Sessions: The ESCR Committee historically has met two times a year in Geneva, Switzerland, though it is meeting three times a year in 2015 and 2016.

Contact: Committee on Economic, Social and Cultural Rights (CESCR)
Human Rights Treaties Division (HRTD)
Office of the United Nations High Commissioner for Human Rights (OHCHR)

Palais Wilson - 52, rue des Pâquis
CH-1201 Geneva (Switzerland)

Tel.: +41 22 917 95 29

Fax: +41 22 917 90 08

E-mail: cescr@ohchr.org

Mailing address

UNOG-OHCHR

CH-1211 Geneva 10 (Switzerland)

Committee on the Elimination of Racial Discrimination (CERD Committee)

Website: www.ohchr.org/en/hrbodies/cerd/pages/cerdindex.aspx

Treaty text: www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx

Mandate: The CERD Committee oversees implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD). As of June 2017, there are 178 States parties to CERD.

The CERD Committee has issued 35 General Recommendations clarifying points of law and procedure under CERD as of June 2017.

States parties have an obligation to submit an initial report to the CERD Committee within one year of ratifying the treaty. Periodic reports are technically required every 2 years, but typically submitted every 4 years (as two combined periodic reports).

The CERD Committee can hear individual complaints against States that have declared they recognize the Committee's competency hear such complaints under article 14 of CERD. As of June 2017, 56 States have made such a declaration.

Composition: The CERD Committee consists of 18 independent experts.

Sessions: The CERD Committee historically has met two times a year in Geneva, Switzerland, though it is meeting three times a year in 2015 and 2016.

Contact: Committee on the Elimination of Racial Discrimination (CERD)
Human Rights Treaties Division (HRTD)
Office of the United Nations High Commissioner for Human Rights (OHCHR)

Palais Wilson - 52, rue des Pâquis
CH-1201 Geneva (Switzerland)

Tel.: +41 22 917 97 57

Fax: +41 22 917 90 08

E-mail: cerd@ohchr.org

Mailing address

UNOG-OHCHR
CH-1211 Geneva 10 (Switzerland)

Committee on the Elimination of Discrimination against Women (CEDAW Committee)

Website: www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx

Treaty text: www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx

Mandate: The CEDAW Committee oversees implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), as well as its supplementary treaty, the Optional Protocol to CEDAW on individual complaints. As of June 2017, there are 189 States parties to CEDAW.

The CEDAW Committee has issued 34 General Recommendations clarifying points of law and procedure under CEDAW as of June 2017.

States parties have an obligation to submit an initial report to the CEDAW Committee within one year of ratifying the treaty and then periodic reports are typically submitted every 4 years (or at the request of the CEDAW Committee).

The CEDAW Committee can hear individual complaints against States that are party to the Optional Protocol. As of June 2017, 109 countries have ratified the Optional Protocol, recognizing the CEDAW Committee's competency to hear individual complaints.

In addition to the three primary functions, through its inquiry procedure, the CEDAW Committee can also investigate allegations of grave and systematic human rights violations

occurring in States parties to the Optional Protocol to CEDAW, unless a State party to the Optional Protocol has declared that it does not recognize the CEDAW Committee's competency to conduct an inquiry.

Composition: The CEDAW Committee consists of 23 independent experts.

Sessions: The CEDAW Committee meets three times a year in Geneva, Switzerland, usually in or around February/March, July, and October/November.

Contact: Committee on the Elimination of Discrimination against Women (CEDAW)
Human Rights Treaties Division (HRTD)
Office of the United Nations High Commissioner for Human Rights (OHCHR)
Palais Wilson - 52, rue des Pâquis
CH-1201 Geneva (Switzerland)

Tel.: +41 22 917 94 43

Fax: +41 22 917 90 08

E-mail: cedaw@ohchr.org

Mailing address

UNOG-OHCHR

CH-1211 Geneva 10 (Switzerland)

Committee against Torture (CAT Committee)

Website: www.ohchr.org/en/hrbodies/cat/pages/catindex.aspx

Treaty text: www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx

Mandate: The CAT Committee oversees implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT), as well as its supplementary treaty, the Optional Protocol to CAT creating a Subcommittee on the Prevention of Torture and other ill treatment. As of June 2017, there are 162 States parties to CAT.

The CAT Committee has issued 3 General Comments clarifying points of law and procedure under CAT as of June 2017.

States parties have an obligation to submit an initial report to the CAT Committee within one year of ratifying the treaty and then periodic reports are typically submitted every 4 years.

The CAT Committee can hear individual complaints against States that have declared they recognize the CAT Committee's competency to hear individual complaints under article 22 of CAT. As of June 2017, 66 States have made such a declaration.

In addition to the three primary functions, through its inquiry procedure, the CAT Committee can also investigate allegations of grave and systematic human rights violations as provided in article 20 of CAT, unless States parties declared at the time of ratifying CAT that they do not recognize the CAT Committee's competency to undertake such inquiries.

Composition: The CAT Committee consists of 10 independent experts.

Sessions: The CAT Committee historically has met two times a year in Geneva, Switzerland, usually in or around April/May and November, though it held three sessions in 2015.

Contact: Committee against Torture (CAT)
Human Rights Treaties Division (HRTD)
Office of the United Nations High Commissioner for Human Rights (OHCHR)
Palais Wilson - 52, rue des Pâquis
CH-1201 Geneva (Switzerland)

Tel.: +41 22 917 97 06
Fax: +41 22 917 90 08
E-mail: cat@ohchr.org

Mailing address

UNOG-OHCHR
CH-1211 Geneva 10 (Switzerland)

Committee on the Rights of the Child (CRC Committee)

Website: www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx

Treaty text: www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx

Mandate: The CRC Committee oversees implementation of the Convention on the Rights of the Child (CRC), as well as its three supplementary treaties—the Optional Protocol on the sale of children, the Optional Protocol on children in armed conflict, and the Optional Protocol on a communications procedure. As of June 2017, there are 196 States parties to the CRC.

The CRC Committee has issued 20 General Comments clarifying points of law and procedure under the CRC as of June 2017.

States parties have an obligation to submit an initial report to the CRC Committee within two years of ratifying the treaty (or its Optional Protocols) and then periodic reports are typically submitted every 5 years (periodic reports on implementation of the substantive Optional Protocols may be combined with the periodic report on implementation of the CRC).

The CRC Committee can hear individual complaints against States that are party to the Optional Protocol on a communications procedure. Through the recent entry into force of this Optional Protocol (April 14, 2014), the CRC Committee is the most recent treaty body to become empowered to hear individual complaints. As of June 2017, 34 States are party to the Optional Protocol on a communications procedure, authorizing the CRC Committee to hear individual complaints with respect to those countries.

In addition to the three primary functions, through its inquiry procedure, the CRC Committee can also investigate allegations of grave and systematic human rights violations occurring in States parties to the Optional Protocol on a communications procedure, unless a State party to this Optional Protocol has declared that it does not recognize the CRC Committee's competency to conduct an inquiry.

Composition: The CRC Committee consists of 18 independent experts.

Sessions: The CRC Committee meets three times a year in Geneva, Switzerland, usually in or around January/February, May/June, and September/October.

Contact: Committee on the Rights of the Child (CRC)
Human Rights Treaties Division (HRTD)
Office of the United Nations High Commissioner for Human Rights (OHCHR)
Palais Wilson - 52, rue des Pâquis
CH-1201 Geneva (Switzerland)

Tel.: +41 22 917 91 41
Fax: +41 22 917 90 08
E-mail: crc@ohchr.org

Mailing address

UNOG-OHCHR
CH-1211 Geneva 10 (Switzerland)

Committee on the Rights of Persons with Disabilities (CRPD Committee)

Website: www.ohchr.org/EN/HRBodies/CRPD/Pages/CRPDIndex.aspx

Treaty text: <http://www.ohchr.org/EN/HRBodies/CRPD/Pages/ConventionRightsPersonsWithDisabilities.aspx>

Mandate: The CRPD Committee oversees implementation of the Convention on the Rights of Persons with Disabilities, as well as its supplementary treaty, the Optional Protocol to the CRPD on individual complaints. As of June 2017, there are 174 States parties to the CRPD.

The CRPD Committee has issued 4 General Comments clarifying points of law and procedure under the CRPD treaty as of June 2017.

States parties have an obligation to submit an initial report to the CRPD Committee within two years of ratifying the treaty and then periodic reports are typically submitted every 4 years.

The CRPD Committee can hear individual complaints against States that are party to the Optional Protocol. As of June 2017, 91 countries have ratified the Optional Protocol, recognizing the CRPD Committee's competency to hear individual complaints.

In addition to the three primary functions, through its inquiry procedure, the CRPD Committee can also investigate allegations of grave and systematic human rights violations occurring in States parties to the Optional Protocol to the CRPD, unless a State party to the Optional Protocol has declared that it does not recognize the CRPD Committee's competency to conduct an inquiry.

Composition: The CRPD Committee consists of 18 independent experts.

Sessions: The CRPD Committee meets two times a year in Geneva, Switzerland, usually in or around March/April and August/September.

Contact: Committee on the Rights of Persons with Disabilities (CRPD)
Human Rights Treaties Division (HRTD)
Office of the United Nations High Commissioner for Human Rights (OHCHR)

Palais Wilson - 52, rue des Pâquis
CH-1201 Geneva (Switzerland)

Tel.: +41 22 917 97 03

Fax: +41 22 917 90 08

E-mail: crpd@ohchr.org

Mailing address

UNOG-OHCHR

CH-1211 Geneva 10 (Switzerland)

Special Procedures

OVERVIEW

Special Procedures are independent human rights experts appointed by the U.N. Human Rights Council to monitor human rights situations either in a specific country or around a specific thematic issue, depending on their mandate. There are three types of Special Procedure mandate holders: **Special Rapporteurs**, **Independent Experts**, and **Working Groups**. As of June 2017, there are 13 [country-specific mandate holders](#)⁶—monitoring the human rights situation in countries such as Belarus, Central African Republic,

⁶ The full list of country-specific mandate holders can be found at <http://spinternet.ohchr.org/Layouts/SpecialProceduresInternet/ViewAllCountryMandates.aspx>.

Haiti, Iran, and Myanmar—and 43 [thematic mandate holders](#)⁷ (see Text Box, below and opposite, for a list of thematic mandate holders important for promoting the rights of women and girls with disabilities and their contact information).

Through their reports and communications, Special Procedures examine, monitor, advise and publicly report on human rights situations in specific countries and/or help to clarify and develop international human rights standards around major human rights issues worldwide. They have three primary methods of work: **country visits**, **thematic reports**, and **urgent communications**.

Key Thematic Special Procedures and Contact Information

Independent Expert on albinism, www.ohchr.org/EN/Issues/Albinism/Pages/IEAlbinism.aspx
Email: albinism@ohchr.org

Special Rapporteur on persons with disabilities,
www.ohchr.org/EN/Issues/Disability/SRDisabilities/Pages/SRDisabilitiesIndex.aspx
Email: sr.disability@ohchr.org

Special Rapporteur on education,
www.ohchr.org/EN/Issues/Education/SREducation/Pages/SREducationIndex.aspx
Email: sreducation@ohchr.org

Special Rapporteur on the right to health,
www.ohchr.org/EN/Issues/Health/Pages/SRRightHealthIndex.aspx
Email: srhealth@ohchr.org

Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and the right to non-discrimination in this context,
www.ohchr.org/EN/Issues/Housing/Pages/HousingIndex.aspx
Email: srhousing@ohchr.org

Special Rapporteur on extreme poverty and human rights,
www.ohchr.org/EN/Issues/Poverty/Pages/SRExtremePovertyIndex.aspx
Email: srextremepoverty@ohchr.org

Special Rapporteur on torture,
www.ohchr.org/EN/Issues/Torture/SRTorture/Pages/SRTortureIndex.aspx
Email: sr-torture@ohchr.org

Special Rapporteur on violence against women,
www.ohchr.org/EN/Issues/Women/SRWomen/Pages/SRWomenIndex.aspx
Email: vaw@ohchr.org

⁷ The full list of thematic mandate holders can be found at <http://spinternet.ohchr.org/Layouts/SpecialProceduresInternet/ViewAllCountryMandates.aspx?Type=TM>.

Special Rapporteur on the field of cultural rights,
www.ohchr.org/EN/Issues/CulturalRights/Pages/SRCulturalRightsIndex.aspx
Email: srculturalrights@ohchr.org

Special Rapporteur on the rights of indigenous peoples,
www.ohchr.org/EN/Issues/IPeoples/SRIIndigenousPeoples/Pages/SRIPeoplesIndex.aspx
Email: indigenous@ohchr.org

Special Rapporteur on the human rights of internally displaced persons,
www.ohchr.org/EN/Issues/IDPersons/Pages/IDPersonsIndex.aspx
Email: idp@ohchr.org

Special Rapporteur on trafficking in persons, especially women and children,
www.ohchr.org/EN/Issues/Trafficking/Pages/TraffickingIndex.aspx
Email: SRtrafficking@ohchr.org

Working Group on discrimination against women in law and practice,
www.ohchr.org/EN/Issues/Women/WGWomen/Pages/WGWomenIndex.aspx
Email: wgdiscriminationwomen@ohchr.org

Working Group on arbitrary detention, www.ohchr.org/EN/Issues/Detention/Pages/WGADIndex.aspx
Email: wgad@ohchr.org

COUNTRY VISITS

Special Rapporteurs and Working Groups have the ability to conduct **country visits** to evaluate the human rights situation in a given country. Country visits can only be undertaken with an invitation from the country in question. Some countries have issued standing invitations to Special Procedure mandate holders. In most instances, though, the mandate holders request an invitation to carry out a visit to a specific country. As discussed in Chapter 2, civil society has a role to play both in urging a mandate holder to conduct a country visit to their country and in pushing their government to accept an invitation from Special Procedures. While Special Procedures will set the agenda for their visit, priorities are often selected in consultation with civil society.

Country visits provide mandate holders the opportunity to meet with government officials, academics, civil society, and alleged victims of rights abuses, as well as an opportunity to observe the situation of human rights on the ground. Countries that issue invitations are expected to facilitate broad access and freedom of movement to visiting Special Procedure mandate holders, including to restricted areas. At the conclusion of the mandate holder's visit, they will host a press conference and issue specific recommendations to the State to improve the human rights situation on the ground. The findings and recommendations from the country visit are also published in mission reports, which are submitted to the U.N. Human Rights Council.

More information about country visits by Special Procedures can be found here:
www.ohchr.org/EN/HRBodies/SP/Pages/CountryandothervisitsSP.aspx.

THEMATIC REPORTS

Special Procedure mandate holders also submit **annual reports** to the U.N. Human Rights Council and the U.N. General Assembly. These reports allow mandate holders to examine important thematic issues within the purview of their mandate. Similar to the General Comments issued by treaty bodies, these thematic reports can provide an opportunity to explore the normative content of specific human rights issues, as well as to provide clarity and guidance to States on their obligations under international human rights law. These thematic reports can also provide an opportunity to explore emerging or cross-cutting issues that come within the scope of their mandate, serving to raise awareness of under-explored human rights issues.

A number of recent thematic reports bear on the human rights of women and girls with disabilities. For example:

- ▶ The Special Rapporteur on violence against women issued a thematic report on violence against women with disabilities.⁸
- ▶ The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment issued a thematic report on torture and ill treatment in health care settings.⁹
- ▶ The Special Rapporteur on extreme poverty and human rights issued a thematic report on unpaid care work and women's rights.¹⁰

Although states are not legally bound to implement the recommendations in reports by Special Procedure mandate holders, reports by these respected experts can be highly persuasive sources for interpreting the content of a State's international human rights obligations, and are a useful resource for advocates in both domestic and international advocacy efforts.

As discussed in Chapter 2, there are frequently opportunities for civil society to provide information to Special Procedure mandate holders to support the development of these thematic reports.

URGENT COMMUNICATIONS

Special Procedures mandate holders can contact governments directly when they receive concrete, credible information of 1) human rights violations that have occurred, 2) human rights violations are ongoing or are highly likely to occur, or 3) bills, legislation, policies or practices that violate international human rights standards. This **urgent communications** mechanism is put into action when mandate holders receive a letter detailing information around the alleged rights violation. Unlike individual complaints in the treaty body system, urgent communications may be sent to Special Procedures regardless of whether domestic remedies have been exhausted, and such intervention does not require ratification of any specific human rights treaty by the State in question.

The mandate holder has the discretion to determine whether or not to intervene and will consider the scope of his or her mandate, the credibility of the information received, and the reliability of the source of information (media reports alone are generally insufficient to substantiate violations).

Where a mandate holder decides to intervene, the expert will send a letter to the State identifying the facts of the allegation, noting applicable international human rights norms, raising concerns and questions, and

⁸ Special Rapporteur on violence against women, its causes and consequences, Report of the Special Rapporteur on violence against women, its causes and consequences: violence against women with disabilities (by Rashida Manjoo), U.N. Doc. A/67/227 (Aug. 3, 2012), available at www.ohchr.org/Documents/Issues/Women/A.67.227.pdf.

⁹ Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment: torture and ill treatment in health-care settings (by Juan Méndez), U.N. Doc. A/HRC/22/53 (Feb. 1, 2013), available at www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A.HRC.22.53_English.pdf.

¹⁰ Special Rapporteur on extreme poverty and human rights, Report of the Special Rapporteur on extreme poverty and human rights: unpaid care work and women's rights (by Magdalena Sepúlveda), U.N. Doc. A/68/293 (Aug. 9, 2013), available at http://ap.ohchr.org/documents/dpage_e.aspx?si=A/68/293.

requesting follow-up action. The identity of the source of information for the complaint is kept confidential and is not communicated to the State in question. The content of the communication between the mandate holder and the State is generally kept confidential for a period of 60 days, though the text of these communications are published in the [Communication Reports](#) that Special Procedure mandate holders regularly submit to the U.N. Human Rights Council.¹¹

Additional information about the urgent communications procedure can be found here: www.ohchr.org/EN/HRBodies/SP/Pages/Communications.aspx.

Universal Periodic Review (UPR)

The **Universal Periodic Review (UPR)** is the mandatory reporting procedure of the U.N. Human Rights Council. The human rights record of all U.N. member states is reviewed every four years by other U.N. member states. This review process is distinguishable from the treaty body review process in a few key ways. This is an intergovernmental process, where U.N. member states conduct the review themselves rather than independent human rights experts. As a result, the process can be more political in nature. Additionally, the UPR examines the full panoply of human rights obligations of the State under review, rather than one specific treaty. Accordingly, the States conducting the review can look at the rights protected in the [U.N. Charter](#),¹² the [Universal Declaration of Human Rights](#),¹³ any international human rights treaties the State under review has ratified, any voluntary pledges or commitments made by the State under review, and international humanitarian law.

The Human Rights Council has three UPR sessions annually, and 16 States are reviewed at each session. A group of three States, referred to as a **troika**, is assigned to act as a rapporteur for each State under review in a given cycle. States coming up for review must submit a State report outlining the human rights situation in the country. In addition to this national report, the review will also consider any country-specific information available from independent human rights experts, including any concluding observations or individual communications issued by U.N. treaty bodies and any country reports issued by U.N. Special Procedures, as well as any information provided by other stakeholders, including NGOs, national human rights institutions (NHRIs), academic or research institutions and other interested parties.

The review itself consists of a 3.5-hour interactive discussion facilitated by the troika. The State under review will present its report and then respond to written questions and any oral questions, comments or recommendations by U.N. member States during the discussion. Although the review is conducted by the 47 member states of the U.N. Human Rights Council, any U.N. member state can ask questions or make comments or recommendations. Following the review, the troika will prepare a **UPR outcome report** summarizing all of the questions, comments, and recommendations from the discussion, as well as the responses by the State. Before the Human Rights Council adopts the outcome report, the State under review has an opportunity to clarify its responses or provide additional information. Once the report has been adopted, the State has until the next UPR session to respond to the recommendations.

More information about the UPR process is available here: www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx.

¹¹ Office of the High Commissioner on Human Rights, Communication Reports of Special Procedures, <http://www.ohchr.org/EN/HRBodies/SP/Pages/CommunicationsreportsSP.aspx>.

¹² The full text of the U.N. Charter can be found here: <http://www.un.org/en/sections/un-charter/un-charter-full-text/index.html>.

¹³ The full text of the Universal Declaration of Human Rights can be found here: <http://www.un.org/en/universal-declaration-human-rights/>.

Chapter 2: Opportunities for Civil Society Engagement

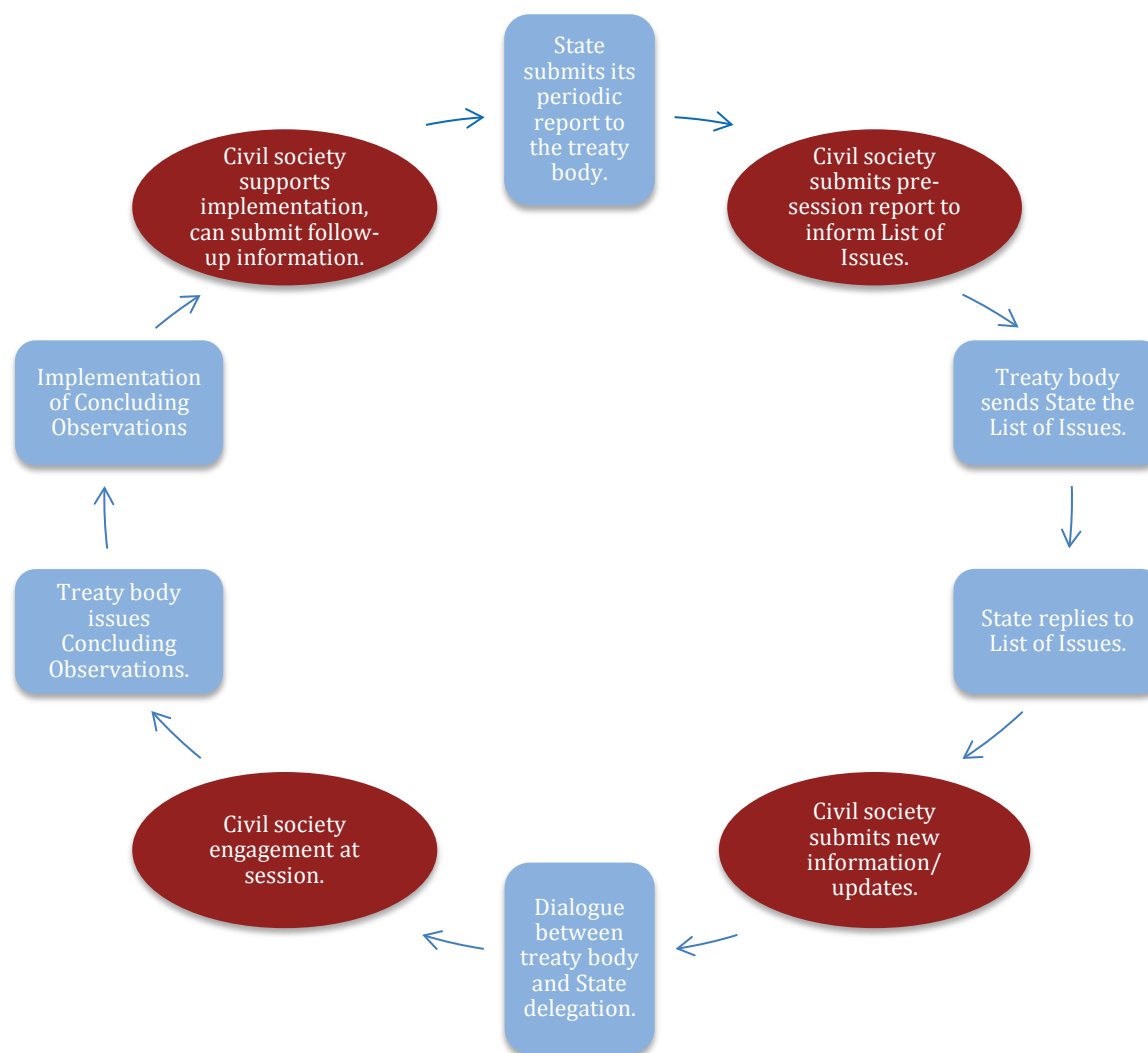
Civil society plays a very important role in providing U.N. treaty bodies, Special Procedures, and States participating in the UPR with the information they need to ensure that their questions, comments, and recommendations are responsive to the human rights realities on the ground. The U.N. recognizes the important role that NGOs and other members of civil society play in developing human rights standards and informing country review processes, and accordingly, has formalized many opportunities for civil society to engage with the various U.N. human rights mechanisms.

U.N. Treaty Bodies

STATE REPORTING

There are several opportunities for civil society to feed into the process by which U.N. treaty bodies review States parties compliance with their human rights treaty obligations. Figure 2, below, illustrates the stages at which civil society can play a role in the state reporting cycle, as detailed in the next few sections.

Figure 2: Civil Society Interventions During State Reporting Cycle



Written Submissions/Shadow Reporting

One of the main ways that civil society can participate in the State reporting process is by providing information to the treaty body through written submissions, often referred to as **shadow reports** or alternative reports. Shadow reports provide information about the human rights situation in a given country and are intended to supplement the information that the State provides to the treaty body. States may gloss over certain human rights situations or intentionally or unintentionally omit information in developing their reports to a treaty body. NGOs often have valuable information on and insight into the human rights situation in a given country; with their shadow reports, NGOs can fill in gaps in the State's report in order to provide the treaty body with a more complete and accurate picture of the human rights landscape in a country.

Depending on the expertise or mission of an NGO, a shadow report may address a range of human rights issues or it may provide a more detailed discussion of one or a few specific violations. It is helpful for the shadow report to note what, if anything, the State has said about these issues in its own report and to highlight the gaps in the information presented by the State. Chapter 3 provides guidance on researching and writing shadow reports for U.N. treaty bodies.

There are generally two stages at which civil society can submit shadow reports or other written submissions to a U.N. treaty body as part of the State reporting cycle:

- (1) before the treaty body meets to develop the List of Issues (these treaty body meetings are typically called “Pre-Sessional Working Groups”), and
- (2) before the treaty body meets to review the State Parties Reports (these treaty body meetings are called “Sessions”).

As discussed in Chapter 1, the U.N. treaty bodies develop a List of Issues that they send to States that will be coming up for review. The List of Issues is typically prepared at a Pre-Sessional Working Group meeting about 6 to 9 months prior to the session at which the State dialogue will take place, and it identifies specific questions and areas of concern. The List of Issues determines in large part the focus of the dialogue between the treaty body and the State during the State's review, as well as the concluding observations that come out of the review process. By submitting written information to the treaty body before they develop the List of Issues, an NGO may be more successful in pushing the treaty body to address issues of concern to the NGO in the dialogue between the treaty body and the State, as well as in the written concluding observations.

After the State replies to the List of Issues, and before the session at which the treaty body will have a dialogue with the State, there is another opportunity for civil society to submit additional information in writing to the treaty bodies and in some cases, a treaty body may be willing to hold a closed meeting with civil society members, which can take place virtually. If an NGO already submitted information to inform the development of the List of Issues, the ideal strategy for this submission is to provide new or updated information bearing on the points raised in the earlier shadow report, rather than repeating the information in the first report. However, if an NGO missed the opportunity to present information prior to the List of Issues, then this is a second opportunity to introduce key issues to the treaty body and encourage it to take up these issues in its dialogue with—and concluding observations to—the State.

Figure 3 provides a screenshot of one treaty body's calendar of sessions, illustrating how this information appears on the treaty body website. These calendars of sessions can be accessed by clicking on the link to “Sessions” in the column on the right-hand side of each of the treaty bodies' homepages (links to the homepage for each treaty body are included in the “Treaty Body Information” section of this guide, beginning on page 6). In Figure 3, the States listed in the rows indicated by “Pre-sessional Working Group” are the States for which the treaty body will be preparing a List of Issues. The States listed in the rows with just the session number are those countries that will be undergoing the actual review process with the treaty body during that session. In this example, in March 2015, the treaty body was preparing the List of

Issues for Lebanon, Liberia, Madagascar, Malawi, and others during Pre-Sessional Working Group No. 62. Then in October and November 2015, the treaty body held Session 62, during which it had a dialogue with those same countries for the State review. Depending on the treaty body, the session calendar might alternately list countries under categories entitled “List of Issues” and “List of Issues Prior to Reporting,” rather than designating a separate line for the Pre-Sessional Working Group. Advocates can use the dropdown menu for States at the top of the page to find the sessions at which a particular country will be considered for either the List of Issues or the actual State review.

Figure 3: Sample Treaty Body Session Calendar

<u>64</u> (Pre-Sessional Working Group)	23 Nov 2015	27 Nov 2015	STATES PARTIES REPORTS: Albania, France, Mali, Myanmar, Philippines, Trinidad and Tobago, Turkey, Uruguay LISTS OF ISSUES PRIOR TO REPORTING Ireland
<u>62</u>	26 Oct 2015	20 Nov 2015	STATES PARTIES REPORTS: Lebanon, Liberia, Madagascar, Malawi, Portugal, Russian Federation, Slovakia, Slovenia, Timor-Leste, United Arab Emirates, Uzbekistan
<u>63</u> (Pre-Sessional Working Group)	27 Jul 2015	31 Jul 2015	STATES PARTIES REPORTS: Czech Republic, Haiti, Iceland, Japan, Mongolia, Sweden, United Republic of Tanzania, Vanuatu LISTS OF ISSUES PRIOR TO REPORTING Belarus
<u>61</u>	06 Jul 2015	24 Jul 2015	STATES PARTIES REPORTS: Bolivia (Plurinational State of), Croatia, Gambia, Namibia, Saint Vincent and the Grenadines, Senegal, Spain, Viet Nam
<u>62</u> (Pre-Sessional Working Group)	09 Mar 2015	13 Mar 2015	STATES PARTIES REPORTS: Lebanon, Liberia, Madagascar, Malawi, Portugal, Russian Federation, Slovakia, Slovenia, Timor-Leste, United Arab Emirates, Uzbekistan

It is important to review the informative notes that the treaty body secretariats release in advance of the relevant session. This bulletin will include detailed requirements about written submissions, including deadlines for submitting information, the format for transmission (some treaty bodies require only electronic submissions, while others require both electronic versions and a certain number of hard copies), and information on where to send written submissions. These guidelines also include information on how to register to attend a treaty body session and how to participate in thematic or country briefings with the treaty body (discussed in greater detail in the section below on “Advocacy During the Treaty Body Session”).

The informative notes can be found by clicking on the underlined session number for the relevant session, which will lead to greater detail about that session. In the example in Figure 3, above, one would click on the underlined “62” to access more information (including the informative note) about the session during which Lebanon, Liberia, and others are reporting. At the top of the session-specific webpage, there will be list of documents titled “General Documentation.” Once the informative note becomes available, usually about a month or two in advance of the session, it will be available for download under the General Documentation section. See Figure 4 for an illustration of what this General Documentation section might look like. In Figure 4, the arrow is pointing at the informative note—here the document is entitled “Participation by Non-Governmental Organizations.” Depending on the treaty body, it might alternately be called “NGO Information Note,” “Information Note for Civil Society,” or something similar.

Figure 4: Finding the Information Note on NGO Participation

CEDAW - Convention on the Elimination of All Forms of Discrimination against Women			
64 Session (04 Jul 2016 - 22 Jul 2016)			
General Documentation			
Document type	Symbol	Title	Download
Provisional Agenda	CEDAW/C/64/1	Provisional agenda	View document
Programme of Work		Proposed programme of work (as of 19 April 2016), Conference Room XVIII (E building)	View document
Schedule of dialogue		Schedule of dialogues (as of 19 April 2016), Conference Room XVIII (E building)	View document
Information from secretariat		Participation by National Human Rights Institutions (NHRIs)	View document
Information from secretariat		Participation by Non-Governmental Organizations (NGOs) (Important: New registration procedure!)	View document
Information from secretariat		Participation by the general public	View document
Info from UN Agencies	CEDAW/C/64/2	Reports by specialized agencies on the implementation of the Convention in areas falling within the scope of their activities - Report of the United Nations Educational, Scientific and Cultural Organization	View document
Session Documents	CEDAW/C/PSWG/64/1	Report of the pre-sessional working group	View document



The below text box contains excerpts from recent information notes for both the CRPD Committee and the CEDAW Committee as an example of the type of information included in these documents. As these excerpts demonstrate, requirements for submitting written information can vary significantly depending on the treaty body and on the type of submission. For instance, the CRPD Committee only requires electronic versions of written submissions and imposes a word limit on the submission. The CEDAW Committee, in contrast, imposes a page limit and requires NGOs to mail 35 hard copies for written submissions to the regular session and 15 hard copies for written submissions to the Pre-Sessional Working Group, in addition to submitting electronically. Deadlines may also range from 2 weeks to 3 months prior to the start of the session depending on the treaty body.

EXCERPTS FROM CRPD GUIDELINES ON WRITTEN SUBMISSIONS

Committee on the Rights of Persons with Disabilities: Informative note for the participation of stakeholders in the fifteenth session (29 March – 21 April 2016)

(b) Written submissions

11. When is the deadline to make a written submission?

4 March 2016.

12. Will I receive an acknowledgment of receipt of my submission?

Excerpts from Treaty Body Guidelines on Written Submissions, cont.

The Secretariat does not acknowledge receipt of submissions; however, it posts all written submissions on its webpage within at least 7 working days (unless submissions are identified as confidential). Please wait for the expiration of 7 working days before making any further inquiry.

13. What happens if I submit information after the deadline?

The Secretariat cannot ensure the processing of submissions received after the deadline.

14. How can I make a submission?

Please send an email, attaching the submission, to the following email address: jaraya@ohchr.org

Please indicate in the subject of the email: “submission” and the “name of the country” (e.g. “Submission Serbia”)

15. Is there a page limit?

Yes, the Committee recommends concrete and concise documents, and suggests that their length be limited as follows: A maximum of 10,700 words in the case of alternative reports; a maximum of 5,350 words for other submissions.

16. Is there a template for written submissions?

The Committee strongly recommends that written submissions have the following structure:

- (a) Self-introduction of the submitting organization, and in the case of DPOs and CSOs, brief description of its activities at the international and/or national level, their mission/vision statement and what role persons with disabilities play in the organization, and level of inclusiveness and participation of persons with disabilities in the drafting of the submission;
- (b) Executive summary, no longer than one page;
- (c) Make reference to specific articles of the Convention addressed in the submission; and
- (d) Propose recommendations. Please note that requirements (a) and (b) in this section are not considered within the length limits recommended above.

17. Shall I submit my written contribution in any particular format?

Yes, the written submissions should be provided in accessible digital or electronic formats, for example, word or text formats. Please avoid PDF formats.

18. Do I need to submit hard copies?

No, hardcopies are not necessary since the Committee has fully adhered to the United Nations greening policy.

19. Can I make corrections or amendments to an already submitted document?

The submitting organizations are encouraged to send the final versions of their submissions. Due to the large volume of submissions received, once the document has been posted on the Committee’s webpage, no further corrections or amendments will be processed.

EXCERPTS FROM CEDAW GUIDELINES ON WRITTEN SUBMISSIONS

Committee on the Elimination of Discrimination against Women: Participation by Non-governmental organizations (NGOs), 62nd Session (26 October – 20 November 2015)

V. Written submissions for the 62nd session (26 October – 20 November 2015)

NGOs wishing to make written submissions to the Committee are requested to:

- ☐ Indicate the full name of the NGO;
- ☐ Indicate the State party scheduled for consideration to which the information relates;
- ☐ Indicate whether or not the submission can be posted on the CEDAW website for public information purposes; and
- ☐ Submit the written information in Word format by e-mail and thereafter submit 35 copies in hard copy format.

All submissions should be received three weeks prior to the beginning of the session by the Secretariat of the Committee, i.e., no later than 2 October 2015. The Word version of the submission should be sent to the following e-mail address: cedaw@ohchr.org. The 35 hard copy submissions should be mailed to:

CEDAW Secretariat
OHCHR - Palais Wilson
52, rue des Pâquis
CH-1201 Geneva 10
Switzerland

Due to the high number of submissions received at each session, such submissions should not exceed 10 pages and should highlight priority concerns and suggest country-specific recommendations, with a view to facilitating the work of the Committee.

They must not follow any specific structure or template. NGOs are also urged to ensure that the requisite number of hard copies of their submissions reach OHCHR in time for the respective session. Due to the high number of submissions received from NGOs and other stakeholders, OHCHR is not in a position to photocopy such submissions.

NGOs can also avail themselves of the support of IWRAW-Asia Pacific to submit their written information, electronically (in Word format) and in hard copy, to the Secretariat. For details and deadlines, please contact IWRAW-Asia Pacific:

10-2, Jalan Bangsar Utama 9
Bangsar Utama
59000 Kuala Lumpur, Malaysia

Tel: +60 322 822 255
Fax: +60 322 832 552

Email: iwraw-ap@iwraw-ap.org or iwraw_ap@yahoo.com

VI. Written submissions for the Pre-Sessional Working Group (23 – 27 November 2015)

The pre-sessional working group will convene in closed meeting and prepare lists of issues for the following States parties that are scheduled to be considered at the 64th session: Albania, France, Mali, Myanmar, Philippines, Turkey, and Trinidad and Tobago, and Uruguay. In addition, it will prepare a list of issues prior to reporting for Ireland under the new simplified reporting procedure. NGOs wishing to submit written information to the pre-sessional working group should follow the same procedure as for the submission of written information for the session (see above). NGOs should send 15 copies of their submissions no later than 2 October 2015. The pre-sessional working group prepares lists of issues and questions for States parties scheduled to be reviewed two sessions later (four sessions later in case of lists of issues prior to reporting). The Word version of the submission should be sent to the following e-mail address: cedaw@ohchr.org. The 15 hard copy submissions should be mailed to:

CEDAW Secretariat
OHCHR - Palais Wilson
52, rue des Pâquis
CH-1201 Geneva
Switzerland

Advocacy During the Treaty Body Session

During the treaty body session at which the State is being reviewed, civil society can engage in several formal and informal ways during the process. Civil society can observe, but not participate in, the dialogue between the State and the treaty body. Many treaty bodies now offer webcasts of the review sessions, so even civil society not present in Geneva may be able to observe the dialogue. This can be helpful later on when pushing for implementation of the treaty body's recommendations.

Although there is no formal space for interventions during the dialogue with the State, there are other opportunities for civil society to advocate for their issues during the session. Many treaty bodies have formalized other opportunities for civil society to brief them either before or during the session. Specifically, many treaty bodies schedule country briefings prior to the review of a specific country. These briefings may be closed sessions, in which case only NGOs who have contacted the treaty body's secretariat in advance can participate or attend the briefing, or open to the public, in which case anyone can attend. It is advisable (and often required) that NGOs contact the secretariat of the treaty body prior to the session to indicate a desire to participate in a country briefing. The amount of speaking time allocated to each NGO will depend on the total number of NGOs participating in the country briefing, and is often limited to just a few minutes. Participating NGOs are expected to coordinate amongst themselves to divide the speaking time. Some treaty bodies work closely with an international NGO that facilitates civil society engagement. For instance, [IWRAP-Asia Pacific](http://www.iwraw-ap.org/)¹⁴ facilitates NGO engagement with the CEDAW Committee, while the [Centre for Civil and Political Rights \(CCPR-Centre\)](http://www.ccprcentre.org/)¹⁵ facilitates NGO participation in State reviews by the Human Rights Committee. Details on how to request to participate in the country briefing can be found in the guidelines or informative note that the treaty body secretariat publishes prior to the session.

In addition to the country briefings, civil society present in Geneva can engage in informal conversations with individual treaty body experts during breaks in the session. It is especially helpful to seek out the expert(s) who have been assigned as rapporteur for the country in question (meaning that Committee member is facilitating the review process for that specific country) and/or the expert(s) who are asking questions around the relevant treaty provisions (Committee members tend to focus their questions for each State on a few specific rights in a treaty, rather than having each expert considering the full range of treaty protections, as this allows them to better divide up the large volume of work). Committee members are approachable and open to these informal conversations, and they will typically share information on the appropriate expert to reach out to for a specific country or issue. Given the volume of written and oral information that the experts receive during the session, it is valuable to have a 1-2 page overview of key points and recommendations, as well as additional hard copies of the longer shadow reports submitted prior to the session, to hand to the experts to accompany your informal conversations.

In addition to these strategies for engaging treaty bodies around the review of a specific State, NGOs can request the opportunity to hold a private thematic briefing with a treaty body during its session. The deadline for requesting a thematic briefing varies depending on the treaty body, but typically must be made at least a month before the session begins. The treaty body's secretariat will determine whether it is possible to schedule a thematic briefing, depending on the availability of Committee members. These briefings take place outside of the official treaty body schedule, typically during a mealtime. Thematic briefings can provide a valuable opportunity to draw a Committee's attention to emerging issues or to highlight issues that receive scant attention. Requests for thematic briefings can be made by individual organizations or in coalition. In making such a request, it is helpful to provide an overview of the focus of the briefing, a list of participating organizations, and a description of what topics the speakers will address. Details on how to request a thematic briefing can be found in the guidelines or informative note that the treaty body secretariat publishes prior to the session.

¹⁴ More information about IWRAP-Asia Pacific can be found on their website at: <http://www.iwraw-ap.org/>. The organization can be contacted via email at: iwraw-ap@iwraw-ap.org.

¹⁵ More information about the CCPR Centre can be found on their website at: <http://ccprcentre.org/>. The organization can be contacted via email at: info@ccprcentre.org.

Finally, NGOs can organize “side events” or “parallel events” during the session. Like thematic briefings, these events allow NGOs to raise awareness of important or emerging human rights issues. These events are not part of the formal process of engaging treaty body experts, though some Committee members may decide to attend a side event where they are interested in the content and their schedule permits. The audience will otherwise typically include other NGO representatives present at the session.

GENERAL COMMENTS

Written Submissions

The process of writing and adopting General Comments by treaty bodies typically includes an opportunity for both States and civil society to provide written or oral comments to inform its content. After a treaty body determines the focus of a General Comment, there is frequently a formal process by which the treaty body will solicit written submissions. The timing for such submissions will vary, with some treaty bodies soliciting feedback on a concept or outline early in the process, and others soliciting comments on a working draft. In some instances, a treaty body may provide an opportunity for written submissions both early in the process, as well as an opportunity to provide feedback on a working draft.

Because General Comments provide authoritative interpretations of the normative content of treaty rights and guidance on treaty implementation that applies to States that have ratified the treaty, this process can provide a valuable opportunity to raise issues of concern to women and girls with disabilities. This is especially true in the context of General Comments that do not explicitly address women and girls with disabilities, as women and girls with disabilities might otherwise be inadvertently overlooked in the development of the General Comment.

The section on “[Written Submissions to U.N. Human Rights Mechanisms](#),” in Chapter 3, below, provides guidance on the type of information that advocates should consider submitting in support of the development of such written submissions.

Calls for written submissions to inform upcoming General Comments are posted under “Upcoming Events” on the individual committees’ website as such opportunities arise. This announcement will include detailed requirements about written submissions, including deadlines for submitting information, the format for transmission (some treaty bodies require only electronic submissions, while others require both electronic versions and a certain number of hard copies), and information on where to send written submissions. The call for written submissions will also include any relevant support documents, such as a concept note, outline, or draft of the General Comment, as well as any written submissions from NGOs that have already been received.

Days of General Discussion

In addition to soliciting written submissions, many treaty bodies will organize a “Day of General Discussion” in Geneva, allowing for oral interventions. The announcement of a Day of General Discussion around a General Comment will often accompany a call for written submissions. As with the written submissions, the timing for such a discussion will vary, with some occurring around a concept or outline for the General Comment and others taking place once a Committee has a working draft.

NGOs must indicate their desire to participate in person in the Day of General Discussion in advance in order to be included among the list of speakers. The amount of time that participants will be allotted will depend on the total number of participants and is typically limited to a few minutes.

The website of the individual treaty body will announce an upcoming Day of General Discussion in support of the development of a General Comment under “Upcoming Events” as such opportunities arise. This announcement will include necessary information, including the deadline for requesting to participate in

the discussion, an agenda for the event when it becomes available, and any relevant support documents, such as a concept note, outline, or draft of the General Comment, as well as any written submissions from NGOs.

INDIVIDUAL COMPLAINTS/COMMUNICATIONS

Individual complaints, which are analogous to legal cases brought in domestic courts, differ from other types of engagement with U.N. treaty bodies in a few key ways. Individual complaints must be brought on behalf of an individual or group of individuals alleging that the State has violated rights protected under the treaty. While shadow reports and other written submissions to the U.N. treaty bodies provide information about certain human rights situations in a country more generally, an individual complaint must involve an identifiable individual and provide detailed factual information about the alleged rights violation. In addition, in contrast to the State reporting process and General Comments, where the opportunities for civil society engagement are set according to the treaty body's schedule, the strategy and timeline for submitting individual complaints is driven by NGOs or others seeking to file individual complaints, and in some instances by domestic legal processes.

In order to submit an individual complaint on behalf of a victim of human rights abuses, an NGO or individual must:

- ▶ Ensure that the State in question (1) has ratified the appropriate treaty, and (2) has recognized the treaty body's authority to hear individual complaints (e.g. through ratification of the appropriate Optional Protocol or, in the case of CERD and CAT, a declaration regarding such authority) (see the section on [Country-Specific Advocacy](#), beginning on page 30, for more details on how to find this information);
- ▶ Obtain written consent from the victim of the abuse, if the person filing is not the victim (or, when filing the complaint, be able to explain clearly why such consent cannot be obtained); and
- ▶ Seek (and be denied) justice at the domestic level (also referred to as **exhausting domestic remedies**)—this typically means that civil, criminal, or administrative action has been taken in domestic courts and the claims were unsuccessful (e.g., a case was dismissed without any remedies being awarded to the victim or any punitive action being taken against the perpetrator). Note that the requirement of exhausting domestic remedies may be waived if it can be shown that domestic remedies are ineffective, unavailable or “unduly prolonged” (meaning that have been extensive delays in obtaining justice), but such waiver typically requires a good faith effort to first pursue such remedies.

Once these conditions have been met, a complaint can be filed with the appropriate treaty body. There is no required format for presenting this information, but in general it should include:

- ▶ Biographical and contact information on both the person/organization filing the claim and the victim of human rights abuses;
- ▶ The State against which the allegations are being made;
- ▶ The articles of the treaty that were presumably violated;
- ▶ What steps have been taken to exhaust domestic remedies and the outcome of those processes (or a discussion of why such remedies have not been pursued to completion);
- ▶ A statement of consent of the alleged victim or an explanation of why such consent cannot be obtained;
- ▶ The facts of the case, preferably in chronological order;
- ▶ A discussion of how these facts violate the treaty provisions (legal analysis); and
- ▶ Documentation to support/substantiate the claims made in the complaint (such documentation could include, for instance, any decisions by judicial bodies at the domestic level, medical records, police reports, affidavits or other written testimony).

Once a treaty body receives and registers the initial complaint, it will be transmitted to the State for the State to respond to the allegations. Usually the complainant will then have an opportunity to respond to the State's comments. After these written exchanges, the treaty body will consider both the admissibility and the merits of the case together.

In considering whether a complaint is “admissible,” the treaty body will determine if it meets all of the procedural requirements of the treaty body (e.g., that the State is a party to the treaty, that it alleges violations of rights protected under the treaty, that domestic remedies have been exhausted). If a case is declared “inadmissible,” that is the end of the process. If the treaty body declares a case admissible, it will then consider the merits of the claim, meaning it will examine the facts of the case and determine whether those facts support a finding that certain rights under the treaty have been violated. It is worth noting that, due to the number of complaints received and the limited time that treaty bodies have to meet each year, it often takes up to several years for treaty bodies to issue a final decision on the merits of a case.

Once the treaty body issues a decision in the case, the final decision will be sent to both the complainant and the State. The treaty bodies do not have any appeals processes. Where the treaty body finds a human rights violation, they may issue a range of recommendations, often calling for both individual remedies for the victim (such as financial compensation and reinstating criminal or administrative investigations and prosecutions of perpetrators) and general remedies aimed at preventing similar rights violations from occurring in the future (such as legislative or policy changes). These decisions also carry significant weight on the international level as authoritative interpretations of human rights standards, and have the potential to influence court decisions at both the national and regional level.

Detailed information about the complaints procedures of the different treaty bodies, as well as model forms for submitting complaints, can be found in this publication:

<http://www.ohchr.org/Documents/Publications/FactSheet7Rev.2.pdf>.

INQUIRY PROCEDURE

Civil society has a role to play in encouraging a treaty body to initiate an inquiry into allegations of grave and systematic human rights violations by providing reliable and well-founded information about serious or systemic violations of the rights protected in the relevant treaty. As with the individual complaints, an NGO seeking to encourage an inquiry must ensure that the State in question (1) has ratified the appropriate treaty, and (2) has recognized the treaty body's authority to initiate an inquiry. However, there is no requirement to exhaust domestic remedies in the case of an inquiry.

The website of the U.N. Office of the High Commissioner on Human Rights (OHCHR)¹⁶ does not provide details on how NGOs should submit information on serious or systematic violations, nor the type of information that it will consider. An independent blog, *Optional Protocol to CEDAW*,¹⁷ contains available documents for the CEDAW inquiries that have been completed to date, and includes at least one example of the request to conduct an inquiry. This could be a useful resource for any organizations seeking to encourage an inquiry.

It is worth noting that, while the inquiry procedure carries strong potential for positive impact at the country level, it is a time-consuming and resource-intensive process that has not been widely utilized. For reference, the CEDAW Committee has completed only three inquiries in the last 14 years, and each of these inquiries took at least several years from the initial request to conduct an inquiry to the completion of the final report, not including the time that advocates put in to the process before making the initial request. Advocates considering requesting an inquiry procedure should take into account the time and resources required to follow through on the inquiry procedure—including needing to establish a pattern of grave and systematic abuse (which may require interviewing and screening a large number of alleged victims) and the lack of

¹⁶ <http://www.ohchr.org/EN/Pages/Home.aspx>.

¹⁷ <https://opcedaw.wordpress.com/inquiries/all-inquiries/>.

concrete guidance offered by the OHCHR on the information necessary to meet this standard—in determining whether this is a valuable use of organizational resources and time.

Special Procedures

COUNTRY VISITS

There are several ways in which civil society can support country visits by Special Procedure mandate holders. The first is by encouraging a visit by the mandate holder. There is no specific format for encouraging a country visit, but the following information can be helpful in making such a request:

- ▶ The reason a country visit is necessary from a domestic advocacy standpoint (including information about the need for the Special Procedure mandate holder's attention to the human rights situation in the country);
- ▶ The value of such a visit to broader regional or thematic analyses by the mandate-holder;
- ▶ How such a visit fits within the expert's mandate; and
- ▶ Support for a country visit by the government in question (suggesting a likelihood of serious engagement and the potential for a positive impact as a result of a visit by the mandate holder).

With respect to this last point, civil society can urge governments to issue an invitation to—or accept a request for a visit from—a mandate holder.

In addition to encouraging a country visit, civil society can play an important role in planning and facilitating a country visit by a Special Procedure mandate holder. For instance, civil society can:

- ▶ Provide background information on relevant laws and policies of the country; make suggestions on places to visit or individuals with whom to speak; and provide logistical support, to assist the mandate holders and their support staff in planning for the visit.
- ▶ Coordinate with other civil society and the government to set priorities for the visit and ensure effective use of the limited time that mandate holders have for their visit.
- ▶ Raise awareness amongst civil society, affected communities, local government, and media about an upcoming visit.
- ▶ Organize briefing sessions, roundtables, or other consultations with grassroots organizations, impacted populations, advocates, and other experts during the visit to facilitate mandate holders' access to information, testimony, and other documentation of the human rights situation in a country.

Engaging with Special Procedures' country visits can provide a valuable opportunity to raise awareness both domestically and internationally of issues impacting women and girls with disabilities. Moreover, because mandate holder visits engage local and national government officials, they also present an opportunity for dialogue between advocates and government representatives.

At the conclusion of a country visit, the Special Procedure mandate holder will issue a statement with recommendations based on the findings of the visit, and within the next year, will also publish a written report. Advocates can use these statements and recommendations to develop media and advocacy strategies to push for implementation of the recommendations at the domestic level, as discussed in more detail in the section on "Follow-up and Implementation" below.

Although aimed at advocates in the United States, a publication by Columbia Law School's Human Rights Institute, [Engaging U.N. Special Procedures to Advance Human Rights at Home](https://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/files/special_rapporteurs_report_final.pdf),¹⁸ contains additional, valuable insight on maximizing country visits by Special Procedure mandate holders. A list of forthcoming country visits by Special Procedure mandate holders can be found here: <http://spinternet.ohchr.org/Layouts/SpecialProceduresInternet/Forthcomingcountryvisits.aspx>.

THEMATIC REPORTS

Civil society also has a role to play in supporting Special Procedure mandate holders' development of thematic reports. As with country visits, civil society can suggest or encourage a mandate holder to take up a thematic issue.

Civil society can also provide information on key human rights issues to inform the development of a Special Procedures thematic report. In the context of developing their thematic reports, Special Procedures will often issue calls for written submissions. Sometimes mandate holders will use questionnaires to guide the content of the information they seek from civil society and other stakeholders. In other instances, they will issue a more general call for written submissions (similar to the call for submissions by U.N. treaty bodies in developing General Comments). For these latter submissions, advocates should consider submitting the type of information discussed in the section on "Written Submissions to U.N. Human Rights Mechanisms," in Chapter 3, below.

Similar to the treaty bodies' General Comments, Special Procedure thematic reports provide persuasive interpretations of the normative content of substantive human rights issues and offer guidance on implementation of these rights. Moreover, while not legally binding, these thematic reports bear on the human rights obligations of all U.N. member states, regardless of what treaties they have ratified. Accordingly, contributing to this process can provide a valuable opportunity to raise issues of concern to women and girls with disabilities, especially in the context of thematic issues where the impact on women and girls with disabilities might otherwise be inadvertently overlooked.

Special Procedure mandate holders will also occasionally organize or participate in regional or global consultations with civil society in the context of developing their thematic reports. Participation in these consultative processes can allow advocates an additional opportunity to engage formally and informally with Special Procedure mandate holders to raise the profile of issues of importance to women and girls with disabilities.

[Engaging U.N. Special Procedures to Advance Human Rights at Home](https://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/files/special_rapporteurs_report_final.pdf)¹⁹ contains additional information on how civil society can contribute to the development of thematic reports by Special Procedure mandate holders.

URGENT COMMUNICATIONS

To initiate an urgent communication, civil society can submit information to a Special Procedures mandate holder about human rights violations that have occurred, are ongoing, or are highly likely to occur. In order for a complaint to be assessed, the following information must be sent to the mandate holder:

- (1) Identification of the alleged victim(s).
- (2) Identification of the alleged perpetrators of the violation (if known), including substantiated information on all the actors involved, including non-state actors if relevant.
- (3) Identification of the person(s) or organization(s) submitting the communication, if different from the victim (information about the author of the communication will be kept confidential).

¹⁸ https://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/files/special_rapporteurs_report_final.pdf.

¹⁹ https://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/files/special_rapporteurs_report_final.pdf.

- (4) Date, place, and detailed description of the circumstances of the incident(s) or violation. The information submitted can refer to violations that are said to have already occurred, violations that are ongoing or about to occur, or (potential) violations as a result of problematic laws, policies, or pending bills.

The Special Procedures branch of the OHCHR has recently launched an online process to submit urgent communications. To submit communications online and for additional information about this process, visit <https://spsubmission.ohchr.org/>.

Note that advocates have 24 hours to submit information through the online communications form once the process is initiated. If the information is not submitted within this 24-hour window, advocates will need to restart the process of submission. Thus, it is a good idea to gather all necessary information prior to beginning the process of submission. It is also a good idea for advocates to contact the office(s) of the relevant Special Procedure mandate holder(s) via email to alert them that an urgent communication has been submitted.

Submission through the online process is highly encouraged, but information for urgent requests can also be sent by postal mail to:

OHCHR-UNOG
8-14 Avenue de la Paix
1211 Geneva 10
Switzerland

Attn: [indicate the Special Procedure mandate holder(s) to whom the information is directed]

There are a few advantages to pursuing this mechanism over filing an individual complaint with a U.N. treaty body. Unlike individual complaints before a treaty body, there is no requirement that domestic remedies be exhausted before submitting an urgent communication. Additionally, any U.N. member State may be the object of such a communication—there is no requirement that a State have ratified a treaty or that a State recognize the authority of the mandate holder to follow up on urgent communications. Because of the lack of procedural hurdles, and the fact that Special Procedure mandate holders may issue urgent communications in situations where there is imminent risk of a human rights violation or where the violations are ongoing, this procedure may also move more quickly than an individual complaint.

However, it is worth noting that an urgent communication to a Special Procedure is not as effective for advocating for legislative or policy changes to prevent future such violations than an individual complaint decision by a treaty body, and the outcome will not carry the same weight as a decision by a treaty body in an individual complaint. Additionally, in contrast to the individual complaints procedure where a case will be considered if it meets an established set of criteria, it is entirely within the discretion of the Special Procedure mandate holder to take up a request for an urgent communication.

Universal Periodic Review (UPR)

WRITTEN SUBMISSIONS

Civil society and other stakeholders, such as national human rights institutions (NHRIs), can submit written information to inform the review of a State's human rights record in the Universal Periodic Review (UPR). Written submissions can address the full range of the State's human rights obligations, including those set out in the United Nations Charter, the Universal Declaration of Human Rights, treaties to which the country under review is a party, and voluntary pledges and commitments made by that country (meaning steps or commitments that the State voluntarily pledged to undertake to improve the human rights situation in the

country, e.g. during a prior UPR process).²⁰ In addition to providing general information about the implementation of a country's human rights obligations, submissions may also highlight prior recommendations made to that State by treaty bodies (either in concluding observations from the State reporting process or in individual complaints) or those from prior UPR sessions. Where a submission includes these prior recommendations, it is helpful to provide an update on the status of implementation or the lack thereof. Written submissions should address areas of concern and suggest questions for the in-person dialogue and recommendations to address these areas of concern.

Written submissions are limited to 5 pages when submitted by individual organizations, or can be up to 10 pages long when submitted in coalition with other organizations. Written information should be submitted through the "On-line UPR submissions registration system" (uprdoc.ohchr.org). They typically must be submitted seven months in advance of the session, though specific deadlines for stakeholder submissions can be found here: www.ohchr.org/EN/HRBodies/UPR/Pages/NgosNhris.aspx.

More information about written submissions for the UPR can be found here: www.ohchr.org/Documents/HRBodies/UPR/TechnicalGuideEN.pdf.

ADVOCATING WITH OTHER GOVERNMENTS

In addition to providing written information, civil society can and should advocate with other governments to bring attention to the issues raised in the written submission and to encourage the other governments to ask questions and/or make recommendations around these issues. In developing this component of the advocacy strategy, it is important for advocates to identify which countries are most likely to raise issues of concern to the NGO. Advocates can do this by looking at prior questions or recommendations by governments to see which countries have raised these issues during past UPR reviews. Countries that have good practices on the issues in question may be more likely or amenable to raising these issues, as they will not be as concerned about facing similar scrutiny.

Advocacy can be done from an advocate's home country, through written and oral engagement with embassies. This type of remote advocacy should take place at least several months before the country review to allow embassies to share information with the State's capital, which ultimately sets the government's priorities for UPR questions and recommendations.

Advocacy can also be done in-person in Geneva in meetings with country missions to the U.N. The NGO UPR Info suggests undertaking Geneva-based advocacy at least one month in advance of the session, again to allow sufficient time for U.N. country missions to share information with the State's capital. UPR Info also organizes country-specific "Pre-sessions" to provide NGOs an opportunity to brief U.N. country missions on key issues. As with in-person advocacy at the treaty body session, it is a good idea to develop a 1-2 page overview of key points and suggested questions/recommendations.

Additional information about advocacy that NGOs can engage in around UPR sessions can be found at: <http://www.upr-info.org/en/how-to/role-ngos>.

²⁰ For more information about voluntary pledges and commitments, see UPR-Info's Database Guide at http://www.upr-info.org/database/files/Database_Pledges_Guide.pdf.

Deciding on an Advocacy Strategy

This guide presents a range of options available for engaging with U.N. human rights mechanisms. Some of these options are geared toward country-specific advocacy, while others allow advocates to address thematic human rights issues. In either scenario, there are a number of external and internal factors, as well as advantages and challenges of the different mechanisms, that advocates must consider when deciding on an advocacy strategy and setting priorities. Many of these approaches can be used in tandem to develop a multi-faceted advocacy strategy. Table 2, on page 35 below, provides a brief overview of the various mechanisms covered in this guide to allow for a side-by-side comparison.

COUNTRY-SPECIFIC ADVOCACY

External factors can limit the available options for country-related advocacy, so in setting advocacy priorities and strategies, it is a good idea to first determine what strategies one can utilize. To do so, one must know:

- ▶ What treaties has the country ratified?
- ▶ Does the country recognize the competency of any of the treaty bodies to hear individual complaints?
- ▶ Does the country have any reservations, understandings, or declarations (RUDs) to any of the provisions of the treaties to which they are party (see the below text box on [RUDs](#) for more information)?
- ▶ When is the country next being reviewed by a treaty body?
- ▶ When is the country next coming up for review under the UPR process?
- ▶ Are any Special Procedure mandate holders doing a country visit to the country in the near future?

Almost all of this information can be found through the website of the [Office of the High Commissioner for Human Rights](#) (OHCHR).²¹ Finding the country in the drop down list of “Human Rights by Country” will lead to the country’s homepage on the OHCHR website. The country’s homepage includes links to:

- ▶ “Status of Ratifications,” which includes an overview of what treaties the country has ratified;
- ▶ “Reporting Status,” which, after clicking on the “ + ” sign next to the name of the treaty, lists both prior and upcoming reviews for each ratified treaty, as well as an overview of the treaty bodies for which that country has recognized the authority to hear individual complaints or initiate inquiry procedures;
- ▶ “Country Visits by Special Procedures,” which includes links to reports from prior country visits and lists those Special Procedure mandate holders who have requested a country visit; and
- ▶ “Universal Periodic Review,” which includes links to documents related to prior UPR reviews of the country. (Note that this link does NOT list upcoming reviews for the country. For that information, it is necessary to visit the [UPR homepage](#)²² to access the latest calendar for UPR reviews.)

The country homepage also has links to the most recent concluding observations issued on the country, as well as any recent country reports by Special Procedure mandate holders.

²¹ Links to the country homepages for all U.N. member States can be found here:
<http://www.ohchr.org/EN/Countries/Pages/HumanRightsintheWorld.aspx>.

²² <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx>.

Reservations, Understandings, and Declarations

When States ratify a treaty, they may sometimes place **Reservations, Understandings and Declarations** (RUDs) on that ratification. RUDs to a treaty can (1) limit a State's obligations under a treaty, or (2) in the case of declarations, allow the State party to recognize the competency (or opt out of recognizing the competency) of some of the treaty bodies' working methods.

Given that RUDs can limit a State's obligations under a treaty and/or will determine whether it is possible to pursue an individual complaint or advocate for an inquiry procedure to take place, it is important to look up whether a country has placed any RUDs on its treaty ratification at the outset of developing an advocacy strategy. This information can be found through the [United Nations Treaty Collection](#) by clicking on the title of the treaty in question.²³ If any reservations, understandings, or declarations exist, clicking on the name of the country will lead to the text of those RUDs.

The ability to submit a shadow report, UPR submission, or similar written submission on a given country will depend on the calendar set by the treaty bodies (in the case of State reporting) or the U.N. Human Rights Council (in the case of the UPR). If there is no upcoming review, there is no option for civil society to submit written information on the human rights situation in a country. It is worth noting, however, that if a State is delinquent in submitting its report to a treaty body, civil society can advocate with their government to encourage submission of State reports and move the process forward. If there are not currently any upcoming reviews, advocates should continue to monitor the website of the OHCHR periodically to stay apprised of any new developments.

Civil society can also advocate with their government to invite Special Procedure mandate holders to undertake a country visit and with the mandate holders themselves to request such a visit. However, as with shadow reports to U.N. treaty bodies, this schedule is largely determined by factors external to an NGO.

The other mechanisms for country-specific advocacy—individual complaints, inquiry procedures, and urgent communications—are initiated by civil society submitting the relevant information to either a treaty body (in the case of individual complaints and inquiry procedures) or a Special Procedure mandate holder (in the case of urgent communications). In addition to the external factors discussed above (such as whether a State has recognized the competency of a treaty body to hear individual complaints or initiate inquiry procedures), advocates need to consider the following in determining whether any of these strategies are appropriate and/or advantageous:

- ▶ **Is there an identifiable victim or group of victims?** An identifiable victim or group of victims is necessary to pursue an individual complaint.
- ▶ **If there is an identifiable victim, has the victim or a representative sought justice through domestic courts?** Recall that treaty bodies require exhaustion of domestic remedies before they can consider an individual complaint.
- ▶ **Is the human rights violation grave and systematic?** This standard must be met to request an inquiry procedure. Recall that meeting this standard is both time- and resource-intensive and may require screening a number of alleged victims to ensure that their testimony substantiates the claims being made in the request for an inquiry.
- ▶ **Is there a current law or pending bill that violates fundamental rights?** An individual complaint can only challenge a law to the extent that an individual has suffered a rights violation as a result of that law; treaty bodies will not hear complaints alleging that a law infringes human rights generally. In contrast, Special Procedure mandate holders can address problematic laws or policies through urgent communications, even absent an identifiable victim.

²³ Links to the status of ratifications for all human rights treaties can be found here: <https://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>.

- ▶ **Does the situation require urgent attention?** If so, an urgent communication may be the most appropriate course of action. Recall that both individual complaints and inquiry procedures can take several years before a final decision or report is issued, and full implementation of recommendations can additionally take both a significant amount of time and effort on the part of civil society.
- ▶ **What are the goals of the victim(s) and the representative organization?** Some victims of human rights abuses may prioritize individual reparations for a harm already suffered, some may seek to remedy an ongoing harm (such as an arbitrary detention), while others may prioritize the broader potential for legislative or policy changes to prevent similar violations from happening in the future to themselves or to others. Both individual complaints and inquiry procedures are more effective for the latter goal, while individual complaints are more likely to lead to recommendations on behalf of an individual victim, including recommendations for financial reparations. Urgent communications are most effective for trying to remedy an ongoing harm and/or address an urgent human rights situation. Assessing the potential impact of the different strategies is essential to determining the most appropriate course of action.

THEMATIC ADVOCACY

The development of General Comments by treaty bodies and thematic reports by Special Procedure mandate holders provide an opportunity for civil society to influence our collective understanding of human rights obligations, rather than seeking recommendations aimed at a specific country. That said, written submissions to support these processes can still provide country-specific information to illustrate certain types of human rights abuses and/or good practices.

The ability to contribute to the development of either a General Comment or a Special Procedure thematic report will depend on the agenda set by either the treaty body or the mandate holder. Advocates should monitor the website of the OHCHR periodically (and/or sign up for relevant civil society email lists) to stay apprised of any calls for written submissions in support of either of these processes.

Written Submissions to U.N. Human Rights Mechanisms

There is no specific format that an NGO must follow in developing a shadow report or other written submission for U.N. human rights mechanisms. In general, it is a good idea to begin any written submission with a brief introduction to the organization(s) making the submission to provide context for the interest in, and expertise on, the subject matter of the written submission, as well as a brief introduction to the issue(s) that the submission will cover.

For written submissions for State reporting, General Comments, thematic reports, and UPR submissions, there are generally three categories of information that is helpful to include:

- ▶ **factual information** about the key issue(s) on which the submission focuses;
- ▶ an analysis of the relevant international human rights **legal standards**; and
- ▶ suggested **recommendations**.

For submissions to support the State treaty body reporting process, it is also helpful to start with the following information, where available, before moving into the facts, legal analysis, and recommendations:

- ▶ Any relevant questions that have been posed to the State on this issue (i.e., where there is already a List of Issues from the treaty body);
- ▶ A brief overview of what the State said it in its own report to the treaty body on the issue, as well as any gaps in the information provided by the State

Where there is a word or page limit for a certain submission, it is important to comply with this limit. Even where there is no set limit, written submissions should generally not exceed 10-15 pages in length, given the large volume of submissions that experts receive and the limited amount of time in which they have to review materials.

FACTUAL INFORMATION

The factual information section describes the key human rights issues of concern. In order to draw attention to an issue, it is important that this section include detailed information to illustrate the problems that the submission raises and that it be well-substantiated, including with citations or annexed documentation to support the assertions made. General claims and statements that are not backed up by reliable sources are not persuasive. Similarly, it is not persuasive to summarize a single incident of a rights violation without evidence to suggest that this is not an isolated incident. The most effective submissions will include both broader information to establish that a problem is of a systemic or generalized nature, as well as a few detailed case studies to illustrate the impact of the problem on individuals. Specifically, in describing the situation on the ground, advocates should consider including:

- ▶ **Available statistics.** A State might provide some statistics in their report, though it is important to research alternate sources of information for statistics, as official statistics sometimes underreport a problem and different State entities might have conflicting data. It is worth noting that it can often be challenging to find statistics that are disaggregated by both disability and sex. Where a State does not collect such information, it is important to highlight this shortcoming. In such instances, advocates should request the U.N. mechanism to recommend that the State collect reliable statistics that are disaggregated by both sex and disability. Global statistics from U.N. agencies or NGOs can also be helpful to include, both for general thematic submissions and to provide context for country-specific statistics.
- ▶ **Domestic laws and policies.** Domestic laws and policies may directly interfere with the rights of women and girls with disabilities (for example, laws that permit women with disabilities to be sterilized without their consent). In other instances, laws and policies may protect relevant rights on their face, but fall short in their actual implementation due to, e.g., inadequate funding or a failure to take into account the specific needs of women with disabilities (for example, a State may develop a National Plan to address gender-based violence without making specific provisions to ensure that emergency shelters or other social services are accessible to women with disabilities). Accordingly, it is important to provide information not just on the content of domestic laws and policies, but also on the extent to which these laws and policies have been implemented and/or obstacles to their full implementation. It can also be helpful to highlight good practices, especially when developing general thematic submissions.
- ▶ **Case studies.** Individual stories help to put a human face to the broader problems that an organization is seeking to illustrate.

Where an NGO does not have this information readily available through its own work, this type of information can be found in a variety of places. Reports by domestic and international NGOs or U.N. agencies (such as UNFPA, UNICEF, and the WHO) can be a valuable source of information on human rights issues. Citing to articles from reliable media sources can also help to substantiate claims.

There are several online research tools that can help advocates find relevant reports and other information to help document the situation on the ground. The online research tool, [Hurisearch](http://www.hurisearch.org/),²⁴ searches across NGO websites to find reports on the basis of key words. It is worth noting that while this research tool allows users to refine a search by country, this refers to the country where the NGO that wrote the report is located, not the country on which the report focuses. For example, if an international NGO based in the United States issued a report on the Philippines, this report would come up when narrowing the search to the

²⁴ <http://www.hurisearch.org/>.

United States, but not if the search is narrowed to the Philippines. Therefore, when researching a specific country in this database, it is helpful to include the country name in the key word search. [Refworld](http://www.refworld.org/)²⁵ is another valuable resource for searching for country-specific information, as searches on this website will return publications from U.N. offices and agencies and major international NGOs. [Demographic and Health Surveys](http://www.dhsprogram.com/)²⁶ are available for a number of countries in the global south and are a valuable source for general statistics on sexual and reproductive health, domestic violence, and some harmful practices (such as female genital cutting). However, it is worth noting that most of these surveys do not disaggregate data by disability.

The list of [Additional Resources](#) at the end of this guide includes a number of helpful links for conducting online research to develop the factual information section of a written submission.

LEGAL STANDARDS

The next category of information that a written submission will include is a discussion of what international human rights law says about the issues raised in the facts section. The range of treaty body jurisprudence—concluding observations, General Comments, and individual complaints—and reports by Special Procedure mandate holders provide a basis for analyzing the human rights in question. Looking at how a treaty body or Special Rapporteur has previously interpreted a treaty provision or right, can help inform an analysis of how the issues in focus might similarly violate that treaty provision or right. Demonstrating that human rights experts have previously interpreted international human rights obligations in a way that supports the arguments put forward in a written submission strengthens the position of the written submission and makes the advocacy more persuasive.

In the case of a submission to the treaty body, the primary focus will be on the rights protected under that treaty. It is important to reference specific articles in that treaty, as well as to explain how that treaty body has interpreted those rights in a way that supports finding a violation based on the factual information provided in this submission. It is important to note that the language in the preamble of a treaty is not persuasive in developing a legal analysis, as the preamble does not carry the same legal obligations as the articles of the treaty. For country-related submissions, it is also good to highlight any prior recommendations or concluding observations this treaty body or others have made on this issue to this particular country, as that helps underscore that this is an ongoing human rights violation in the country.

For all written submissions—including those to treaty bodies, Special Procedure mandate holders, and the UPR process—it is helpful to include how other treaty bodies and Special Procedures have interpreted relevant human rights. For submissions to Special Procedures, this section would address the range of rights that fall within the scope of the mandate of the Special Procedure mandate holder. For UPR submissions, this can include the full range of human rights obligations of the State under review, including the Universal Declaration of Human Rights and any human rights treaties to which the State is a party.

²⁵ <http://www.refworld.org/>.

²⁶ <http://www.dhsprogram.com/>.

Table 2: Overview of U.N. Human Rights Mechanisms

	<i>How is the mechanism initiated?</i>	<i>Is treaty ratification required?</i>	<i>What type of information should NGOs provide to support this process?</i>
U.N. Treaty Bodies			
State Reporting	Treaty bodies set calendar for periodic State reviews.	Yes.	General information about human rights situation in a particular country.
General Comments	Treaty bodies set agenda for developing General Comments.	N/A (this is not a country-specific mechanism).	General information about human rights issues (could have global or country-specific focus).
Individual Complaints	Affected individual/group or NGO representing the affected individual files a complaint with the treaty body.	Yes. In some cases may also require a declaration that the State recognizes authority.	Specific information about alleged human rights abuse and steps taken to exhaust domestic remedies. Must involve identifiable victim(s) and be filed with consent.
Inquiry Procedure	NGO requests an inquiry; treaty body decides on own initiative whether to initiate.	Yes. In some cases may also require a declaration that the State recognizes authority.	Specific information about grave and systematic rights violations in a particular country.
U.N. Special Procedures			
Country Visits	Mandate holder sets agenda for country visits; NGOs can provide info to support this agenda setting.	No. This applies to all U.N. Member States.	General information about human rights situation in a particular country.
Thematic Reports	Mandate holder sets agenda for thematic reports; NGOs can provide info to support this agenda setting.	N/A (this is not a country-specific mechanism).	General information about human rights issues (could have global or country-specific focus).
Urgent Communications	Affected individual or NGO requests urgent communication; mandate holder decides on own initiative whether to initiate.	No. This applies to all U.N. Member States.	Specific information about past human rights violations, potential or ongoing violations, or laws, policies or programs violating human rights. No need to exhaust remedies. Consent is needed where individual victim(s) involved.
Universal Periodic Review			
UPR Review	U.N. Human Rights Council sets calendar for periodic State reviews.	No. This applies to all U.N. Member States.	General information about human rights situation in a particular country.

The thematic briefing papers in this *accountABILITY Toolkit* provide a detailed summary of what each of the treaty bodies have said with respect to gender-based violence, sexual and reproductive health, and stereotyping and discrimination, as these issues apply to women and girls with disabilities. For other human rights issues, several U.N. databases—the [Universal Human Rights Index](http://uhri.ohchr.org/en)²⁷ and the [OHCHR Jurisprudence database](http://juris.ohchr.org/en)²⁸—allow NGOs to conduct key word searches across treaty body concluding observations, individual complaints, and Special Procedure country and thematic reports. However, it is worth noting that these databases may not include the most recent recommendations, reports, or decisions in the search.

RECOMMENDATIONS

It is helpful to include specific recommendations in written submissions. The format of suggested recommendations will vary depending on the type of written submission. For a written submission to influence the list of issues, recommendations typically take the form of suggested questions to pose to the State in the list of issues. For a written submission for the State review, recommendations are typically in the form of recommended language for a concluding observation. In drafting suggested recommendations for a list of issues or concluding observations, it is helpful to review prior questions from a list of issues or prior concluding observations on an issue to model recommended language on these. See the text box below for an example of a concluding observation on gender-based violence.

Sample CEDAW Concluding Observation

Excerpt from *Committee on the Elimination of Discrimination against Women, Concluding Observations: Hungary*, U.N. Doc. CEDAW/C/HUN/CO/7-8 (2013)

21. In accordance with its general recommendation No. 19 (1992) on violence against women and the recommendations contained in its previous concluding observations, the Committee urges the State party to:

- (a) Adopt a law on domestic violence and criminalize different types of violence against women, including economic and psychological violence and stalking;
- (b) Amend its legislation concerning restraining orders with a view to providing adequate protection to victims in all types of cohabitation and extend the duration of restraining orders;
- (c) Provide mandatory training to the legal profession on the strict application of legal provisions dealing with violence against women and train police officers on standardized procedures to deal with women victims of violence;
- (d) Provide adequate assistance and protection to women victims of violence and their children, by increasing the number and capacity of State-supported shelters, specifically those dedicated to women victims of violence, and adequate geographical distribution, as well as by strengthening cooperation with and funding to NGOs providing shelter, assistance, support and rehabilitation to victims;
- (e) Encourage women to report acts of domestic and sexual violence, by de-stigmatizing victims and raising awareness of the criminal nature of such acts;
- (f) Collect statistical data on all forms of violence against women disaggregated by sex and age and on the relationship between the victims and the perpetrators in cases of domestic and sexual violence against women;
- (g) Amend its Criminal Code to ensure that rape is defined on the basis of the lack of voluntary consent of the victim;

²⁷ <http://uhri.ohchr.org/en>.

²⁸ <http://juris.ohchr.org/en>.

- (h) Ensure appropriate and easily accessible health-care services for women victims of rape combined with immediate medical and forensic examination to collect the evidence needed for prosecution of perpetrators; and
- (i) Ratify as soon as possible the Council of Europe Convention on preventing and combating violence against women and domestic violence.

For written submissions on a working draft of a General Comment or a draft thematic report, recommendations might include specific suggestions for either modifying existing language in the draft or suggested language for an additional sentence or paragraph in the draft. Suggested edits to draft language should reference the specific paragraph to which the recommended edits apply. Written submissions to inform the development of a General Comment or thematic report when there is no existing draft will typically include more general suggestions on issues to address in the final document.

In-Person Advocacy in Geneva

Written advocacy with U.N. human rights mechanisms can be greatly strengthened when accompanied by in-person advocacy during treaty body sessions (see “[Advocacy During the Treaty Body Session](#),” beginning on page 22 of this guide, for more information about the various opportunities for in-person advocacy during State reviews) or in the lead-up to the Human Rights Council’s UPR sessions (see “[Advocating with Other Governments](#),” on page 29 of this guide, for more information about in-person advocacy in the lead up to a UPR session).

To ensure effective in-person advocacy with experts and government officials, there are a few things that NGOs should keep in mind:

- ▶ **Make arrangements for formal advocacy opportunities in advance.** When planning travel to Geneva for in-person advocacy, make arrangements in advance to participate in formal advocacy spaces. For instance, it is important to contact the entity responsible for coordinating country or thematic briefings with a treaty body in advance to indicate an interest in speaking at such a briefing. The responsible entity or individual will vary depending on the treaty body (some treaty bodies rely on a particular NGO to coordinate country briefings, while both country and thematic briefings are coordinated by the Secretariat for other treaty bodies), so it is important to check the informative note for that treaty body session (as discussed beginning on page 18 of this guide) to get the most up-to-date information for participating in a country or thematic briefing. Similarly, it is important to reach out to [UPR Info](#)²⁹ in advance to learn how to participate in the “Pre-sessions” that the organization plans between NGOs and Permanent Missions of various governments to the U.N. It is also possible to reach out to specific Permanent Mission offices³⁰ in advance of a trip to Geneva to request one-on-one meetings with staff.
- ▶ **Develop a very brief oral presentation summarizing key issues and recommendations.** The time allocated for formal oral interventions is usually limited to 1-2 minutes per NGO. Accordingly, it is a good idea to prepare an oral overview of key points and recommendations that is no longer than 2 minutes (and to practice in advance to ensure that the oral statement falls within that timeframe). In many cases, treaty bodies request electronic and/or hard copy transcripts of oral statements in advance (any such requirements will be indicated in the informative note). Informal conversations with experts are often similarly limited in time, given the busy schedules that the experts maintain

²⁹ For more information about UPR Info’s Pre-sessions, visit: <http://www.upr-info.org/en/content/pre-sessions>.

³⁰ Contact information for Permanent Missions to the U.N. can be found here: <http://www.unog.ch/80256EE600582E34/%28httpPages%29/8CEC446B720477DA80256EF8004CB68C?OpenDocument&expand=1&count=10000#1>.

during the session, so having some brief and consistent talking points will be similarly helpful in informal advocacy with treaty body experts.

Accessibility in Geneva

The website of the OHCHR provides general information on accessibility of public transportation, taxi services, and hotels with accessible rooms at:

www.ohchr.org/EN/HRBodies/HRC/Pages/InfoAboutAccessibility.aspx.

It is important to note that most hotels in Geneva only have one or two accessible rooms, many hotels with accessible rooms are more expensive than inaccessible hotels, and hotels tend to book up quickly in advance of treaty body or Human Rights Council sessions. Furthermore, most hotels with accessible rooms are not close to the Palais des Nations, the headquarters of the U.N. in Geneva, where many treaty bodies have their sessions.

Accordingly, when making arrangements to attend a treaty body or Human Rights Council session for in-person advocacy and accessibility is a concern, it is important to consider:

- Budget for additional costs associated with accessible hotel rooms;
- Consider the location of accessible hotels in relation to the location of the treaty body session, as well as the proximity of bus or tram lines; and
- Book as early as possible to have greater choice among accessible hotel rooms.

- **Develop a 1-2 page written overview of key points and suggested recommendations.** Given that there is very little time allotted to both formal and informal oral interventions, it is an effective strategy to have a brief 1-2 page advocacy document that lists key facts, arguments, and suggested questions or recommendations, ideally in bullet point format to make it as simple and accessible as possible. This overview document can cross-reference longer discussions or explanations of these issues in the original written submission (and it is advisable to also have several hard copies of the longer written submission on hand as well) for experts who may be interested to follow up to obtain additional information about an issue raised.

The objective for in-person advocacy is to pique experts' (or government officials') interest in the issues, encouraging them to revisit a longer written submission for additional information. Accordingly, oral interventions should focus on a few of the most compelling facts (e.g. 1-2 significant statistics and/or a particularly compelling testimony or case study), as well as some specific recommendations.

Coalitions and Partner Organizations

In developing U.N. advocacy strategies, advocates should consider the advantages and disadvantages of partnering with other, like-minded NGOs. In considering whether it makes sense to develop a submission jointly or to submit as a single organization, there are several factors to consider, including:

- **Organizational mandates:** In determining whether, and with whom, to partner in developing a joint or coalition submission, it is important to consider the mandates of the various organizations, what each organization will contribute to the process, and how this will bear on the final submission. A few factors to consider in this regard include:
 - **Priority issues:** It is possible to develop a joint submission between mainstream women's rights or disability rights organizations and women with disabilities rights organizations. However, given that mainstream organizations may have other priority issues to raise in their submission, it is

important to consider whether and to what extent these other issues might detract from a focus on the women with disabilities issues in contrast to a submission that focuses exclusively on women with disabilities, especially in light of page limits of submissions.

- **Access to information:** Partnering with organizations can bring an added benefit of bringing together different areas of expertise or knowledge. For instance, community-based organizations, organizations that work with individual clients, and organizations that undertake documentation or fact-finding work will have a good understanding of the key issues impacting women and girls with disabilities on the ground, will have concrete insight into how domestic laws and policies play into these issues, and may have valuable testimony or case studies to help illustrate the issues raised in a submission. Organizations that work on policy at the national level or who have greater familiarity with U.N. human rights mechanisms, including international NGOs, can be in a good position to contribute to the international legal analysis and to help position these issues within the broader human rights context.
- ▶ **Strength of a joint submission:** Joint or coalition submissions can be very effective in demonstrating that the content of the submission is not just the position of one organization, but of a number of organizations with expertise in an area, such that submitting in coalition may help amplify the voice of smaller organizations. Partnering with mainstream women's rights or disability rights organizations can also reinforce the credibility of a submission with a lesser-known organization, particularly where the mainstream organization is known for the quality and reliability of its submissions. In addition, because treaty body experts are often inundated with a large amount of information during the session, joint submissions have the benefit of cutting down the number of submissions the Committee members receive during the session, allowing them to focus more on the content. At the same time, in most instances, page limits are not extended for joint submissions (with the exception of written submissions to the UPR process, where coalition submissions can be up to 10 pages long, while individual organizations are limited to 5 pages). Accordingly, if contributing organizations have different priorities that they would like to raise in a joint submission, this can limit the amount of space allocated to each specific issue.
- ▶ **Division of responsibility:** In partnering with other organizations in a joint submission, it is important to have discussions in advance to identify the roles and responsibilities of each organization in developing the submission. In particular, it is a good idea to identify who will take the lead on research and writing (or how these roles will be divided between organizations); agree on a projected timeline and how editorial decisions will be made; discuss how to address differences of opinion on what information should be included in the submission; and identify who will bear any costs associated with the submission or how such costs will be divided up (e.g., if hard copies must be mailed to Geneva). There is a lot of coordination in drafting a joint submission, so it is important to remember the time that a back and forth over the content of a written submission can take, as well as time needed for any internal sign off procedures that organizations may have.

It is also important to remember that it is possible to develop coalitions around U.N. advocacy without necessarily submitting a joint statement. Coordinating with other NGOs to discuss how to support and reinforce one another's messages can be a valuable option to overcome some of the challenges that a joint submission may create. For instance, partnering organizations could coordinate to each submit separate but complementary submissions and to endorse the content of the other organization's written submission (e.g., in a statement such as, "In addition to this submission, [this organization] fully supports and endorses the submission by [partnering organization].").

In addition to the potential benefits of leveraging a collective voice before the U.N. human rights mechanisms, there are often benefits to the connections made between organizations when they form such coalitions. These can include facilitating an exchange of ideas and expertise and strengthening partnerships for pushing for the full implementation of the recommendations that emerge from the U.N. advocacy strategy.

Follow-up and Implementation

Advocacy to obtain strong statements, recommendations, and reports from U.N. human rights experts is an important strategy in advancing the rights of women and girls with disabilities. However, securing the statements or recommendations alone is insufficient. It is important to follow up on the recommendations and guidance from U.N. human rights bodies to ensure that they are actually implemented by the state in a way that improves the situation of women and girls with disabilities on the ground. There are a number of things that advocates can be doing to push for implementation of U.N. recommendations, guidelines, and decisions at all stages of the advocacy process. Indeed, the process of implementation begins even before the final documents are released, and the follow-up often continues into future cycles of engagement with the U.N.

IMPLEMENTATION AT THE COUNTRY LEVEL

The first step for implementing human rights recommendations, especially for country-related advocacy, is to use the recommendations and guidelines from these U.N. bodies to push for change at the local and national level. Advocates should begin thinking about strategies for implementation even before recommendations or decisions are handed down, and the process of engaging with U.N. human rights mechanisms presents several opportunities to facilitate implementation, including:

- ▶ **Building partnerships or coalitions with like-minded organizations:** As discussed above, developing relationships with other human rights or social justice-oriented NGOs to coordinate advocacy at the U.N. can facilitate an exchange of ideas, expertise, and support to push for implementation of human rights standards at home. Given that NGOs have different connections, donors, and networks of support, partnerships can help leverage these varied connections to influence a wider range of stakeholders and key decision-makers.
- ▶ **Engaging with local and national government:** Engaging with U.N. human rights mechanisms presents a number of opportunities to engage with local or national government officials, including the opportunity to identify potential allies among key decision-makers. Some States may hold consultations with civil society when developing their State report for U.N. treaty bodies or the UPR process. Where Special Procedure mandate holders plan a country visit, NGOs and government officials may coordinate in planning and facilitating the country visit. Where a government uses such consultations, it is important to participate and raise any concerns at this stage. NGOs present in Geneva during the State review can speak informally with members of the State's delegation to raise awareness of issues and build connections. NGOs can also use increased attention around the release of concluding observations, thematic or country-specific reports, or individual decisions to advance conversations with law- and policy-makers about key issues.
- ▶ **Raising awareness through media strategies:** As discussed below, recommendations and reports released by the U.N. can generate media interest in a human rights issue. Leveraging this new or renewed interest in an issue can be a valuable tool for conveying key advocacy messages, raising public awareness, and influencing key decision-makers. Disseminating information about U.N. findings and recommendations is a crucial component of follow-up and implementation, and media strategies can be an effective tool in aiding the process of dissemination.

In developing a strategy for follow-up and implementation, it is important for NGOs to identify priorities for implementation and plan accordingly. Factors to consider in prioritizing U.N. recommendations include:

- ▶ Organizational mandate and expertise;
- ▶ Ease of follow-up;
- ▶ Specificity of the recommendations (it is easier to monitor progress toward implementation of more specific recommendations);

- ▶ Available resources; and
- ▶ Support of, or connections to, key decision-makers.

It is important to continue to monitor any steps the government is taking to implement recommendations, as well as the State's failure to implement any recommendations (and the factors impeding such implementation).

FOLLOW-UP AT THE U.N.

Where countries continue to fall short in the full implementation of the rights of women and girls with disabilities at home, continued engagement at the U.N. can help push for implementation.

Several treaty bodies, including the CAT Committee, the Human Rights Committee, the CEDAW Committee, and the CERD Committee, can ask States to report back within a year or two after the State review to inform the treaty bodies of steps taken to implement specific priority concluding observations. The treaty body will appoint a rapporteur to assess the follow-up reports. The Human Rights Committee can request a meeting with a representative of the State party if, following this assessment, implementation measures are deemed to have fallen short. Within these formalized follow-up processes and as with other stages of the State reporting cycle, NGOs can provide written submissions to provide their perspective on whether any progress toward implementation has been made.

In the context of individual complaints, treaty bodies will typically appoint a rapporteur to follow up on the implementation of the decisions. Where a State is lagging in implementation of a decision, the rapporteur can request consultations with diplomatic representatives of the State. The NGO representing the victim in the individual complaint can also provide information on how the decision is being implemented in order to inform this process.

Subsequent reporting cycles by the same treaty body, other U.N. treaty bodies, and the UPR reporting process provide other valuable opportunities for civil society to flag the State's failure to adequately implement either concluding observations or a decision in an individual case. Indeed, U.N. treaty bodies typically require States to submit information about the implementation of concluding observations in subsequent State reports. As discussed above, in developing the legal analysis in any written submission, it is a good idea to recall prior concluding observations to the State on any of the issues raised in the submission to facilitate this follow-up process.

Special Procedure mandate holders similarly have some formalized processes for following up on their country visits. For instance, mandate holders may request follow-up country visits and/or publish follow-up reports based on information submitted by the State, national human rights institutes, and civil society. Special Procedures may also organize regional or thematic events with key stakeholders—including government officials and civil society—to assess progress on the implementation of the recommendations included in their country or thematic reports. Where they receive information suggesting a need for renewed attention to an issue raised in an urgent communication, mandate holders can send follow-up communications to the country in question.

Additional information about the role of civil society in the follow-up and implementation of recommendations and guidance from U.N. human rights mechanisms can be found here:

<http://www.ohchr.org/Documents/AboutUs/CivilSociety/HowtoFollowUNHRRRecommendations.pdf>.

Media Strategies

An effective media strategy can be helpful for both raising public awareness of an issue and for putting pressure on or mobilizing key decision-makers around issues. An organization's advocacy with U.N. human rights mechanisms—and the reports, recommendations, observations, and other statements that these U.N. bodies issue—can be used to generate attention in the media to the issues on which an organization focuses. There are a few things that advocates can do to bolster the attention that U.N. advocacy can receive in the media, including:

- ▶ **Cultivating relationships with journalists.** Journalists seek sources for their stories who are credible experts on an issue, provide timely information, and can provide appropriate context in order for non-experts to understand the issue. Connecting journalists to others who can contribute to a story is another way to make oneself a valuable source. Cultivating a strong relationship with journalists can facilitate coverage of an organization's issues in the press and can bolster media interest in an organization's press releases or press conferences.
- ▶ **Link issues to breaking news/newsworthy items:** Media tends to cover issues that are timely and newsworthy. Connecting the issues that an organization raises at the U.N. to other timely issues—such as a law that is being debated or considered by lawmakers, a recent event, or other newsworthy issues—can improve the likelihood of garnering media interest in these issues.
- ▶ **Creating news:** Issues that concern a large number of people, that raise broader community issues, or that involve conflict, controversy, or injustice generate media interest. Providing journalists with reliable information about interesting, important, and easy-to-cover subjects can improve the likelihood of media coverage.

Although aimed at National Human Rights Institutions working in the Asia-Pacific region, the Asia Pacific Forum's [Media Handbook for NHRIs](http://www.asiapacificforum.net/media/resource_file/Media_Handbook_for_NHRIs.pdf)³¹ contains helpful information for developing an effective media strategy around human rights issues generally.

³¹ http://www.asiapacificforum.net/media/resource_file/Media_Handbook_for_NHRIs.pdf.

Acronyms and Abbreviations

CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment
CAT Committee	Committee against Torture
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CEDAW Committee	Committee on the Elimination of Discrimination against Women
CERD	International Convention on the Elimination of all forms of Racial Discrimination
CERD Committee	Committee on the Elimination of Racial Discrimination
CRC	Convention on the Rights of the Child
CRC Committee	Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
CRPD Committee	Committee on the Rights of Persons with Disabilities
ECOSOC	Economic and Social Council
ESCR Committee	Committee on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
NGO	Non-governmental organization
NHRI	National Human Rights Institution
OHCHR	Office of the High Commissioner on Human Rights
RUDs	Reservations, Understandings, and Declarations
U.N.	United Nations
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UPR	Universal Periodic Review
WHO	World Health Organization

Terminology

Civil Society: The sector of society comprised of individuals and organizations that operate independently from the government.

Committee Member: One of the independent experts who make up a treaty body. A committee member must be 1) a person of high moral standing, 2) recognized to have a competence in the relevant field national of human rights, and 3) a national of one of the States that is party to the relevant treaty.

Concluding Observations: An assessment of the degree to which a State has implemented a human rights treaty. A treaty body issues concluding observations at the end of a State reporting cycle acknowledging progress made toward implementation of the treaty, expressing concern about situations where the State is not in compliance with the treaty, and offering recommendations on how the State can improve implementation.

Due Diligence: A State's legal obligation to take all necessary steps to address human rights violations, including those committed by private actors. In the context of gender-based violence, a State's due diligence obligation is generally considered to require the State to take steps to prevent gender-based violence, to protect victims of gender-based violence, to investigate, prosecute and punish perpetrators of gender-based violence, and to provide adequate remedies to victims.

Entry into Force: The date on which a treaty becomes legally enforceable.

Exhaustion of Domestic Remedies: The pursuit of all available national mechanisms, such as court or administrative procedures, to remedy a human rights violation. International human rights law requires that a person or organization filing an individual complaint with an international human rights body first give the national government an opportunity to fix the human rights violation.

Gender-Based Violence: Violence based on gender that results in, or is likely to result in, physical, sexual, or mental harm or suffering, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

General Comments/Recommendations: Authoritative interpretations of treaty rights and obligations, typically seeking to clarify the normative content of the rights protected by the treaty and/or State's obligations under the treaty, published by treaty bodies.

Human Rights Council: An inter-governmental body within the U.N. system made up of 47 states that is responsible for the promotion and protection of human rights worldwide.

Indicators: Information about a specific issue (typically in the form of a statistic) that enables comparisons to be made spanning time and location.

Individual Complaint (or Communication): Claim filed on behalf of an individual who claims that her or his rights under a treaty have been violated by a State party to the treaty.

Intersecting/Multiple Forms of Discrimination: Identifying characteristics—such as sex, disability, age, race or ethnicity, national origin, or social status—overlap or intersect to expose an individual (or groups of individuals) to heightened risk or unique forms of discrimination.

Inquiry Procedure: A treaty body may, on their own, initiate inquiries when they have received reliable information of serious, grave, or systematic violations of human rights by a State.

List of Issues: When a treaty body, after reviewing information it has received from a State's self-evaluation in the form of a periodic report, sends a list to the State asking questions or requesting additional information.

List of Issues Prior to Reporting (LOIPR): A reporting procedure whereby a treaty body sends a State a list of issues first, and then considers their written replies (in lieu of the State first submitting a periodic report).

National Human Rights Institutions (NHRIs): A State-funded institution that operates independently from the main branches of government to promote and protect human rights in a given country.

Non-State Actor: A private individual, corporation, or organization who is not acting on behalf of any governmental body.

Optional Protocol: A treaty that is supplementary to the primary treaty. In the context of human rights treaties, Optional Protocols are frequently used to empower a treaty body to hear individual complaints and/or to recognize the treaty body's authority for an inquiry procedure.

Person(s) with Disabilities: The generally preferred term to refer to an individual with a disability, recognizing that the individual is a person first and foremost.

Person(s) without Disabilities: The appropriate term to refer to persons who do not have any disabilities as a comparison to the experience of those who do have disabilities. NOTE: Do not use the term "normal" to refer to individuals who do not have any disabilities.

Ratify: A legal term to describe when a State consents to be bound by the terms of a treaty.

Recognize Competency: To recognize the authority of a treaty body or other entity to undertake a certain legal action.

Reservations, Understandings, and Declarations (RUD): Statements made by a ratifying State party (usually at the time of ratification) that seek to exclude or modify the legal effect of a treaty provision.

Secretariat (of a Treaty Body): The executive arm of a U.N. treaty body responsible for carrying out the treaty body's day-to-day work.

Shadow Report: A report prepared by civil society to supplement the information provided by the government during a periodic State review by a U.N. treaty body.

Special Procedure mandate holder: An independent expert (or group of experts) empowered by the U.N. Human Rights Council to report and advise on human rights from a thematic or country-specific perspective. Special Procedure mandate holders include Special Rapporteurs, Independent Experts, and Working Groups.

State Actor: An individual or entity acting on behalf of a governmental body.

State Party: A State that has ratified a treaty and is therefore legally bound by the obligations under the treaty.

State Report: The report a State party to a human rights treaty prepares every few years detailing what steps it is taking to implement the treaty.

Traditional or Customary Law: Laws, practices, and customs of indigenous, religious, or local communities that may operate alongside of national laws and policies.

Treaty: An international legal agreement between two or more States where the parties agree to be bound by the terms of the written agreement.

Treaty Body: A committee of independent experts charged with monitoring implementation of, and State compliance with, an international human rights treaty.

Troika: A group of three States assigned to act as a rapporteur for each government coming under review during the Universal Periodic Review.

Universal Periodic Review (UPR): A mandatory reporting procedure where the human rights record of all U.N. members is reviewed every four years by fellow U.N. member States.

UPR Outcome Report: The result of each Universal Periodic Review, where the troika prepares a report summarizing the discussion during the review by the U.N. Human Rights Council as well as the responses by the State.

Additional Resources

Official U.N. Offices and Agencies

- ▶ ECOSOC Civil Society Network (to obtain accreditation to attend certain sessions or conferences on U.N. grounds), esango.un.org/irene/.
- ▶ Office of the High Commissioner on Human Rights, www.ohchr.org.
- ▶ United Nations Treaty Collection, treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en
- ▶ UNFPA, www.unfpa.org.
- ▶ U.N. Women, www.unwomen.org.
- ▶ UNICEF, www.unicef.org
- ▶ World Health Organization, www.who.int

Guides and Primers for U.N. Advocacy

TREATY BODIES—GENERAL

- ▶ International Service for Human Rights, *A Simple Guide to the UN Treaty Bodies*, http://www.ishr.ch/sites/default/files/article/files/ishr_simpleguide_eng_web.pdf.
- ▶ OHCHR, *The Core International Human Rights Treaties*, http://www.ohchr.org/Documents/Publications/CoreInternationalHumanRightsTreaties_en.pdf.
- ▶ OHCHR Video on Treaty Bodies, www.youtube.com/watch?v=vEOT45t040k&feature=related.

TREATY BODIES—SHADOW REPORTING

- ▶ Eric Tars, *Human Rights Shadow Reporting*, http://www.nlchp.org/Clearinghouse_Shadow_Reporting_2009-01.
- ▶ ESCR-Net and IWRAW-Asia Pacific, *Participation in ICESCR and CEDAW Reporting Processes: Guidelines for Writing on Women's Economic, Social and Cultural Rights in Shadow/Alternative Reports*, https://docs.escr-net.org/usr_doc/CEDAW_CESCR_reporting_guidelines_FINAL_Oct_6_2010.pdf.
- ▶ The Advocates for Human Rights and U.S. Human Rights Network, *A Practitioner's Guide to Human Rights Monitoring, Documentation, and Advocacy*, <http://www.ushrnetwork.org/sites/ushrnetwork.org/files/practicionersguide.pdf>.

TREATY BODIES—INDIVIDUAL COMPLAINTS

- ▶ ESCR-Net, *Claiming ESCR at the United Nations: A manual on utilizing the OP-ICESCR in strategic litigation*, <https://www.escr-net.org/sites/default/files/ESCR-NET-OP-Manual-FINAL.pdf>.
- ▶ OHCHR, *Fact Sheet: Individual Complaint Procedures Under The United Nations Human Rights Treaties*, <http://www.ohchr.org/Documents/Publications/FactSheet7Rev.2.pdf>.

SPECIAL PROCEDURES

- ▶ Columbia Law School Human Rights Institute, *Engaging U.N. Special Procedures to Advance Human Rights at Home: A Guide for U.S. Advocates*, https://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/files/special_rapporteurs_report_final.pdf.

UNIVERSAL PERIODIC REVIEW

- ▶ OHCHR, *Universal Periodic Review: information and guidelines for relevant stakeholders' written submissions*, <http://www.ohchr.org/Documents/HRBodies/UPR/TechnicalGuideEN.pdf>.
- ▶ UPR-Info and Child Rights Connect, *Fact Sheet: NGO written submission for the Universal Periodic Review: Information for NGOs*, www.upr-info.org/sites/default/files/general-document/pdf/upr_factsheet_2_ngo_submission_e.pdf.

FOLLOW-UP AND IMPLEMENTATION

- ▶ OHCHR, *Human Rights Indicators: A Guide to Measurement and Implementation*, http://www.ohchr.org/Documents/Publications/Human_rights_indicators_en.pdf.
- ▶ OHCHR, *A Practical Guide for Civil Society: How to Follow Up on United Nations Human Rights Recommendations*, <http://www.ohchr.org/Documents/AboutUs/CivilSociety/HowtoFollowUNHRRRecommendations.pdf>.

MEDIA ENGAGEMENT

- ▶ Asia Pacific Forum, *Media Handbook for National Human Rights Institutions*, http://www.asiapacificforum.net/media/resource_file/Media_Handbook_for_NHRIs.pdf.

PROMOTING AND PROTECTING THE RIGHTS OF SPECIFIC INDIVIDUALS OR GROUPS

- ▶ OHCHR, *The Convention on the Rights of Persons with Disabilities: Training Guide*, http://www.ohchr.org/Documents/Publications/CRPD_TrainingGuide_PTS19_EN%20Accessible.pdf.
- ▶ OHCHR, *Promoting and Protecting Minority Rights: A Guide for Advocates*, http://www.ohchr.org/Documents/Publications/HR-PUB-12-07_en.pdf.
- ▶ OHCHR, *Women's Rights are Human Rights*, <http://www.ohchr.org/Documents/Publications/HR-PUB-14-2.pdf>.
- ▶ Programme on Women's Economic, Social, and Cultural Rights, *International Covenant on Economic, Social, and Cultural Rights: A Handbook* http://pwescr.org/PWESCR_Handbook_on_ESCR.pdf.

Electronic Research Tools

- ▶ The Demographic and Health Surveys Program, <http://www.dhsprogram.com>.
- ▶ Hurisearch, <http://www.hurisearch.org>.
- ▶ National Sexual Rights Law and Policy Database, <http://sexualrightsdatabase.org>.
- ▶ OHCHR Jurisprudence Database (for researching Individual Complaints), <http://juris.ohchr.org>.
- ▶ RefWorld, <http://www.refworld.org>.
- ▶ Universal Human Rights Index (for researching Concluding Observations and reports by Special Procedure mandate holders), <http://uhri.ohchr.org/en>.
- ▶ University of Minnesota Human Rights Library, <http://hrlibrary.umn.edu>.

International NGOs

- ▶ Amnesty International, www.amnesty.org
- ▶ CCPR Centre, www.ccprcentre.org
- ▶ Center for Reproductive Rights, www.reproductiverights.org
- ▶ ESCR-Net, www.escr-net.org
- ▶ Guttmacher Institute, <https://www.guttmacher.org/>
- ▶ Human Rights Watch, www.hrw.org
- ▶ International Disability Alliance, www.internationaldisabilityalliance.org
- ▶ IRAW-Asia Pacific, www.iwraw-ap.org
- ▶ Save the Children, www.savethechildren.org
- ▶ Women Enabled International, www.womenenabled.org.

Templates or Models for Written Submissions to U.N.

- ▶ Optional Protocol to CEDAW, Request for a CEDAW Inquiry, <https://opcedaw.files.wordpress.com/2012/01/request-for-inquiry-cj-mexico-2002.pdf>.
- ▶ United States Human Rights Network, ICCPR Shadow Report Template, http://www.ushrnetwork.org/sites/ushrnetwork.org/files/shadow_report_template_final.pdf.



Women Enabled International

Women Enabled International
1875 Connecticut Ave. NW, 10th Floor
Washington, D.C. 20009

website: www.womenenabled.org email: info@womenenabled.org

Women Enabled International (WEI) works at the intersection of women's rights and disability rights to advance the rights of women and girls with disabilities around the world. Through advocacy and education, WEI increases international attention to—and strengthens international human rights standards on—issues such as violence against women, sexual and reproductive health and rights, access to justice, education, legal capacity, and humanitarian emergencies. Working in collaboration with women with disabilities rights organizations and women's rights organizations worldwide, WEI fosters cooperation across movements to improve understanding and develop cross-cutting advocacy strategies to realize the rights of all women and girls.