

4.2 THE INTERNATIONAL SYSTEM

As discussed in Chapter 2, there are currently eight core international human rights treaties that contain guarantees related to the protection of human rights in patient care. While these treaties are only binding on those states that have ratified them,¹ their standards have strong moral and political force even for non-ratifying countries. Each of these treaties has a committee in charge of monitoring state compliance with the treaty. These are referred to as “treaty-monitoring bodies” or “treaty bodies.”

U.N. TREATY-MONITORING BODIES

In general, UN treaty-monitoring bodies monitor state compliance with their respective treaty using a combination of three types of mechanisms: 1) interpretative documents on the content of the relevant treaty; 2) evaluating state compliance with the relevant treaty based on reports that member states are required to submit on a regular basis; and 3) receiving and considering individual communications alleging state violations of one or more of the human rights protected by the relevant treaty, and issuing recommendations to the respondent state. Each of the bodies’ specific functions, contact information, and ways through which civil society can participate are detailed below.

A NOTE ON THE USE OF ALTERNATIVE REPORTS IN U.N. TREATY-MONITORING BODIES

Treaty-monitoring bodies offer different avenues for civil society participation, a key option being the submission of alternative reports (also known as “parallel” or “shadow” reports or “written information”). These reports can serve an important role within the periodic reporting process of UN treaty-monitoring bodies. They allow civil society to provide supporting or alternative information on the human rights situation of the country being reviewed. For this reason, this section of the chapter highlights shadow reports as one of the tools available to civil society used to influence treaty-monitoring bodies’ work.

Past shadow reports, as well as information for civil society regarding the submission of such reports, are accessible on the UN Office of the High Commissioner for Human Rights’ website.

HUMAN RIGHTS COMMITTEE

MANDATE

The Human Rights Committee (CCPR) oversees compliance with the International Covenant on Civil and Political Rights (ICCPR) by those states that have ratified the treaty. The CCPR issues interpretative documents on the ICCPR called “general comments.”

The CCPR monitors progress in implementing the ICCPR based on review of periodic reports submitted by the States parties, considers inter-state complaints of human rights violations, and examines “individual communications,” which are complaints submitted by individuals or groups of individuals alleging violations of the rights set forth in the ICCPR by States parties that have ratified the First Optional Protocol to the ICCPR.

As part of the periodic reporting procedure, States parties must report to the CCPR after one year of ratifying the ICCPR and upon request thereafter—approximately every four years. Once a state submits its report, the CCPR examines the report and issues “concluding observations,” providing its concerns and recommendations to the state on how to better implement the treaty.

The CCPR meets three times per year.

¹Office of the UN High Commissioner for Human Rights (OHCHR). Ratifications, Reservations and Declarations. <http://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>. Accessed August 14, 2013.

CIVIL SOCIETY PARTICIPATION

As part of the periodic reporting procedure, NGOs can submit alternative reports to the CCPR on any aspect of a State party's compliance with the ICCPR. These reports should be submitted, by the relevant deadline, through the CCPR Secretariat based at the Office of the High Commissioner for Human Rights in Geneva, which also maintains a calendar of when States parties come before the CCPR. See "Participation in the work of the Committee" on the CCPR's website.

Organizations may attend the CCPR sessions as observers, but are not permitted to speak during the review of states. To do so, they must complete and file an "accreditation request form" in advance. Those that have submitted reports to the CCPR may make a brief oral presentation on the first day of the session. Organizations may also organize informal lunchtime briefings with the Committee.

Additionally, under the CCPR's individual complaints mechanism, NGOs are allowed to submit reports on behalf of individuals with the individual's consent. See 'Complaints procedure' on the CCPR's website.

CONTACT INFORMATION

Secretariat

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

Mailing Address:
UNOG-OHCHR
CH-1211 Geneva 10, Switzerland

Tel.: +41 (0) 22 917 92 61
Fax: +41 (0) 22 917 90 08
E-mail: ccpr@ohchr.org
Website: <http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx>

Individual Communications

Petitions Team
Office of the High Commissioner for Human Rights
United Nations Office at Geneva
1211 Geneva 10, Switzerland

Fax: + 41 (0) 22 917 9022 (particularly for urgent matters)
E-mail: petitions@ohchr.org

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

MANDATE

The Committee on Economic, Social and Cultural Rights (CESCR) oversees State party compliance with the International Covenant on Economic, Social and Cultural Rights (ICESCR). The CESCR issues interpretative documents on the ICESCR called "general comments."

The CESCR monitors progress in the implementation of the ICESCR based on periodic reports submitted by states that have ratified the treaty, considers inter-state complaints of human rights violations, and examines "individual communications," which are complaints submitted by individuals or groups of individuals alleging violations of the rights set forth in the ICESCR by States parties that have ratified the Optional Protocol to the ICESCR.

As part of the periodic reporting procedure, States parties must report within two years of ratifying the ICESCR and every five years thereafter. Once a State party submits its report, the CESCR examines the report and issues “concluding observations,” providing positive observations, concerns, and recommendations on how the State party can better implement the treaty.

The CESCR meets twice per year.

CIVIL SOCIETY PARTICIPATION

As part of the periodic reporting procedure, organizations can submit “parallel reports” to the CESCR on any aspect of a State party’s compliance with the ICESCR. Parallel reports should be submitted through the CESCR Secretariat based at the Office of the High Commissioner for Human Rights in Geneva, which also maintains a calendar of when States parties come before the CESCR. See “Participation in the work of the Committee” on the CESCR’s website.

Organizations may attend a CESCR session or a pre-session working group meeting. To do so, they must complete and file an “accreditation request form” in advance. Those that have submitted reports to the CESCR may make a brief oral presentation on the afternoon of the first Monday of the session and/or organize informal lunchtime briefings with the Committee.

Within the CESCR’s individual complaints mechanism, NGOs are allowed to submit reports on behalf of individuals with the individual’s consent. See ‘Complaints procedure’ on the CESCR’s website.

CONTACT INFORMATION

Secretariat

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

Mailing Address:
UNOG-OHCHR
CH-1211 Geneva 10, Switzerland

Tel.: +41 (0) 22 917 90 00
Fax: +41 (0) 22 917 90 08
E-mail: cescr@ohchr.org
Website: <http://www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx>

Individual Communications

Petitions Team
Office of the High Commissioner for Human Rights
United Nations Office at Geneva
1211 Geneva 10, Switzerland

Fax: + 41 (0) 22 917 9022 (particularly for urgent matters)
E-mail: petitions@ohchr.org

COMMITTEE AGAINST TORTURE

MANDATE

The Committee Against Torture (CAT Committee) oversees State compliance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT or “Torture Convention”). The CAT Committee issues interpretative documents on the Torture Convention called “general comments.”

The CAT Committee monitors progress in the implementation of the Torture Convention based on periodic reports submitted by states that have ratified the treaty, considers inter-state complaints of human rights violations, and examines individual complaints of human rights violations allegedly committed by states that have expressly recognized the CAT Committee’s competence to receive individual complaints (under article 22 of the Convention).

As part of the periodic reporting procedure, States parties must report within one year of ratifying the Torture Convention and every four years thereafter. Once a state submits its report, the CAT Committee examines the report and issues “concluding observations,” which includes the Committee’s conclusions on the state’s compliance with the Torture Convention and can address previous recommendations.

The CAT Committee meets twice per year.

CIVIL SOCIETY PARTICIPATION

As part of the periodic reporting procedure, NGOs can submit “written information” to the CAT Committee on any aspect of a State party’s compliance with Torture Convention. Written information should be submitted through the CAT Secretariat at the Office of the High Commissioner for Human Rights in Geneva, which also maintains a calendar of when States parties come before the CAT Committee. See “Participation in the work of the Committee” on the CAT Committee’s website.

Organizations that have submitted written information may meet privately with the CAT Committee, prior to the Committee’s meeting with the delegation of the state being reviewed. National Human Rights Institutions (NHRIs) may likewise meet in private with relevant CAT Committee members and country rapporteurs, prior to the CAT Committee’s meeting with the state. To participate in this manner, organizations must complete and file an “accreditation request form” in advance.

The CAT Committee may also consider individual complaints of human rights violations allegedly committed by states that have made the necessary declaration under article 22 of the Torture Convention. See ‘Complaints procedure’ on the CAT Committee’s website.

CONTACT INFORMATION

Secretariat

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

Mailing Address:
UNOG-OHCHR
CH-1211 Geneva 10, Switzerland

Tel.: +41 (0) 22 917 97 06
Fax: +41 (0) 22 917 90 08
E-mail: cat@ohchr.org
Website: www.ohchr.org/EN/HRBodies/CAT/Pages/CATIndex.aspx

Individual Communications

Petitions Team
Office of the High Commissioner for Human Rights
United Nations Office at Geneva
1211 Geneva 10, Switzerland

Fax: + 41 (0) 22 917 9022 (particularly for urgent matters)

E-mail: petitions@ohchr.org

COMMITTEE ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

MANDATE

The Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW Committee) oversees State compliance with the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The CEDAW Committee issues interpretative documents on the CEDAW called “general recommendations.”

The CEDAW Committee monitors country progress in the implementation of the CEDAW based on periodic reports submitted by States parties that have ratified the treaty. The Committee is also empowered to initiate inquiries into systemic violations of women’s rights, as well as examine and consider individual complaints relating to violations of rights allegedly committed by states that have ratified the Optional Protocol to CEDAW.

Under the periodic reporting procedure, States parties must report within one year of ratifying the CEDAW and at least every four years thereafter. Once the State party submits its report, the committee examines the report and provides conclusions on the state’s implementation of the CEDAW, highlighting both positive aspects and areas of concern, as well as providing suggestions and recommendations on how the state can better implement the treaty.

The CEDAW Committee meets as many times as needed to carry out its functions.

CIVIL SOCIETY PARTICIPATION

As part of the periodic reporting procedure, NGOs can submit alternative or shadow reports to the CEDAW Committee on any aspect of a State party’s compliance with CEDAW. These reports should be submitted through the Division for the Advancement of Women in New York, which also maintains a calendar of when States parties come before the committee. (See “Participation in the work of the Committee” on the CEDAW Committee’s website and “Producing Shadow Reports to the CEDAW Committee: A Procedural Guide” by International Women’s Rights Action Watch). NGOs can also request the CEDAW Committee to initiate inquiries into systemic violations of women’s rights by states that have ratified the Optional Protocol under CEDAW.

Organizations may attend a CEDAW Committee’s session as observers or present at pre-session meetings, which are limited to UN representatives and NGOs whose country reports are being reviewed. To do so, they must complete and file an “accreditation request form” in advance. Those that have submitted alternative or shadow reports to the CEDAW Committee may make an oral presentation during the informal consultation meeting, which is usually scheduled on the first day of the week. Organizations must also seek accreditation from the Committee to participate in this meeting.

Within the CEDAW Committee’s individual communications mechanism, NGOs are allowed to submit reports on behalf of individuals with the individual’s consent. See ‘Complaints procedure’ on the CEDAW Committee’s website.

For more information, see “NGO Participation” on United Nations Entity for Gender Equality and the Empowerment of Women’s (UN Women) website.

CONTACT INFORMATION

Secretariat

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

Mailing address:
UNOG-OHCHR
CH-1211 Geneva 10, Switzerland

Tel.: +41 (0) 22 917 94 43
Fax: +41 (0) 22 917 90 08
E-mail: cedaw@ohchr.org
Website: <http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx>

Individual Communications

Petitions Team
Office of the High Commissioner for Human Rights
United Nations Office at Geneva
1211 Geneva 10, Switzerland

Fax: + 41 (0) 22 917 9022 (particularly for urgent matters)
E-mail: petitions@ohchr.org

COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

MANDATE

The Committee on the Elimination of Racial Discrimination (CERD) oversees State party compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). The CERD issues interpretative documents on the ICERD called “general recommendations.”

The CERD monitors country progress in the implementation of the ICERD based on periodic reports submitted by states that have ratified the treaty, as well as through an early warning procedure, where the CERD undertakes measures to prevent certain situations from escalating into conflicts or matters requiring urgent attention. The CERD is also tasked with receiving and examining inter-state complaints of human rights violations, as well as individual complaints against states that have expressly recognized the CERD’s competence to examine individual complaints (under article 14 of the ICERD).

Under the periodic reporting procedure, States parties must report to the CERD one year after ratifying the ICERD and every two years thereafter. Once a State party submits its report, the CERD examines the report and issues “concluding observations,” providing its concerns and recommendations to the state on the implementation of the treaty.

The CERD meets twice per year.

CIVIL SOCIETY PARTICIPATION

As part of the periodic reporting procedure, NGOs can submit “alternative reports” to CERD on any aspect of a State party’s compliance with ICERD. Shadow reports should be submitted through the CERD Secretariat based at the Office of the High Commissioner for Human Rights in Geneva, which also maintains a calendar of when States parties come before the CERD. See “Participation in the work of the Committee” on the CERD’s website.

Organizations may attend a CERD session as observers. Organizations may participate in the informal pre-session meetings with NGOs held at the beginning of each week during the CERD's session. Here, NGOs can provide information on the countries being reviewed that week. NGOs may also organize informal lunchtime briefings with the Committee. To engage in any of these activities, they must complete and file an "accreditation request form" in advance.

CERD may also consider individual complaints of human rights violations allegedly committed by states that have made the necessary declaration under article 14 of the ICERD. See 'Complaints procedure' on the CERD's website.

CONTACT INFORMATION

Secretariat

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

Mailing address:
UNOG-OHCHR
CH-1211 Geneva 10, Switzerland

Tel.: +41 (0) 22 917 94 40

Fax: +41 (0) 22 917 90 08

E-mail: cerd@ohchr.org

Website: <http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx>

Individual Communications

Petitions Team
Office of the High Commissioner for Human Rights
United Nations Office at Geneva
1211 Geneva 10, Switzerland

Fax: + 41 (0) 22 917 9022 (particularly for urgent matters)

E-mail: petitions@ohchr.org

COMMITTEE ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES

MANDATE

The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) monitors the implementation of the International Convention of the Protection of the Rights of All Migrant Workers and their Families (ICMW). The CMW issues interpretative documents on the ICMW called "general comments."

The CMW monitors progress in the implementation of the ICMW based on periodic reports submitted by states that have ratified the treaty. As part of the periodic reporting procedure, States parties must report to the CMW one year after ratifying the ICMW, and then every five years. Once the State party submits its report, the CMW examines it and issues "concluding observations," providing its concerns and recommendations to the state on the implementation of the treaty.

The CMW currently does not have competence to consider individual complaints. The optional protocol to the ICMW granting the Committee this power opened for signature in 2012, but as of this writing had not yet acquired the 10 ratifications needed for the individual complaint mechanism to enter into force.

The CMW Committee meets twice per year.

CIVIL SOCIETY PARTICIPATION

As part of the periodic reporting procedure, NGOs can submit “written submissions” (i.e., alternative reports) to the CMW Committee on any aspect of a State party’s compliance with the ICMW. Written submissions should be submitted through the CMW Secretariat at the Office of the High Commissioner for Human Rights in Geneva, which also maintains a calendar of when States parties come before the CMW Committee.

Organizations may attend a CMW session as observers. They may also present oral briefings before the Committee at public and/or informal meetings held during the session. To engage in any of these activities, they must complete and file an “accreditation request form” in advance.

The individual complaint mechanism for the CMW has not yet entered into force.

CONTACT INFORMATION

Secretariat

Committee on Migrant Workers (CMW)
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

Mailing Address:
UNOG-OHCHR
CH-1211 Geneva 10, Switzerland

Tel.: +41 (0) 22 917 96 41

Fax: +41 (0) 22 917 90 08

E-mail: cmw@ohchr.org

Website: <http://www.ohchr.org/EN/HRBodies/CMW/Pages/CMWIndex.aspx>

Individual Communications

Petitions Team
Office of the High Commissioner for Human Rights
United Nations Office at Geneva
1211 Geneva 10, Switzerland

Fax: + 41 (0) 22 917 9022 (particularly for urgent matters)

E-mail: tb-petitions@ohchr.org

COMMITTEE ON THE RIGHTS OF PERSONS WITH DISABILITIES

MANDATE

The Committee on the Rights of Persons with Disabilities (CRPD Committee) oversees state compliance with the Convention on the Rights of Persons with Disabilities (CRPD). Issuing interpretative documents on the treaty’s content is part of the CRPD Committee’s mandate, but as of this writing, has only issued draft general comments.

The CRPD Committee monitors progress in the implementation of the CRPD based on periodic reports submitted by states that have ratified the treaty, considers inter-state complaints of human rights violations, and examines individual complaints of human rights violations allegedly committed by states that have ratified the Optional Protocol to the CRPD.

As part of the periodic reporting procedure, States parties must report within two years of ratifying the CRPD and every four years thereafter. Once a State party submits its report, the CRPD Committee examines the report and issues “concluding observations,” expressing general recommendations and suggestions on how the state can better implement the treaty.

The CRC Committee meets twice per year.

CIVIL SOCIETY PARTICIPATION

As part of the periodic reporting procedure, NGOs can submit “shadow reports” to the CRPD Committee on any aspect of a State party’s compliance with the CRPD. Shadow reports should be submitted through the CRPD Secretariat at the Office of the High Commissioner for Human Rights (OHCHR) in Geneva, which also maintains a calendar of when States parties come before the CRPD Committee.

CONTACT INFORMATION

Secretariat

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

Mailing address:
UNOG-OHCHR
CH-1211 Geneva 10, Switzerland

Tel.: +41 (0) 22 917 97 03

Fax: +41 (0) 22 917 90 08

E-mail: crpd@ohchr.org

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

Individual Communications

Petitions Team
Office of the High Commissioner for Human Rights
United Nations Office at Geneva
1211 Geneva 10, Switzerland

Fax: + 41 (0) 22 917 9022 (particularly for urgent matters)

E-mail: petitions@ohchr.org

COMMITTEE ON THE RIGHTS OF THE CHILD

MANDATE

The Committee on the Rights of the Child (CRC Committee) oversees State party compliance with the Convention on the Rights of the Child (CRC). The CRC Committee issues interpretative documents on the CRC called “general comments.”

The CRC Committee monitors progress in the implementation of the CRC based on periodic reports submitted by states that have ratified the treaty. It also examines individual complaints of human rights violations allegedly committed by states that have ratified the Optional Protocol to the CRC.

The CRC Committee meets three times per year.

CIVIL SOCIETY PARTICIPATION

As part of the periodic reporting procedure, NGOs can submit “shadow reports” to the CRC Committee on any aspect of a State party’s compliance with the CRC. Shadow reports should be submitted through the CRC Secretariat based at the Office of the High Commissioner for Human Rights in Geneva, which also maintains a calendar of when States parties come before the CRC Committee.

CONTACT INFORMATION

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

Mailing address:
UNOG-OHCHR
CH-1211 Geneva 10, Switzerland

Tel.: +41 (0) 22 917 91 41
Fax: +41 (0) 22 917 90 08
E-mail: crc@ohchr.org
Website: <http://www2.ohchr.org/english/bodies/crc/index.htm>

Individual Communications

Petitions Team
Office of the High Commissioner for Human Rights
United Nations Office at Geneva
1211 Geneva 10, Switzerland

Fax: + 41 (0) 22 917 9022 (particularly for urgent matters)
E-mail: petitions@ohchr.org

INTERNATIONAL LABOUR ORGANIZATION

MANDATE

The International Labour Organization (ILO) promotes the advancement of proper working conditions, decent employment opportunities, and the enhancement of social protection on work-related issues. The ILO is unique in its tripartite governing structure—representing governments, employers, and workers alike.

The ILO hosts annual conferences that serve as a forum for labor dialogue, establishing and adopting international labor standards, and electing the ILO Governing Body. States that have ratified an ILO convention have a legal obligation to apply its provisions. To date, the ILO has adopted 189 international labor conventions.

There exist two kinds of mechanisms to monitor member state compliance with ILO conventions: a regular system of supervision and special procedures. Under the “regular system of supervision,” ILO Member States are required to submit reports every two years on the implementation of the eight fundamental and four priority conventions ratified and every five years for all other conventions. However, a State party may be asked to submit reports at

shorter intervals. The Committee of Experts on the Application of Conventions and Recommendations (CEACR) examines the report and communicates with the State party on the implementation of the conventions. Once adopted, the CEACR annual report is submitted to the International Labour Conference and examined by the Conference Committee on the Application of Standards (Conference Committee), which selects specific observations for discussion and invites States parties to respond and provide information on the matter(s) at issue. The Conference Committee usually issues conclusions and recommendations for improved implementation of the ILO convention(s).

The CEACR meets in November and December of each year, and the International Labour Conference is held in June.

The other mechanism is the ILO's "special procedures," where an industrial association of employers or workers can bring a complaint against member states. They may bring complaints before the ILO Governing Body against any member state for failing to comply with the ratified convention. A committee of the Governing Body examines the case and submits to the Governing Body its conclusions and recommendations. If the Governing Body is not satisfied with the state's response, it may publish the representation and the response. Employers' and workers' organizations can also bring a claim before the Committee on Freedom of Association—another special procedure. If the Committee finds a violation of freedom of association, it issues recommendations in the Governing Body's report and requests that the States parties later report on the implementation of its recommendations.

CIVIL SOCIETY PARTICIPATION

Civil society organizations can participate in a number of ways within the ILO. Employers' and workers' organizations elect representatives to form part of the Governing Body and various ILO consultative bodies, where they enjoy the same level of decision-making authority as governments. The ILO conventions and recommendations provide member states with procedures for consulting with workers' and employers' organizations and their representatives on all ILO matters. As outlined above, workers' and employers' associations are invited to submit information on the State party's implementation of a ratified convention in preparation of the CEACR's review of a state's report. The ILO also provides training and advisory services to these organizations.

Using the complaints mechanisms under "special procedures" (outlined above), employer and workers' organizations may file complaints with the International Labour Office against a member state for alleged violations of the ratified convention(s).

The ILO also works with local, national and regional organizations, such as professional associations, cooperatives, village development committees, water users' committees, rural or urban credit groups, NGOs concerned with local and national development or human rights, indigenous community organizations, and networks of homeworkers, especially women. They participate in the ILO's technical cooperation activities. With respect to indigenous peoples, the convention encourages states to consult with them in preparing reports. Indigenous peoples may also affiliate themselves with workers' associations or form their own workers' association in order to more directly communicate with the ILO.

In addition to integrating NGOs in its tripartite structure, international non-governmental organizations recognized by the ILO enjoy consultative status, which allows them to express their views on issues discussed at ILO meetings even though they do not have the right to vote. Also, NGOs that are part of the "Special List" have working relations with the ILO as they are understood to share the ILO's principles and objectives. Finally, International non-governmental organizations can also limit their level of engagement and only attend ILO meetings based on their specific interests.

For more information on civil society participation opportunities, visit: www.ilo.org/pardev/civil-society/lang-en/index.htm.

CONTACT INFORMATION

4 route des Morillons
CH-1211 Genève 22, Switzerland

Tel.: +41 (0) 22 799 6111

Fax: +41 (0) 22 798 8685

E-mail: ilo@ilo.org

Website: www.ilo.org

UN CHARTER BODIES

In addition to the treaty bodies above, there are a number of bodies created for the protection and promotion of human rights under the Charter of the United Nations.

HUMAN RIGHTS COUNCIL

The Human Rights Council (HRC) is the principal charter body of the UN system, which replaced the Commission on Human Rights in 2006 and is not to be confused with the Human Rights Committee (CCPR) created by the ICCPR. The HRC is a subsidiary organ of the United Nations General Assembly that addresses situations of human rights violations, including gross and systematic violations.

The HRC has four mechanisms for monitoring human rights:

- ▶ Universal Periodic Review (UPR);
- ▶ Special Procedures;
- ▶ Human Rights Council Advisory Committee; and
- ▶ Human Rights Council Complaints Procedure.

For more information, visit: www.ohchr.org/EN/HRBodies/HRC/Pages/HRCIndex.aspx.

UNIVERSAL PERIODIC REVIEW

Established as part of the Human Rights Council's mandate, the Universal Periodic Review (UPR) consists of a regular review of the human rights records of all UN Member States. It was established in 2008 and completed the first review of all 193 Member States in 2011. The UPR – much as with the above-mentioned committees – requires Statesparties to submit reports on the actions that they have taken to improve human rights in their country and fulfill human rights obligations.

The UPR is not limited to specific treaty obligations, so it is able to consider a broader range of human rights issues than any of the individual committees. The UPR complements the committees; it does not replace them.

CIVIL SOCIETY PARTICIPATION

NGOs can submit “shadow reports” to the HRC on any aspect of a state's compliance with human rights standards. Additionally, civil society organizations with consultative status with the United Nations Economic and Social Council (ECOSOC) are allowed to participate in the working group session and the adoption of the UPR for the relevant country. A schedule of countries coming up for UPR is maintained on the HRC's website: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx>.

The HRC has published a practical guide on civil society participation in the UPR process, which is accessible at: <http://www.ohchr.org/EN/HRBodies/UPR/Documents/PracticalGuideCivilSociety.pdf>

SPECIAL PROCEDURES

“Special Procedures” is the general term given to individuals (known as “Special Rapporteurs,” “Special Representatives,” or “Independent Experts”) or to groups (known as “working groups”) that are mandated by the Human Rights Council (HRC) to investigate and address specific country situations or thematic issues throughout the world. At the time of this writing, the OHCHR web page (see link below) notes that as of October 1, 2013, there are 37 thematic and 14 country-specific Special Procedures.

The thematic Special Procedures that are most relevant to human rights in patient care include:

- ▶ Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;
- ▶ Working Group on arbitrary detention;
- ▶ Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment;
- ▶ Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression;
- ▶ Special Rapporteur on the rights to freedom of peaceful assembly and of association;
- ▶ Special Rapporteur on violence against women, its causes and consequences; and
- ▶ Working Group on the issue of discrimination against women in law and in practice.

For more information, visit the HRC website: www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx

CIVIL SOCIETY PARTICIPATION

In addition to meeting with civil society during their country visits, Special Rapporteurs are able to receive individual complaints requesting assistance or investigation into human rights violations by States parties within their thematic areas. If warranted, the Special Rapporteur requests responses from States parties to the allegations and reports on the Special Rapporteur’s findings to the Human Rights Council.

For more information on the process of submitting individual complaints to Special Rapporteurs, visit: www.ohchr.org/EN/HRBodies/SP/Pages/Communications.aspx.

ADVISORY COMMITTEE

The Human Rights Council Advisory Committee (Advisory Committee) functions as a think-tank for the HRC and engages in substantive research and work at the direction of the HRC. The Advisory Committee is implementation-oriented, and the scope of its research and advice is confined to thematic issues pertaining to the mandate of the HRC. It is composed of 18 experts serving in their personal capacity for appointments of up to three years.

The Advisory Committee meets twice a year.

CIVIL SOCIETY PARTICIPATION

NGOs in consultative status with United Nations Economic and Social Council (ECOSOC) may submit written statements relevant to the work of the Advisory Meeting prior to the Advisory Committee’s meetings. Additionally, oral submissions can be made during the course of the meetings on the work of the Advisory Committee.

For more information on civil society participation, visit: www.ohchr.org/EN/HRBodies/HRC/AdvisoryCommittee/Pages/NGOParticipation.aspx.

COMPLAINTS PROCEDURE

The Complaints Procedure functions as a confidential forum for bringing complaints on “consistent patterns of gross and reliably attested violations of all human rights and all fundamental freedoms occurring in any part of the

world and under any circumstances”² to the attention of the Human Rights Council (HRC). The procedure promotes a victim-oriented and timely approach to alleged violations. The complaints may be filed by individuals, groups, or NGOs as victims of human rights violations or based on having direct and reliable knowledge of the violations.

The Complaints Procedure is composed of two distinct working groups: the Working Group on Communications (WGC) and the Working Group on Situations (WGS). The WGC meets twice a year to assess the admissibility and the merits of a violation. The WGS meets twice a year in order to examine communication deemed admissible by the WGC and to present the HRC with a report on state violations and recommendations for a course of action.

CIVIL SOCIETY PARTICIPATION

As outlined above, NGOs may file a complaint with the Complaints Procedure as victims of human rights violations or based on direct and reliable knowledge of the violations. A complaint must be filed using the form available at: <http://www.ohchr.org/Documents/HRBodies/ComplaintProcedure/HRCComplaintProcedureForm.doc>.

Complaints

Treaties and Human Rights Council Branch
OHCHR-UNOG
1211 Geneva 10, Switzerland

Fax: +41 (0) 22 917 90 11

E-mail: CP@ohchr.org

Website: www.ohchr.org/EN/HRBodies/HRC/ComplaintProcedure/Pages/HRCComplaintProcedureIndex.aspx

ECONOMIC AND SOCIAL COUNCIL

The UN Economic and Social Council (ECOSOC) coordinates the work of 14 specialized UN agencies, functional commissions, and regional commissions working on various international economic, social, cultural, educational, and health matters. The ECOSOC holds several short sessions per year and an annual substantive session for four weeks every July.

CIVIL SOCIETY PARTICIPATION

ECOSOC consults regularly with civil society, and nearly 3,000 NGOs enjoy consultative status. ECOSOC- accredited NGOs are permitted to participate, present written contributions, and make statements to the council and its subsidiary bodies.

For more information on NGOs with consultative status, visit: <http://csonet.org/>.

ECOSOC agencies and commissions that may be relevant to patientcare include:

- ▶ Commission on the Status of Women;
- ▶ Commission on Narcotic Drugs;
- ▶ Committee on Economic, Social and Cultural Rights; and
- ▶ International Narcotics Control Board.

² Human Rights Complaint Procedure
(www.ohchr.org/EN/HRBodies/HRC/ComplaintProcedure/Pages/HRCComplaintProcedureIndex.aspx).