**UN Complaints Procedures**

There are three main procedures for **complaining to the treaty bodies**:

* individual communications;
* state-to-state complaints; and
* inquiries.

There are also **two additional mechanisms for raising complaints**:

* the Human Rights Council Complaint Procedure
* And the Special Procedures of the Human Rights Council

And **another procedure to submit information** to an important UN process is:

* the Universal Periodic Review.

**Individual Communications** There are nine core international human rights treaties, monitored by treaty bodies, which may, under certain conditions, consider individual complaints from victims or their representatives

* In the case of the UK complaints can currently be brought to just three of these committees: CEDAW (women), disabilities, child rights.
* Complaints cannot currently be brought against the UK under the other six processes: ICCPR (civil and political), Torture, CERD (discrimination), enforced disappearances, ICESCR (economic, social and cultural), migrant workers.

**Inter-State Complaints. S**everal of the human rights treaties contain provisions to allow for State parties to complain to the relevant treaty body (Committee) about alleged violations of the treaty by another State party. These procedures have never been used and in any case can only be initiated by States. For these reasons they are discussed no further in this overview.

**Inquiries.** Another procedure applying to serious, grave or systematic violations by a State party of the various conventions is the Inquiries procedure. The UK has largely not accepted these provisions so the option is not discussed in detail here.

**Human Rights Complaints Procedure.** This process is aimed at 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. Its application to trade union cases in the UK is not considered here, but it is an important process in the international human rights supervisory system.

**Special Procedures of the Human Rights Council**

The special procedures of the Human Rights Council are independent human rights experts with mandates to report and advise on human rights from a **thematic or country-specific** perspective. Special procedures undertake country visits; act on individual cases and concerns of a broader, structural nature by sending communications to States and others in which they bring alleged violations or abuses to their attention; conduct thematic studies and convene expert consultations, contribute to the development of international human rights standards, engage in advocacy, raise public awareness, and provide advice for technical cooperation. Special procedures report annually to the Human Rights Council; the majority of the mandates also reports to the General Assembly. Their tasks are defined in the resolutions creating or extending their mandates.

Special procedures are either an individual (called "Special Rapporteur" or "Independent Expert") or a working group composed of five members, one from each of the five United Nations regional groupings: Africa, Asia, Latin America and the Caribbean, Eastern Europe and the Western group.  The Special Rapporteurs, Independent Experts and members of the Working Groups are appointed by the Human Rights Council and serve in their personal capacities. They undertake to uphold independence, efficiency, competence and integrity through probity, impartiality, honesty and good faith. They are not United Nations staff members and do not receive financial remuneration. The independent status of the mandate-holders is crucial for them to be able to fulfil their functions in all impartiality. A mandate-holder’s tenure in a given function, whether it is a thematic or country mandate, is limited to a maximum of six years.

Most Special Procedures receive information on specific allegations of human rights violations. They also send communications (urgent appeals and other letters) to States, and occasionally to non-State actors, asking for clarification and action. Mandate-holders may send letters to States seeking information about legal, policy or structural developments, submitting observations, or following-up on recommendations. For the most part the process of communicating with them is fairly informal – just send them relevant information – and it may feed into their work. Their addresses and contact details are available online. Each mandate has a webpage, and they are all accessible via: <http://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx>

As of 27 March 2015, there are 41 thematic and 14 country mandates. A few of these that might be more relevant to employment and workers' rights advocates are: Opinion and Expression; Freedom of Assembly and Association; Human Rights Defenders; Independence of Judges and Lawyers; Indigenous Peoples; Transnational Corporations (WG); Migrants; Poverty; Racism; Slavery; Torture; Trafficking; Truth, Justice and Reparation; Discrimination against Women (WG); Disabilities; Arbitrary Detention (WG); Enforced Disappearances (WG); Extrajudicial Executions; and Foreign Debt, Financial Obligations of States and All Human Rights, particularly Economic, Social and Cultural

**The Universal Periodic Review (UPR)**

The Universal Periodic Review (UPR) is a unique process which involves a review of the human rights records of all UN Member States. The UPR is a State-driven process, under the auspices of the Human Rights Council, which provides the opportunity for each State to declare what actions they have taken to improve the human rights situations in their countries and to fulfil their human rights obligations. A review of a State is based on three information sources: a national report prepared by the State under review; a compilation of United Nations information on the State under review prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR); and a summary of information submitted by other stakeholders (including civil society actors), also prepared by OHCHR. The review itself takes place in Geneva in a session of the Working Group on the UPR, which is composed of the 47 member States of the Human Rights Council in the form of an interactive dialogue.

Trade unions, along with NGOs, can contribute to the “other stakeholders” report which is considered during the review. Stakeholders should follow the technical guidelines for stakeholders submissions to send written contributions to UPR documentation. Contributions should be **highly focussed** as they will only merit a couple of sentences or so in the summary that is prepared for submission. NGOs in consultative status with the United Nations Economic and Social Council (ECOSOC) can be accredited to participate in the session of the Working Group as Observers. ICTUR, for example, has this status, accredited since 1993. NGO observers can make brief oral statements during a final outcome procedure at the end of the review process