

The potential role of the confidential complaints procedure

Statement by URG

9 April 2019

Thank you Chair, I am pleased to deliver the following statement on behalf of the Universal Rights Group.

The confidential complaints procedure should, in principle, play a key prevention role at the Council, especially in the context of secondary prevention.

The procedure is well placed to pull in data on violations from the other two human rights communications procedures; from the wider UN; and, most importantly, from victims.

This should, in principle, then allow the Procedure to identify consistent patterns of violations, and either engage the country concerned or alert the Council.

Unfortunately, the Procedure is not able to share data with the other communications procedures, and does not receive enough information from victims or civil society to allow it to spot emerging patterns of violations.

Indeed, in some ways it has become another individual complaints procedure.

The procedure thus needs to be reformed so it can better pull in data on violations from around the world, and so that it is more accessible to victims or civil society. Question: what might those reforms look like?

Where situations are identified, the Procedure's emphasis on confidential engagement and dialogue with the concerned State, and its victim-orientated approach, offer useful lessons for the Council's overall prevention mandate. There is anecdotal evidence that this approach has helped prevent and address some violations.

Thank you.