

LouvainX: Louv2.01x International Human Rights

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When mandate-holders receive credible information about human rights violations or about the risk of violations, they may correspond with the government concerned to seek clarification about such allegations. This takes the form of a letter addressed to the State's permanent mission to the UN in Geneva, through the Office of the High Commissioner for Human Rights.

In principle, mandate-holders do not disclose from whom the information was received, in order to protect victims from retaliation or reprisals.

Victims of alleged violations or individuals or organizations having a direct knowledge of the alleged violations may correspond with the mandate-holder concerned, without there being an obligation to exhaust any domestic remedies available. The communications procedure is not a quasi-judicial procedure; rather, it is a means to provide immediate protection to the victims, by drawing the attention of the government to certain situations.

Such communications may take the form either of urgent appeals or of letters of allegation:

- *Urgent appeals* are made 'in cases where the alleged violations are time-sensitive in terms of involving loss of life, life-threatening situations or either (*sic*) imminent or ongoing damage of a very grave nature to victims that cannot be addressed in a timely manner by the procedure under letters of allegation' (*Manual of Operations of the Human Rights Council Special Procedures* (August 2008), para. 43).
- Letters of allegation are used to communicate information about violations that are said to have already occurred and whose impact on the alleged victim can no longer be changed.

Whereas urgent appeals normally require a substantive response within thirty days - although in certain circumstances the mandate-holder may make a public statement prior to receiving that response – governments generally have two months to respond to letters of allegation.

In the past, each mandate-holder submitted to the Human Rights Council, with his/her annual report, a report on the communications with governments; since 2010, a joint report on communications is prepared, thus facilitating in principle the identification of patterns related to the co-operation (or lack thereof) of certain countries with the Special Procedures of the Human Rights Council.

In 2012, 603 communications were sent to 127 States, covering at least 1512 individuals -- though many communications are addressed to situations concerning groups of individuals, whose number cannot be evaluated with precision. 74.3 percent of all communications were sent jointly by more than one mandate.

1 Read the allegation letters sent, respectively, to Belize (/c4x/LouvainX/Louv2.01x/asset/public_- 04/17/2014 02:46 PM

Communications addressed to States | [8.2] ... https://courses.edx.org/courses/LouvainX/Lo... _AL_Belize_18.04.13__1.2013_.pdf), to the United States of America (/c4x/LouvainX/Louv2.01x/asset/public_- _Belize_USA_18.04.13__1.2013_.pdf), and to the company US Capital Energy Belize Ltd. (/c4x/LouvainX/Louv2.01x/asset /public_-_AL_Belize-USCapital_Energy_18.04.13__1.2013_.pdf), concerning the impacts of exploratory drilling and oil exploitation activities in the Toledo District in Belize. (Though these are three separate allegation letters, the description of the facts is identical in each, and therefore the letters are broadly similar in content. If you choose to read only one, read the one addressed to the company).

Once you've read these letters, try to answer the guestions that follow.



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