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SPECIAL RAPPORTEURS AND OTHER HUMAN RIGHTS MECHANISMS - EXERCISE (1/1 point)

1. What lessons can be drawn from the example of the allegation letters sent by the Special Rapporteur on the Right to Food on oil exploitation in Belize concerning the interaction between remedies exercised at domestic level by the victims of alleged violations, remedies exercised at regional level (such as, in this case, before the Inter-American Commission on Human Rights), and the role of Special Procedures?

- ☐ These mechanisms are competing with one another and there is a risk of conflicting interpretations of human rights norms;
- ☒ These mechanisms are mutually supportive; or, 
- ☐ These mechanisms serve different purposes and cannot therefore be seen as either competing against one another or as supporting one other.

EXPLANATION

In this case, the letter by the Special Rapporteur on the right to food clearly was encouraging the authorities of Belize to comply with judgments from the Supreme Court of Belize as well as with a recommendation of the Inter-American Commission on Human Rights. This is not always the case, however. It may happen that Special Procedures of the Human Rights Council instead express concerns about how domestic courts have failed to protect human rights, for instance because of an excessively narrow interpretation of human rights instruments. Because of the relatively informal nature of the letters of allegation that Special Procedures can address to governments, there is no requirement that victims of human rights violations first exhaust the local remedies to them before domestic authorities; indeed, Special Rapporteurs have occasionally intervened in the course of domestic judicial proceedings, expressing their own views as to the requirements of international human rights law and how such requirements should influence the course of such proceedings (though this would be in the form of an *amicus curiae* brief (as a 'friend of the court'), rather than in the form of a communication addressed to the government). This highlights one of the advantages of Special Procedures, which is the great flexibility with which they operate and their ability to combine different tools at their disposal.

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