

Institution Building Compilation
Compilation of institution-building related Human Rights
Council documents



Note

The present document contains a compilation of resolutions, decisions and president's statements of the United Nations General Assembly and the Human Rights Council as well as documents prepared by the Secretariat which relate to the institution-building of the Council.

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A/RES/60/251. HUMAN RIGHTS COUNCIL

The General Assembly,

Reaffirming the purposes and principles contained in the Charter of the United Nations, including developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all,

Reaffirming also the Universal Declaration of Human Rights¹ and the Vienna Declaration and Programme of Action,² and recalling the International Covenant on Civil and Political Rights,³ the International Covenant on Economic, Social and Cultural Rights³ and other human rights instruments,

Reaffirming further that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, all States, regardless of their political, economic and cultural systems, have the duty to promote and protect all human rights and fundamental freedoms,

Emphasizing the responsibilities of all States, in conformity with the Charter, to respect human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language or religion, political or other opinion, national or social origin, property, birth or other status,

Acknowledging that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well-being, and recognizing that development, peace and security and human rights are interlinked and mutually reinforcing,

Affirming the need for all States to continue international efforts to enhance dialogue and broaden understanding among civilizations, cultures and religions, and emphasizing that States, regional organizations, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance, respect for and freedom of religion and belief,

Recognizing the work undertaken by the Commission on Human Rights and the need to preserve and build on its achievements and to redress its shortcomings,

¹ Resolution 217 A (III).

² A/CONF.157/24 (Part I), chap. III.

³ See resolution 2200 A (XXI), annex.

Recognizing also the importance of ensuring universality, objectivity and non-selectivity in the consideration of human rights issues, and the elimination of double standards and politicization,

Recognizing further that the promotion and protection of human rights should be based on the principles of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Acknowledging that non-governmental organizations play an important role at the national, regional and international levels, in the promotion and protection of human rights,

Reaffirming the commitment to strengthen the United Nations human rights machinery, with the aim of ensuring effective enjoyment by all of all human rights, civil, political, economic, social and cultural rights, including the right to development, and to that end, the resolve to create a Human Rights Council,

1. *Decides* to establish the Human Rights Council, based in Geneva, in replacement of the Commission on Human Rights, as a subsidiary organ of the General Assembly; the Assembly shall review the status of the Council within five years;
2. *Decides* that the Council shall be responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner;
3. *Decides also* that the Council should address situations of violations of human rights, including gross and systematic violations, and make recommendations thereon. It should also promote the effective coordination and the mainstreaming of human rights within the United Nations system;
4. *Decides further* that the work of the Council shall be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation, with a view to enhancing the promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development;
5. *Decides* that the Council shall, inter alia:
 - (a) Promote human rights education and learning as well as advisory services, technical assistance and capacity-building, to be provided in consultation with and with the consent of Member States concerned;
 - (b) Serve as a forum for dialogue on thematic issues on all human rights;
 - (c) Make recommendations to the General Assembly for the further development of international law in the field of human rights;
 - (d) Promote the full implementation of human rights obligations undertaken by States and follow-up to the goals and commitments related to the promotion and protection of human rights emanating from United Nations conferences and summits;

(e) Undertake a universal periodic review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States; the review shall be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs; such a mechanism shall complement and not duplicate the work of treaty bodies; the Council shall develop the modalities and necessary time allocation for the universal periodic review mechanism within one year after the holding of its first session;

(f) Contribute, through dialogue and cooperation, towards the prevention of human rights violations and respond promptly to human rights emergencies;

(g) Assume the role and responsibilities of the Commission on Human Rights relating to the work of the Office of the United Nations High Commissioner for Human Rights, as decided by the General Assembly in its resolution 48/141 of 20 December 1993;

(h) Work in close cooperation in the field of human rights with Governments, regional organizations, national human rights institutions and civil society;

(i) Make recommendations with regard to the promotion and protection of human rights;

(j) Submit an annual report to the General Assembly;

6. *Decides also* that the Council shall assume, review and, where necessary, improve and rationalize all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights in order to maintain a system of special procedures, expert advice and a complaint procedure; the Council shall complete this review within one year after the holding of its first session;

7. *Decides further* that the Council shall consist of forty-seven Member States, which shall be elected directly and individually by secret ballot by the majority of the members of the General Assembly; the membership shall be based on equitable geographical distribution, and seats shall be distributed as follows among regional groups: Group of African States, thirteen; Group of Asian States, thirteen; Group of Eastern European States, six; Group of Latin American and Caribbean States, eight; and Group of Western European and other States, seven; the members of the Council shall serve for a period of three years and shall not be eligible for immediate re-election after two consecutive terms;

8. *Decides* that the membership in the Council shall be open to all States Members of the United Nations; when electing members of the Council, Member States shall take into account the contribution of candidates to the promotion and protection of human rights and their voluntary pledges and commitments made thereto; the General Assembly, by a two-thirds majority of the members present and voting, may suspend the rights of membership in the Council of a member of the Council that commits gross and systematic violations of human rights;

9. *Decides also* that members elected to the Council shall uphold the highest standards in the promotion and protection of human rights, shall fully cooperate with the Council and be reviewed under the universal periodic review mechanism during their term of membership;

10. *Decides further* that the Council shall meet regularly throughout the year and schedule no fewer than three sessions per year, including a main session, for a total duration of no less than ten weeks, and shall be able to hold special sessions, when needed, at the request of a member of the Council with the support of one third of the membership of the Council;

11. *Decides* that the Council shall apply the rules of procedure established for committees of the General Assembly, as applicable, unless subsequently otherwise decided by the Assembly or the Council, and also decides that the participation of and consultation with observers, including States that are not members of the Council, the specialized agencies, other intergovernmental organizations and national human rights institutions, as well as non-governmental organizations, shall be based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996 and practices observed by the Commission on Human Rights, while ensuring the most effective contribution of these entities;

12. *Decides also* that the methods of work of the Council shall be transparent, fair and impartial and shall enable genuine dialogue, be results-oriented, allow for subsequent follow-up discussions to recommendations and their implementation and also allow for substantive interaction with special procedures and mechanisms;

13. *Recommends* that the Economic and Social Council request the Commission on Human Rights to conclude its work at its sixty-second session, and that it abolish the Commission on 16 June 2006;

14. *Decides* to elect the new members of the Council; the terms of membership shall be staggered, and such decision shall be taken for the first election by the drawing of lots, taking into consideration equitable geographical distribution;

15. *Decides also* that elections of the first members of the Council shall take place on 9 May 2006, and that the first meeting of the Council shall be convened on 19 June 2006;

16. *Decides further* that the Council shall review its work and functioning five years after its establishment and report to the General Assembly.

*72nd plenary meeting
15 March 2006*

1/101. TITLES OF OFFICERS

At its 1st meeting, on 19 June 2006, the Human Rights Council decided, without a vote, that its officers would be known as President and Vice-President.

**1/102. EXTENSION BY THE HUMAN RIGHTS COUNCIL OF ALL MANDATES,
MECHANISMS, FUNCTIONS AND RESPONSIBILITIES OF THE
COMMISSION ON HUMAN RIGHTS**

At its 23rd meeting, on 30 June 2006, the Human Rights Council adopted, without a vote, the following text:

“The Human Rights Council,

“Bearing in mind General Assembly resolution 60/251 of 15 March 2006, entitled “Human Rights Council”, and in particular its paragraph 6,

“Stressing the importance of avoiding any protection gap during the transitional period, in accordance with paragraph 6 of that General Assembly resolution,

“1. *Decides* to extend exceptionally for one year, subject to the review to be undertaken by the Council in conformity with General Assembly resolution 60/251, the mandates and the mandate holders of all the special procedures of the Commission on Human Rights, of the Sub-Commission on the Promotion and Protection of Human Rights as well as the procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970, as listed in the annex to the present decision;

“2. *Requests*, in this regard, the special procedures, the Sub-Commission on the Promotion and Protection of Human Rights and the procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII) to continue with the implementation of their mandates and the Office of the United Nations High Commissioner for Human Rights to continue to provide the necessary support to them;

“3. *Decides* to approve the following arrangements for the transitional period:

“(a) To consider at its next session the reports of all special procedures submitted to the sixty-second session of the Commission on Human Rights;

“(b) That the final session of the Sub-Commission on the Promotion and Protection of Human Rights shall be convened starting 31 July 2006 for a period of up to four weeks, if so decided by the Sub-Commission, including its pre-sessional and in-sessional working groups, and shall give due priority to preparing:

- (i) A paper on the Sub-Commission’s record that gives its own vision and recommendations for future expert advice to the Council, to be submitted to the Council in 2006;
- (ii) A detailed list describing the status of all the Sub-Commission’s ongoing studies as well as an overall review of its activities, to be submitted to the Council in 2006;

“4. *Also decides* that the working groups and the Social Forum of the Sub-Commission shall be convened to hold their annual sessions in accordance with

current practices in order to contribute to the Sub-Commission's paper as described in paragraph 3 (b) (i) above;

“5. *Further decides* to consider at its next session all outstanding reports referred to it by the Commission on Human Rights.”

ANNEX: Implementation of General Assembly resolution 60/251: extension by the Human Rights Council of all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights

“Commission on Human Rights

“Intergovernmental working group established to make recommendations with a view to the effective implementation of the Durban Declaration and Programme of Action

“Independent expert appointed by the Secretary-General on the situation of human rights in Haiti

“Independent expert appointed by the Secretary-General on the situation of human rights in Somalia

“Independent expert on the situation of human rights in Burundi

“Independent expert on technical cooperation and advisory services in Liberia

“Independent expert on the situation of human rights in the Democratic Republic of the Congo

“Independent expert on the situation of human rights in Uzbekistan (procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII))

“Independent expert on human rights and international solidarity

“Independent expert on minority issues

“Independent expert on the effects of economic reform policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights

“Independent expert on the question of human rights and extreme poverty
Personal Representative of the United Nations High Commissioner for Human Rights on the situation of human rights in Cuba

“Special Rapporteur on the situation of human rights in the Sudan

“Special Rapporteur on the situation of human rights in Myanmar

“Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea

“Special Rapporteur on the situation of human rights in Belarus

“Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967^a

“Special Rapporteur on adequate housing as a component of the right to an adequate standard of living

“Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

“Special Rapporteur on extrajudicial, summary or arbitrary executions

“Special Rapporteur on freedom of religion or belief

“Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights

“Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children

“Special Rapporteur on the human rights of migrants

“Special Rapporteur on the independence of judges and lawyers

“Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

“Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

“Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

“Special Rapporteur on the right to education

“Special Rapporteur on the right to food

“Special Rapporteur on the sale of children, child prostitution and child pornography

“Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people

“Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

“Special Rapporteur on violence against women, its causes and consequences

^a The duration of this mandate has been established until the end of the occupation (see Commission on Human Rights resolution 1993/2 of 12 February 1993).

“Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises

“Special Representative of the Secretary-General for human rights in Cambodia

“Special Representative of the Secretary-General on the situation of human rights defenders
Representative of the Secretary-General on human rights of internally displaced persons

“Working Group of Experts on People of African Descent

“Working Group on Arbitrary Detention

“Working Group on Enforced or Involuntary Disappearances

“Working group on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

“Working Group on Communications of the Sub-Commission on the Promotion and Protection of Human Rights

“Working Group on Situations

“Sub-Commission on the Promotion and Protection of Human Rights

“Special Rapporteur entrusted with preparing a detailed study on the difficulties of establishing guilt and/or responsibilities with regard to crimes of sexual violence

“Special Rapporteur to conduct a detailed study of discrimination in the criminal justice system

“Special Rapporteur to conduct a detailed study of the universal implementation of international human rights treaties

“Special Rapporteur to prepare a comprehensive study on corruption and its impact on the full enjoyment of human rights, in particular economic, social and cultural rights

“Special Rapporteur to undertake a study on human rights and the human genome

“Special Rapporteur to undertake a study on non-discrimination as enshrined in article 2, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights

“Special Rapporteur with the task of preparing a comprehensive study on the prevention of human rights violations committed with small arms and light weapons

“Special Rapporteurs with the task of preparing a comprehensive study on discrimination based on work and descent

“Social Forum

“Working Group on Contemporary Forms of Slavery

experiences, to facilitate open-ended discussions appropriately scheduled by the Chairperson with the involvement of all stakeholders;

5. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Working Group with background information on existing mechanisms for periodic review, for example, of the Council of Europe, the International Atomic Energy Agency, the International Labour Organization, the International Monetary Fund, the New Partnership for Africa's Development, the Organization for Economic Cooperation and Development, the Organization of American States and the World Trade Organization) and to compile the contributions of all stakeholders;

6. *Requests* the Working Group to report regularly to the Council starting in September 2006 on progress made in the development of modalities and necessary time allocation for the universal periodic review, as requested by the General Assembly in paragraphs 5 (e) and 9 of its resolution 60/251."

1/104. IMPLEMENTATION OF PARAGRAPH 6 OF GENERAL ASSEMBLY RESOLUTION 60/251

At its 23rd meeting, on 30 June 2006, the Human Rights Council adopted, without a vote, the following text:

The Human Rights Council,

Underlining the importance of a comprehensive implementation of General Assembly resolution 60/251 of 15 March 2006,

1. *Decides* to establish an open-ended intergovernmental working group to formulate concrete recommendations on the issue of reviewing and, where necessary, improving and rationalizing all mandates, mechanisms, functions and responsibilities in order to maintain a system of special procedures, expert advice and a complaint procedure, in conformity with General Assembly resolution 60/251, through open-ended, intersessional, transparent, well-scheduled and inclusive consultations, with the participation of all stakeholders;

2. *Decides* that the Working Group shall have at its disposal twenty days (or forty 3-hour meetings) of fully serviced meetings and that it shall allow sufficient time and flexibility for the fulfilment of its mandate;

3. *Requests* the President of the Council to chair the Working Group with the assistance, if necessary, of one or more facilitators from among permanent missions in Geneva, to undertake these open-ended, intersessional, transparent, well-scheduled and inclusive consultations with the participation of all stakeholders;

4. *Decides* that informal consultations could begin immediately through an open-ended consultative process in order to compile proposals and relevant information and experiences, and to facilitate open-ended discussions appropriately scheduled by the Chairperson with the involvement of all stakeholders;

5. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Working Group with background information on the functioning of the mandates and mechanisms and to compile the contributions of all stakeholders, including the inputs of the special procedures, the Sub-Commission for the Promotion and Protection of Human Rights and non-governmental organizations;

6. *Requests* the Working Group to report to it regularly, starting in September 2006, on progress made to allow for the completion of the review, as requested in paragraph 6 of General Assembly resolution 60/251.”

2/1. INTERGOVERNMENTAL WORKING GROUP ON THE REVIEW OF MANDATES

The Human Rights Council,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006, in which the Assembly decided that the Council should improve and rationalize all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights in order to maintain a system of special procedures, expert advice and a complaint procedure,

Recalling its decision 1/104 of 30 June 2006, in which it decided to establish an open-ended intergovernmental working group on the issue of reviewing and, where necessary, improving and rationalizing all human rights mandates, mechanisms, functions and responsibilities,

Taking note of the draft manual of the United Nations human rights special procedures of June 2006, revised by the Coordination Committee of the special procedures, and the decision taken at the thirteenth meeting of the special procedures to submit the manual to Governments and other stakeholders for comments and inputs,

1. *Requests* the Open-ended Intergovernmental Working Group on the Review of Mandates to review the revised draft manual of the United Nations human rights special procedures of June 2006 and to make recommendations on possible additions or amendments thereto;

2. *Also requests* the Coordinating Committee of the special procedures to extend until the closure of the fourth session of the Council, which will be held from 12 March to 6 April 2007, the deadline for the submission of comments and inputs to the draft manual of special procedures;

3. *Further requests* the Working Group to draft a code of conduct regulating the work of the special procedures, taking into account, inter alia, the suggestions made by the members of the Council during the discussions at its second session on the reports of the special procedures mandate-holders, as well as at previous formal and informal sessions of the Working Group;

4. *Invites* the Working Group to report to the Council at its fourth session on the progress achieved in the implementation of the present resolution.

*31st meeting
27 November 2006*

[Resolution adopted by a recorded vote of 30 votes to 15, with 2 abstentions. The voting was as follows:

In favour: Algeria, Azerbaijan, Bahrain, Bangladesh, Brazil, Cameroon, China, Cuba, Djibouti, Ecuador, Gabon, Ghana, India, Indonesia, Japan, Jordan, Malaysia, Mali, Mauritius, Morocco, Nigeria, Pakistan, Philippines, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Tunisia, Zambia.

Against: Canada, Czech Republic, Finland, France, Germany, Guatemala, Mexico, Netherlands, Peru, Poland, Republic of Korea, Romania, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Argentina, Uruguay.]⁴

2/102. REPORTS AND STUDIES OF MECHANISMS AND MANDATES

At its 29th meeting, on 6 October 2006, the Human Rights Council decided to adopt the following text without a vote:⁵

“The Human Rights Council,

“1. *Recalls* its decisions 1/102, 1/104 and 1/105 of 30 June 2006;

“2. *Notes* all the reports and studies presented at its second session and the substantive interactive dialogue with mandate-holders as well as with the United Nations High Commissioner for Human Rights;⁶

“3. *Requests* the Secretary-General of the United Nations and the High Commissioner to continue with the fulfilment of their activities, in accordance with all previous decisions adopted by the Commission on Human Rights and to update the relevant reports and studies;

“4. *Decides:*

“(a) To transmit the views of the Sub-Commission on the Promotion and Protection of Human Rights on the Human Rights Council’s future expert advice mechanism to the Working Group established pursuant to Council decision 1/104;

“(b) To take note of the draft decisions transmitted by the Sub-Commission pertaining to previously authorized activities, with a view to allowing their continuation in accordance with Council decision 1/102;

⁴ See A/HRC/2/9 and Corr.1, chap. III, paras. 162 to 167.

⁵ See A/HRC/2/9 and Corr.1, chap. III, paras. 184-189.

⁶ See summary records of the second session of the Human Rights Council (A/HRC/2/SR.2-27 and Corrigendum).

“5. *Notes* the updates provided on the progress of the informal consultations of working groups on the universal periodic review established by its decision 1/103 and on implementation of paragraph 6 of General Assembly resolution 60/251 established by its decision 1/104.”

2/103. REVISED DRAFT FRAMEWORK FOR A PROGRAMME OF WORK OF THE HUMAN RIGHTS COUNCIL FOR THE FIRST YEAR

At its 29th meeting, on 6 October 2006, the Human Rights Council decided, without a vote, to add a segment on “Follow-up to decisions of the Human Rights Council” to the programme of work as contained in Council decision 1/105 of 30 June 2006.⁷

3/104. CONFERENCE FACILITIES AND FINANCIAL SUPPORT FOR THE HUMAN RIGHTS COUNCIL

At its 14th meeting, on 8 December 2006, the Human Rights Council decided, without a vote, to adopt the following text:⁸

“*The Human Rights Council,*

“*Recalling* General Assembly resolution 60/251 of 15 March 2006 in which the Assembly decided, inter alia, that the Council shall meet regularly throughout the year and schedule no fewer than three sessions per year, including a main session, for a total duration of no less than 10 weeks, and shall be able to hold special sessions, when needed, at the request of a member of the Council with the support of one third of the membership of the Council,

“*Reaffirming* the importance of the respect and the promotion of multilingualism within the United Nations and in particular the importance of the provision of appropriate interpretation and translation services,

“*Taking into account* the Council’s heavy schedule of work and the difficulties encountered in obtaining the necessary conference services, particularly during its first, institution-building year,

“*Taking also into account* the need to ensure the necessary financial resources to implement its decisions,

“1. *Reaffirms* the need to ensure the necessary Secretariat support and financial resources for the Council in order to fully discharge its mandate as stipulated in General Assembly resolution 60/251;

“2. *Requests* the Secretary-General to report to the sixty-first session of the General Assembly at the earliest possible date on ways and means to guarantee the provision of:

“(a) Conference services, including interpretation, particularly for the holding of special sessions, additional meetings during regular sessions and organizational meetings;

⁷ See A/HRC/2/9 and Corr.1, chap. II, para. 10.

⁸ See A/HRC/3/7 and Corr.1, chap. III, paras. 86-94.

“Working Group on Indigenous Populations

“Working Group on Minorities”

1/103. UNIVERSAL PERIODIC REVIEW

At its 22nd meeting, on 30 June 2006, the Human Rights Council adopted, without a vote, the following text:

The Human Rights Council,

Bearing in mind General Assembly resolution 60/251 of 15 March 2006 entitled “Human Rights Council” and in particular the decision of the Assembly that the Council shall undertake a universal periodic review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States,

Taking into consideration that the review shall be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs and that such a mechanism shall complement and not duplicate the work of treaty bodies,

Bearing in mind that members of the Council shall be reviewed under the universal periodic review mechanism during their term of membership,

Bearing in mind also that the General Assembly decided that the Council shall develop the modalities and necessary time allocation for the universal periodic review mechanism within one year after the holding of its first session, as called for in resolution 60/251,

Underlining the importance of a comprehensive implementation of General Assembly resolution 60/251,

1. *Decides* to establish an intersessional open-ended intergovernmental working group to develop the modalities of the universal periodic review mechanism;
2. *Decides* that the Working Group shall have at its disposal ten days (or twenty 3-hour meetings) of fully serviced meetings and that it shall allow sufficient time and flexibility for the development of the universal periodic review mechanism;
3. *Requests* the President of the Council to chair the Working Group with the assistance, if necessary, of one or more facilitators from among permanent missions in Geneva, to undertake these open-ended, intersessional, transparent, well-scheduled and inclusive consultations with the participation of all stakeholders;
4. *Decides* that informal consultations could begin immediately through an open-ended consultative process in order to compile proposals and relevant information and

“(b) Webcast transmission on a regular basis for all the sessions of the Human Rights Council;

“(c) Translation of documentation in all official United Nations languages in a timely manner;

“(d) Adequate funding to provide timely financing for unforeseen extraordinary expenses arising in the implementation of the decisions of the Council, involving inter alia fact-finding missions and special commissions as well as the necessary support from the Secretariat.”

**3/4. IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251:
AGENDA, ANNUAL PROGRAMME OF WORK, METHODS OF WORK
AND RULES OF PROCEDURE OF THE HUMAN RIGHTS COUNCIL**

The Human Rights Council,

Recalling its decisions 1/103, 1/104 and 1/105 of 30 June 2006,

Underlining the importance of a comprehensive implementation of General Assembly resolution 60/251 of 15 March 2006,

Taking into account the debate held during its third session on these issues,

1. *Decides* to establish an open-ended intergovernmental, intersessional working group to formulate concrete recommendations on its agenda, its annual programme of work, its methods of work as well as its rules of procedure in accordance with General Assembly resolution 60/251, and to undertake transparent, well-scheduled and inclusive consultations, with the participation of all stakeholders;

2. *Decides also* that the working group shall have at its disposal 10 days of fully serviced meetings, half of them to be scheduled before the fourth session of the Human Rights Council and half of them before its fifth session, which shall allow sufficient time and flexibility for the fulfilment of its mandate;

3. *Requests* the President of the Council to chair the working group, with the assistance, if necessary, of one or more facilitators;

4. *Requests also* the Office of the United Nations High Commissioner for Human Rights to provide the working group with any background information it may require on these issues;

5. *Requests further* the working group to report to the Council at its fourth session on progress made thereon.

*13th meeting
8 December 2006*

[Resolution adopted without a vote.]⁹

⁹ See A/HRC/3/7 and Corr.1, chap. III, paras. 81-85.

4/3. INTERGOVERNMENTAL WORKING GROUP ON THE REVIEW OF MANDATES

The Human Rights Council,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006, in which the Assembly decided that the Council should improve and rationalize all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights in order to maintain a system of special procedures, expert advice and a complaint procedure,

Recalling its decision 1/104 of 30 June 2006, in which it decided to establish an open-ended intergovernmental working group on the issue of reviewing and, where necessary, improving and rationalizing all human rights mandates, mechanisms, functions and responsibilities,

Recalling also its resolution 2/1 of 27 November 2006, in which it requested the Working Group to draft a code of conduct regulating the work of the special procedures, and also requested the Coordinating Committee of the special procedures to extend until the closure of the fourth session of the Human Rights Council the deadline for the submission of comments and inputs to the draft manual of special procedures,

Taking note of the draft manual of the United Nations human rights special procedures, revised by the Coordinating Committee, and the decision taken at the thirteenth meeting of the special procedures to submit the manual to Governments and other stakeholders for comments and inputs,

1. *Requests* the Coordinating Committee of the special procedures to extend until the closure of the fifth session of the Human Rights Council, which will be held from 11 to 18 June 2007, the deadline for the submission of comments on and inputs to the draft manual of special procedures;

2. *Also requests* the Working Group to present to the fifth session of the Council the outcome of its deliberations on the code of conduct regulating the work of the special procedures.

*26th meeting
27 March 2007*

[Resolution adopted without a vote.]¹⁰

¹⁰ See A/HRC/4/123 and Corr.1, chap. III, paras. 142-145.

5/1. INSTITUTION-BUILDING OF THE UNITED NATIONS HUMAN RIGHTS COUNCIL

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the United Nations General Assembly in resolution 60/251 of 15 March 2006,

Having considered the draft text on institution-building submitted by the President of the Council,

1. *Adopts* the draft text entitled “United Nations Human Rights Council: Institution-Building”, as contained in the annex to the present resolution, including its appendix(ces);

2. *Decides* to submit the following draft resolution to the General Assembly for its adoption as a matter of priority in order to facilitate the timely implementation of the text contained thereafter:

“The General Assembly,

“Taking note of Human Rights Council resolution 5/1 of 18 June 2007,

“1. Welcomes the text entitled ‘United Nations Human Rights Council: Institution-Building’, as contained in the annex to the present resolution, including its appendix(ces).”

*9th meeting
18 June 2007*

[Resolution adopted without a vote.]¹¹

ANNEX - UNITED NATIONS HUMAN RIGHTS COUNCIL: INSTITUTION-BUILDING

I. UNIVERSAL PERIODIC REVIEW MECHANISM

A. Basis of the review

1. The basis of the review is:
 - (a) The Charter of the United Nations;
 - (b) The Universal Declaration of Human Rights;
 - (c) Human rights instruments to which a State is party;

¹¹ See A/HRC/5/21, chap. III, paras. 60-62.

(d) Voluntary pledges and commitments made by States, including those undertaken when presenting their candidatures for election to the Human Rights Council (hereinafter "the Council").

2. In addition to the above and given the complementary and mutually interrelated nature of international human rights law and international humanitarian law, the review shall take into account applicable international humanitarian law.

B. Principles and objectives

1. Principles

3. The universal periodic review should:

(a) Promote the universality, interdependence, indivisibility and interrelatedness of all human rights;

(b) Be a cooperative mechanism based on objective and reliable information and on interactive dialogue;

(c) Ensure universal coverage and equal treatment of all States;

(d) Be an intergovernmental process, United Nations Member-driven and action-oriented;

(e) Fully involve the country under review;

(f) Complement and not duplicate other human rights mechanisms, thus representing an added value;

(g) Be conducted in an objective, transparent, non-selective, constructive, non-confrontational and non-politicized manner;

(h) Not be overly burdensome to the concerned State or to the agenda of the Council;

(i) Not be overly long; it should be realistic and not absorb a disproportionate amount of time, human and financial resources;

(j) Not diminish the Council's capacity to respond to urgent human rights situations;

(k) Fully integrate a gender perspective;

(l) Without prejudice to the obligations contained in the elements provided for in the basis of review, take into account the level of development and specificities of countries;

(m) Ensure the participation of all relevant stakeholders, including non-governmental organizations and national human rights institutions, in accordance with General Assembly resolution 60/251 of 15 March 2006 and Economic and Social Council resolution 1996/31 of 25 July 1996, as well as any decisions that the Council may take in this regard.

2. Objectives

4. The objectives of the review are:
 - (a) The improvement of the human rights situation on the ground;
 - (b) The fulfilment of the State's human rights obligations and commitments and assessment of positive developments and challenges faced by the State;
 - (c) The enhancement of the State's capacity and of technical assistance, in consultation with, and with the consent of, the State concerned;
 - (d) The sharing of best practice among States and other stakeholders;
 - (e) Support for cooperation in the promotion and protection of human rights;
 - (f) The encouragement of full cooperation and engagement with the Council, other human rights bodies and the Office of the United Nations High Commissioner for Human Rights.

C. Periodicity and order of the review

5. The review begins after the adoption of the universal periodic review mechanism by the Council.
6. The order of review should reflect the principles of universality and equal treatment.
7. The order of the review should be established as soon as possible in order to allow States to prepare adequately.
8. All member States of the Council shall be reviewed during their term of membership.
9. The initial members of the Council, especially those elected for one or two-year terms, should be reviewed first.
10. A mix of member and observer States of the Council should be reviewed.
11. Equitable geographic distribution should be respected in the selection of countries for review.
12. The first member and observer States to be reviewed will be chosen by the drawing of lots from each Regional Group in such a way as to ensure full respect for equitable geographic distribution. Alphabetical order will then be applied beginning with those countries thus selected, unless other countries volunteer to be reviewed.
13. The period between review cycles should be reasonable so as to take into account the capacity of States to prepare for, and the capacity of other stakeholders to respond to, the requests arising from the review.

14. The periodicity of the review for the first cycle will be of four years. This will imply the consideration of 48 States per year during three sessions of the working group of two weeks each.^a

D. Process and modalities of the review

1. Documentation

15. The documents on which the review would be based are:

(a) Information prepared by the State concerned, which can take the form of a national report, on the basis of general guidelines to be adopted by the Council at its sixth session (first session of the second cycle), and any other information considered relevant by the State concerned, which could be presented either orally or in writing, provided that the written presentation summarizing the information will not exceed 20 pages, to guarantee equal treatment to all States and not to overburden the mechanism. States are encouraged to prepare the information through a broad consultation process at the national level with all relevant stakeholders;

(b) Additionally a compilation prepared by the Office of the High Commissioner for Human Rights of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents, which shall not exceed 10 pages;

(c) Additional, credible and reliable information provided by other relevant stakeholders to the universal periodic review which should also be taken into consideration by the Council in the review. The Office of the High Commissioner for Human Rights will prepare a summary of such information which shall not exceed 10 pages.

16. The documents prepared by the Office of the High Commissioner for Human Rights should be elaborated following the structure of the general guidelines adopted by the Council regarding the information prepared by the State concerned.

17. Both the State's written presentation and the summaries prepared by the Office of the High Commissioner for Human Rights shall be ready six weeks prior to the review by the working group to ensure the distribution of documents simultaneously in the six official languages of the United Nations, in accordance with General Assembly resolution 53/208 of 14 January 1999.

2. Modalities

18. The modalities of the review shall be as follows:

(a) The review will be conducted in one working group, chaired by the President of the Council and composed of the 47 member States of the Council. Each member State will decide on the composition of its delegation;^b

^a The universal periodic review is an evolving process; the Council, after the conclusion of the first review cycle, may review the modalities and the periodicity of this mechanism, based on best practices and lessons learned.

(b) Observer States may participate in the review, including in the interactive dialogue;

(c) Other relevant stakeholders may attend the review in the Working Group;

(d) A group of three rapporteurs, selected by the drawing of lots among the members of the Council and from different Regional Groups (*troika*) will be formed to facilitate each review, including the preparation of the report of the working group. The Office of the High Commissioner for Human Rights will provide the necessary assistance and expertise to the rapporteurs.

19. The country concerned may request that one of the rapporteurs be from its own Regional Group and may also request the substitution of a rapporteur on only one occasion.

20. A rapporteur may request to be excused from participation in a specific review process.

21. Interactive dialogue between the country under review and the Council will take place in the working group. The rapporteurs may collate issues or questions to be transmitted to the State under review to facilitate its preparation and focus the interactive dialogue, while guaranteeing fairness and transparency.

22. The duration of the review will be three hours for each country in the working group. Additional time of up to one hour will be allocated for the consideration of the outcome by the plenary of the Council.

23. Half an hour will be allocated for the adoption of the report of each country under review in the working group.

24. A reasonable time frame should be allocated between the review and the adoption of the report of each State in the working group.

25. The final outcome will be adopted by the plenary of the Council.

E. Outcome of the review

1. Format of the outcome

26. The format of the outcome of the review will be a report consisting of a summary of the proceedings of the review process; conclusions and/or recommendations, and the voluntary commitments of the State concerned.

2. Content of the outcome

27. The universal periodic review is a cooperative mechanism. Its outcome may include, inter alia:

^b A Universal Periodic Review Voluntary Trust Fund should be established to facilitate the participation of developing countries, particularly the Least Developed Countries, in the universal periodic review mechanism.

- (a) An assessment undertaken in an objective and transparent manner of the human rights situation in the country under review, including positive developments and the challenges faced by the country;
- (b) Sharing of best practices;
- (c) An emphasis on enhancing cooperation for the promotion and protection of human rights;
- (d) The provision of technical assistance and capacity-building in consultation with, and with the consent of, the country concerned;^c
- (e) Voluntary commitments and pledges made by the country under review.

3. Adoption of the outcome

- 28. The country under review should be fully involved in the outcome.
- 29. Before the adoption of the outcome by the plenary of the Council, the State concerned should be offered the opportunity to present replies to questions or issues that were not sufficiently addressed during the interactive dialogue.
- 30. The State concerned and the member States of the Council, as well as observer States, will be given the opportunity to express their views on the outcome of the review before the plenary takes action on it.
- 31. Other relevant stakeholders will have the opportunity to make general comments before the adoption of the outcome by the plenary.
- 32. Recommendations that enjoy the support of the State concerned will be identified as such. Other recommendations, together with the comments of the State concerned thereon, will be noted. Both will be included in the outcome report to be adopted by the Council.

F. Follow-up to the review

- 33. The outcome of the universal periodic review, as a cooperative mechanism, should be implemented primarily by the State concerned and, as appropriate, by other relevant stakeholders.
- 34. The subsequent review should focus, *inter alia*, on the implementation of the preceding outcome.
- 35. The Council should have a standing item on its agenda devoted to the universal periodic review.
- 36. The international community will assist in implementing the recommendations and conclusions regarding capacity-building and technical assistance, in consultation with, and with the consent of, the country concerned.

^c A decision should be taken by the Council on whether to resort to existing financing mechanisms or to create a new mechanism.

37. In considering the outcome of the universal periodic review, the Council will decide if and when any specific follow-up is necessary.

38. After exhausting all efforts to encourage a State to cooperate with the universal periodic review mechanism, the Council will address, as appropriate, cases of persistent non-cooperation with the mechanism.

II. SPECIAL PROCEDURES

A. Selection and appointment of mandate-holders

39. The following general criteria will be of paramount importance while nominating, selecting and appointing mandate-holders: (a) expertise; (b) experience in the field of the mandate; (c) independence; (d) impartiality; (e) personal integrity; and (f) objectivity.

40. Due consideration should be given to gender balance and equitable geographic representation, as well as to an appropriate representation of different legal systems.

41. Technical and objective requirements for eligible candidates for mandate-holders will be approved by the Council at its sixth session (first session of the second cycle), in order to ensure that eligible candidates are highly qualified individuals who possess established competence, relevant expertise and extensive professional experience in the field of human rights.

42. The following entities may nominate candidates as special procedures mandate-holders: (a) Governments; (b) Regional Groups operating within the United Nations human rights system; (c) international organizations or their offices (e.g. the Office of the High Commissioner for Human Rights); (d) non-governmental organizations; (e) other human rights bodies; (f) individual nominations.

43. The Office of the High Commissioner for Human Rights shall immediately prepare, maintain and periodically update a public list of eligible candidates in a standardized format, which shall include personal data, areas of expertise and professional experience. Upcoming vacancies of mandates shall be publicized.

44. The principle of non-accumulation of human rights functions at a time shall be respected.

45. A mandate-holder's tenure in a given function, whether a thematic or country mandate, will be no longer than six years (two terms of three years for thematic mandate-holders).

46. Individuals holding decision-making positions in Government or in any other organization or entity which may give rise to a conflict of interest with the responsibilities inherent to the mandate shall be excluded. Mandate-holders will act in their personal capacity.

47. A consultative group would be established to propose to the President, at least one month before the beginning of the session in which the Council would consider the selection of mandate-holders, a list of candidates who possess the highest qualifications for the mandates in question and meet the general criteria and particular requirements.

48. The consultative group shall also give due consideration to the exclusion of nominated candidates from the public list of eligible candidates brought to its attention.

49. At the beginning of the annual cycle of the Council, Regional Groups would be invited to appoint a member of the consultative group, who would serve in his/her personal capacity. The Group will be assisted by the Office of the High Commissioner for Human Rights.

50. The consultative group will consider candidates included in the public list; however, under exceptional circumstances and if a particular post justifies it, the Group may consider additional nominations with equal or more suitable qualifications for the post. Recommendations to the President shall be public and substantiated.

51. The consultative group should take into account, as appropriate, the views of stakeholders, including the current or outgoing mandate-holders, in determining the necessary expertise, experience, skills, and other relevant requirements for each mandate.

52. On the basis of the recommendations of the consultative group and following broad consultations, in particular through the regional coordinators, the President of the Council will identify an appropriate candidate for each vacancy. The President will present to member States and observers a list of candidates to be proposed at least two weeks prior to the beginning of the session in which the Council will consider the appointments.

53. If necessary, the President will conduct further consultations to ensure the endorsement of the proposed candidates. The appointment of the special procedures mandate-holders will be completed upon the subsequent approval of the Council. Mandate-holders shall be appointed before the end of the session.

B. Review, rationalization and improvement of mandates

54. The review, rationalization and improvement of mandates, as well as the creation of new ones, must be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation, with a view to enhancing the promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development.

55. The review, rationalization and improvement of each mandate would take place in the context of the negotiations of the relevant resolutions. An assessment of the mandate may take place in a separate segment of the interactive dialogue between the Council and special procedures mandate-holders.

56. The review, rationalization and improvement of mandates would focus on the relevance, scope and contents of the mandates, having as a framework the internationally recognized human rights standards, the system of special procedures and General Assembly resolution 60/251.

57. Any decision to streamline, merge or possibly discontinue mandates should always be guided by the need for improvement of the enjoyment and protection of human rights.

58. The Council should always strive for improvements:

(a) Mandates should always offer a clear prospect of an increased level of human rights protection and promotion as well as being coherent within the system of human rights;

(b) Equal attention should be paid to all human rights. The balance of thematic mandates should broadly reflect the accepted equal importance of civil, political, economic, social and cultural rights, including the right to development;

(c) Every effort should be made to avoid unnecessary duplication;

(d) Areas which constitute thematic gaps will be identified and addressed, including by means other than the creation of special procedures mandates, such as by expanding an existing mandate, bringing a cross-cutting issue to the attention of mandate-holders or by requesting a joint action to the relevant mandate-holders;

(e) Any consideration of merging mandates should have regard to the content and predominant functions of each mandate, as well as to the workload of individual mandate-holders;

(f) In creating or reviewing mandates, efforts should be made to identify whether the structure of the mechanism (expert, rapporteur or working group) is the most effective in terms of increasing human rights protection;

(g) New mandates should be as clear and specific as possible, so as to avoid ambiguity.

59. It should be considered desirable to have a uniform nomenclature of mandate-holders, titles of mandates as well as a selection and appointment process, to make the whole system more understandable.

60. Thematic mandate periods will be of three years. Country mandate periods will be of one year.

61. Mandates included in Appendix I, where applicable, will be renewed until the date on which they are considered by the Council according to the programme of work.^d

62. Current mandate-holders may continue serving, provided they have not exceeded the six-year term limit (Appendix II). On an exceptional basis, the term of those mandate-holders who have served more than six years may be extended until the relevant mandate is considered by the Council and the selection and appointment process has concluded.

63. Decisions to create, review or discontinue country mandates should also take into account the principles of cooperation and genuine dialogue aimed at strengthening the capacity of Member States to comply with their human rights obligations.

^d Country mandates meet the following criteria:

- There is a pending mandate of the Council to be accomplished; or
- There is a pending mandate of the General Assembly to be accomplished; or
- The nature of the mandate is for advisory services and technical assistance.

64. In case of situations of violations of human rights or a lack of cooperation that require the Council's attention, the principles of objectivity, non-selectivity, and the elimination of double standards and politicization should apply.

III. HUMAN RIGHTS COUNCIL ADVISORY COMMITTEE

65. The Human Rights Council Advisory Committee (hereinafter "the Advisory Committee"), composed of 18 experts serving in their personal capacity, will function as a think-tank for the Council and work at its direction. The establishment of this subsidiary body and its functioning will be executed according to the guidelines stipulated below.

A. Nomination

66. All Member States of the United Nations may propose or endorse candidates from their own region. When selecting their candidates, States should consult their national human rights institutions and civil society organizations and, in this regard, include the names of those supporting their candidates.

67. The aim is to ensure that the best possible expertise is made available to the Council. For this purpose, technical and objective requirements for the submission of candidatures will be established and approved by the Council at its sixth session (first session of the second cycle). These should include:

- (a) Recognized competence and experience in the field of human rights;
- (b) High moral standing;
- (c) Independence and impartiality.

68. Individuals holding decision-making positions in Government or in any other organization or entity which might give rise to a conflict of interest with the responsibilities inherent in the mandate shall be excluded. Elected members of the Committee will act in their personal capacity.

69. The principle of non-accumulation of human rights functions at the same time shall be respected.

B. Election

70. The Council shall elect the members of the Advisory Committee, in secret ballot, from the list of candidates whose names have been presented in accordance with the agreed requirements.

71. The list of candidates shall be closed two months prior to the election date. The Secretariat will make available the list of candidates and relevant information to member States and to the public at least one month prior to their election.

72. Due consideration should be given to gender balance and appropriate representation of different civilizations and legal systems.

73. The geographic distribution will be as follows:

African States: 5

Asian States: 5

Eastern European States: 2

Latin American and Caribbean States: 3

Western European and other States: 3

74. The members of the Advisory Committee shall serve for a period of three years. They shall be eligible for re-election once. In the first term, one third of the experts will serve for one year and another third for two years. The staggering of terms of membership will be defined by the drawing of lots.

C. Functions

75. The function of the Advisory Committee is to provide expertise to the Council in the manner and form requested by the Council, focusing mainly on studies and research-based advice. Further, such expertise shall be rendered only upon the latter's request, in compliance with its resolutions and under its guidance.

76. The Advisory Committee should be implementation-oriented and the scope of its advice should be limited to thematic issues pertaining to the mandate of the Council; namely promotion and protection of all human rights.

77. The Advisory Committee shall not adopt resolutions or decisions. The Advisory Committee may propose within the scope of the work set out by the Council, for the latter's consideration and approval, suggestions for further enhancing its procedural efficiency, as well as further research proposals within the scope of the work set out by the Council.

78. The Council shall issue specific guidelines for the Advisory Committee when it requests a substantive contribution from the latter and shall review all or any portion of those guidelines if it deems necessary in the future.

D. Methods of work

79. The Advisory Committee shall convene up to two sessions for a maximum of 10 working days per year. Additional sessions may be scheduled on an ad hoc basis with prior approval of the Council.

80. The Council may request the Advisory Committee to undertake certain tasks that could be performed collectively, through a smaller team or individually. The Advisory Committee will report on such efforts to the Council.

81. Members of the Advisory Committee are encouraged to communicate between sessions, individually or in teams. However, the Advisory Committee shall not establish subsidiary bodies unless the Council authorizes it to do so.

82. In the performance of its mandate, the Advisory Committee is urged to establish interaction with States, national human rights institutions, non-governmental organizations and other civil society entities in accordance with the modalities of the Council.

83. Member States and observers, including States that are not members of the Council, the specialized agencies, other intergovernmental organizations and national human rights

institutions, as well as non-governmental organizations shall be entitled to participate in the work of the Advisory Committee based on arrangements, including Economic and Social Council resolution 1996/31 and practices observed by the Commission on Human Rights and the Council, while ensuring the most effective contribution of these entities.

84. The Council will decide at its sixth session (first session of its second cycle) on the most appropriate mechanisms to continue the work of the Working Groups on Indigenous Populations; Contemporary Forms of Slavery; Minorities; and the Social Forum.

IV. COMPLAINT PROCEDURE

A. Objective and scope

85. A complaint procedure is being established to address 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.

86. Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970 as revised by resolution 2000/3 of 19 June 2000 served as a working basis and was improved where necessary, so as to ensure that the complaint procedure is impartial, objective, efficient, victims-oriented and conducted in a timely manner. The procedure will retain its confidential nature, with a view to enhancing cooperation with the State concerned.

B. Admissibility criteria for communications

87. A communication related to a violation of human rights and fundamental freedoms, for the purpose of this procedure, shall be admissible, provided that:

(a) It is not manifestly politically motivated and its object is consistent with the Charter of the United Nations, the Universal Declaration of Human Rights and other applicable instruments in the field of human rights law;

(b) It gives a factual description of the alleged violations, including the rights which are alleged to be violated;

(c) Its language is not abusive. However, such a communication may be considered if it meets the other criteria for admissibility after deletion of the abusive language;

(d) It is submitted by a person or a group of persons claiming to be the victims of violations of human rights and fundamental freedoms, or by any person or group of persons, including non-governmental organizations, acting in good faith in accordance with the principles of human rights, not resorting to politically motivated stands contrary to the provisions of the Charter of the United Nations and claiming to have direct and reliable knowledge of the violations concerned. Nonetheless, reliably attested communications shall not be inadmissible solely because the knowledge of the individual authors is second-hand, provided that they are accompanied by clear evidence;

(e) It is not exclusively based on reports disseminated by mass media;

(f) It does not refer to a case that appears to reveal a consistent pattern of gross and reliably attested violations of human rights already being dealt with by a special

recommendations thereon. When the Working Group on Communications requires further consideration or additional information, it may keep a case under review until its next session and request such information from the State concerned. The Working Group on Communications may decide to dismiss a case. All decisions of the Working Group on Communications shall be based on a rigorous application of the admissibility criteria and duly justified.

2. Working Group on Situations: composition, mandate and powers

96. Each Regional Group shall appoint a representative of a member State of the Council, with due consideration to gender balance, to serve on the Working Group on Situations. Members shall be appointed for one year. Their mandate may be renewed once, if the State concerned is a member of the Council.

97. Members of the Working Group on Situations shall serve in their personal capacity. In order to fill a vacancy, the respective Regional Group to which the vacancy belongs, shall appoint a representative from member States of the same Regional Group.

98. The Working Group on Situations is requested, on the basis of the information and recommendations provided by the Working Group on Communications, to present the Council with a report on consistent patterns of gross and reliably attested violations of human rights and fundamental freedoms and to make recommendations to the Council on the course of action to take, normally in the form of a draft resolution or decision with respect to the situations referred to it. When the Working Group on Situations requires further consideration or additional information, its members may keep a case under review until its next session. The Working Group on Situations may also decide to dismiss a case.

99. All decisions of the Working Group on Situations shall be duly justified and indicate why the consideration of a situation has been discontinued or action recommended thereon. Decisions to discontinue should be taken by consensus; if that is not possible, by simple majority of the votes.

D. Working modalities and confidentiality

100. Since the complaint procedure is to be, inter alia, victims-oriented and conducted in a confidential and timely manner, both Working Groups shall meet at least twice a year for five working days each session, in order to promptly examine the communications received, including replies of States thereon, and the situations of which the Council is already seized under the complaint procedure.

101. The State concerned shall cooperate with the complaint procedure and make every effort to provide substantive replies in one of the United Nations official languages to any of the requests of the Working Groups or the Council. The State concerned shall also make every effort to provide a reply not later than three months after the request has been made. If necessary, this deadline may however be extended at the request of the State concerned.

102. The Secretariat is requested to make the confidential files available to all members of the Council, at least two weeks in advance, so as to allow sufficient time for the consideration of the files.

procedure, a treaty body or other United Nations or similar regional complaints procedure in the field of human rights;

(g) Domestic remedies have been exhausted, unless it appears that such remedies would be ineffective or unreasonably prolonged.

88. National human rights institutions, established and operating under the Principles Relating to the Status of National Institutions (the Paris Principles), in particular in regard to quasi-judicial competence, may serve as effective means of addressing individual human rights violations.

C. Working groups

89. Two distinct working groups shall be established with the mandate to examine the communications and to bring to the attention of the Council consistent patterns of gross and reliably attested violations of human rights and fundamental freedoms.

90. Both working groups shall, to the greatest possible extent, work on the basis of consensus. In the absence of consensus, decisions shall be taken by simple majority of the votes. They may establish their own rules of procedure.

1. Working Group on Communications: composition, mandate and powers

91. The Human Rights Council Advisory Committee shall appoint five of its members, one from each Regional Group, with due consideration to gender balance, to constitute the Working Group on Communications.

92. In case of a vacancy, the Advisory Committee shall appoint an independent and highly qualified expert of the same Regional Group from the Advisory Committee.

93. Since there is a need for independent expertise and continuity with regard to the examination and assessment of communications received, the independent and highly qualified experts of the Working Group on Communications shall be appointed for three years. Their mandate is renewable only once.

94. The Chairperson of the Working Group on Communications is requested, together with the secretariat, to undertake an initial screening of communications received, based on the admissibility criteria, before transmitting them to the States concerned. Manifestly ill-founded or anonymous communications shall be screened out by the Chairperson and shall therefore not be transmitted to the State concerned. In a perspective of accountability and transparency, the Chairperson of the Working Group on Communications shall provide all its members with a list of all communications rejected after initial screening. This list should indicate the grounds of all decisions resulting in the rejection of a communication. All other communications, which have not been screened out, shall be transmitted to the State concerned, so as to obtain the views of the latter on the allegations of violations.

95. The members of the Working Group on Communications shall decide on the admissibility of a communication and assess the merits of the allegations of violations, including whether the communication alone or in combination with other communications appear to reveal a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms. The Working Group on Communications shall provide the Working Group on Situations with a file containing all admissible communications as well as

103. The Council shall consider consistent patterns of gross and reliably attested violations of human rights and fundamental freedoms brought to its attention by the Working Group on Situations as frequently as needed, but at least once a year.

104. The reports of the Working Group on Situations referred to the Council shall be examined in a confidential manner, unless the Council decides otherwise. When the Working Group on Situations recommends to the Council that it consider a situation in a public meeting, in particular in the case of manifest and unequivocal lack of cooperation, the Council shall consider such recommendation on a priority basis at its next session.

105. So as to ensure that the complaint procedure is victims-oriented, efficient and conducted in a timely manner, the period of time between the transmission of the complaint to the State concerned and consideration by the Council shall not, in principle, exceed 24 months.

E. Involvement of the complainant and of the State concerned

106. The complaint procedure shall ensure that both the author of a communication and the State concerned are informed of the proceedings at the following key stages:

(a) When a communication is deemed inadmissible by the Working Group on Communications or when it is taken up for consideration by the Working Group on Situations; or when a communication is kept pending by one of the Working Groups or by the Council;

(b) At the final outcome.

107. In addition, the complainant shall be informed when his/her communication is registered by the complaint procedure.

108. Should the complainant request that his/her identity be kept confidential, it will not be transmitted to the State concerned.

F. Measures

109. In accordance with established practice the action taken in respect of a particular situation should be one of the following options:

(a) To discontinue considering the situation when further consideration or action is not warranted;

(b) To keep the situation under review and request the State concerned to provide further information within a reasonable period of time;

(c) To keep the situation under review and appoint an independent and highly qualified expert to monitor the situation and report back to the Council;

(d) To discontinue reviewing the matter under the confidential complaint procedure in order to take up public consideration of the same;

(e) To recommend to OHCHR to provide technical cooperation, capacity-building assistance or advisory services to the State concerned.

V. AGENDA AND FRAMEWORK FOR THE PROGRAMME OF WORK

A. Principles

- Universality
- Impartiality
- Objectivity
- Non-selectiveness
- Constructive dialogue and cooperation
- Predictability
- Flexibility
- Transparency
- Accountability
- Balance
- Inclusive/comprehensive
- Gender perspective
- Implementation and follow-up of decisions

B. Agenda

- Item 1. Organizational and procedural matters
- Item 2. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General
- Item 3. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development
- Item 4. Human rights situations that require the Council's attention
- Item 5. Human rights bodies and mechanisms
- Item 6. Universal Periodic Review
- Item 7. Human rights situation in Palestine and other occupied Arab territories
- Item 8. Follow-up and implementation of the Vienna Declaration and Programme of Action
- Item 9. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action
- Item 10. Technical assistance and capacity-building

C. Framework for the programme of work

Item 1. Organizational and procedural matters

Election of the Bureau

Adoption of the annual programme of work

Adoption of the programme of work of the session, including other business

Selection and appointment of mandate-holders

Election of members of the Human Rights Council Advisory Committee

Adoption of the report of the session

Adoption of the annual report

Item 2. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Presentation of the annual report and updates

Item 3. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Economic, social and cultural rights

Civil and political rights

Rights of peoples, and specific groups and individuals

Right to development

Interrelation of human rights and human rights thematic issues

Item 4. Human rights situations that require the Council's attention

Item 5. Human rights bodies and mechanisms

Report of the Human Rights Council Advisory Committee

Report of the complaint procedure

Item 6. Universal Periodic Review

Item 7. Human rights situation in Palestine and other occupied Arab territories

Human rights violations and implications of the Israeli occupation of Palestine and other occupied Arab territories

Right to self-determination of the Palestinian people

Item 8. Follow-up and implementation of the Vienna Declaration and Programme of Action

Item 9. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action

Item 10. Technical assistance and capacity-building

VI. METHODS OF WORK

110. The methods of work, pursuant to General Assembly resolution 60/251 should be transparent, impartial, equitable, fair, pragmatic; lead to clarity, predictability, and inclusiveness. They may also be updated and adjusted over time.

A. Institutional arrangements

1. Briefings on prospective resolutions or decisions

111. The briefings on prospective resolutions or decisions would be informative only, whereby delegations would be apprised of resolutions and/or decisions tabled or intended to be tabled. These briefings will be organized by interested delegations.

2. President's open-ended information meetings on resolutions, decisions and other related business

112. The President's open-ended information meetings on resolutions, decisions and other related business shall provide information on the status of negotiations on draft resolutions and/or decisions so that delegations may gain a bird's eye view of the status of such drafts. The consultations shall have a purely informational function, combined with information on the extranet, and be held in a transparent and inclusive manner. They shall not serve as a negotiating forum.

3. Informal consultations on proposals convened by main sponsors

113. Informal consultations shall be the primary means for the negotiation of draft resolutions and/or decisions, and their convening shall be the responsibility of the sponsor(s). At least one informal open-ended consultation should be held on each draft resolution and/or decision before it is considered for action by the Council. Consultations should, as much as possible, be scheduled in a timely, transparent and inclusive manner that takes into account the constraints faced by delegations, particularly smaller ones.

4. Role of the Bureau

114. The Bureau shall deal with procedural and organizational matters. The Bureau shall regularly communicate the contents of its meetings through a timely summary report.

5. Other work formats may include panel debates, seminars and round tables

115. Utilization of these other work formats, including topics and modalities, would be decided by the Council on a case-by-case basis. They may serve as tools of the Council for enhancing dialogue and mutual understanding on certain issues. They should be utilized in the context of the Council's agenda and annual programme of work, and reinforce and/or complement its intergovernmental nature. They shall not be used to substitute or replace existing human rights mechanisms and established methods of work.

6. High-Level Segment

116. The High-Level Segment shall be held once a year during the main session of the Council. It shall be followed by a general segment wherein delegations that did not participate in the High-Level Segment may deliver general statements.

B. Working culture

117. There is a need for:

- (a) Early notification of proposals;
- (b) Early submission of draft resolutions and decisions, preferably by the end of the penultimate week of a session;
- (c) Early distribution of all reports, particularly those of special procedures, to be transmitted to delegations in a timely fashion, at least 15 days in advance of their consideration by the Council, and in all official United Nations languages;
- (d) Proposers of a country resolution to have the responsibility to secure the broadest possible support for their initiatives (preferably 15 members), before action is taken;
- (e) Restraint in resorting to resolutions, in order to avoid proliferation of resolutions without prejudice to the right of States to decide on the periodicity of presenting their draft proposals by:
 - (iii) Minimizing unnecessary duplication of initiatives with the General Assembly/Third Committee;
 - (iv) Clustering of agenda items;
 - (v) Staggering the tabling of decisions and/or resolutions and consideration of action on agenda items/issues.

C. Outcomes other than resolutions and decisions

118. These may include recommendations, conclusions, summaries of discussions and President's Statement. As such outcomes would have different legal implications, they should supplement and not replace resolutions and decisions.

D. Special sessions of the Council

119. The following provisions shall complement the general framework provided by General Assembly resolution 60/251 and the rules of procedure of the Human Rights Council.

120. The rules of procedure of special sessions shall be in accordance with the rules of procedure applicable for regular sessions of the Council.

121. The request for the holding of a special session, in accordance with the requirement established in paragraph 10 of General Assembly resolution 60/251, shall be submitted to the President and to the secretariat of the Council. The request shall specify the item proposed for consideration and include any other relevant information the sponsors may wish to provide.

122. The special session shall be convened as soon as possible after the formal request is communicated, but, in principle, not earlier than two working days, and not later than five

working days after the formal receipt of the request. The duration of the special session shall not exceed three days (six working sessions), unless the Council decides otherwise.

123. The secretariat of the Council shall immediately communicate the request for the holding of a special session and any additional information provided by the sponsors in the request, as well as the date for the convening of the special session, to all United Nations Member States and make the information available to the specialized agencies, other intergovernmental organizations and national human rights institutions, as well as to non-governmental organizations in consultative status by the most expedient and expeditious means of communication. Special session documentation, in particular draft resolutions and decisions, should be made available in all official United Nations languages to all States in an equitable, timely and transparent manner.

124. The President of the Council should hold open-ended informative consultations before the special session on its conduct and organization. In this regard, the secretariat may also be requested to provide additional information, including, on the methods of work of previous special sessions.

125. Members of the Council, concerned States, observer States, specialized agencies, other intergovernmental organizations and national human rights institutions, as well as non-governmental organizations in consultative status may contribute to the special session in accordance with the rules of procedure of the Council.

126. If the requesting or other States intend to present draft resolutions or decisions at the special session, texts should be made available in accordance with the Council's relevant rules of procedure. Nevertheless, sponsors are urged to present such texts as early as possible.

127. The sponsors of a draft resolution or decision should hold open-ended consultations on the text of their draft resolution(s) or decision(s) with a view to achieving the widest participation in their consideration and, if possible, achieving consensus on them.

128. A special session should allow participatory debate, be results-oriented and geared to achieving practical outcomes, the implementation of which can be monitored and reported on at the following regular session of the Council for possible follow-up decision.

VII. RULES OF PROCEDURES

SESSIONS

Rules of procedure

Rule 1

The Human Rights Council shall apply the rules of procedure established for the Main Committees of the General Assembly, as applicable, unless subsequently otherwise decided by the Assembly or the Council.

REGULAR SESSIONS

Number of sessions

Rule 2

The Human Rights Council shall meet regularly throughout the year and schedule no fewer than three sessions per Council year, including a main session, for a total duration of no less than 10 weeks.

Assumption of membership

Rule 3

Newly-elected member States of the Human Rights Council shall assume their membership on the first day of the Council year, replacing member States that have concluded their respective membership terms.

Place of meeting

Rule 4

The Human Rights Council shall be based in Geneva.

SPECIAL SESSIONS

Convening of special sessions

Rule 5

The rules of procedure of special sessions of the Human Rights Council will be the same as the rules of procedure applicable for regular sessions of the Human Rights Council.

Rule 6

The Human Rights Council shall hold special sessions, when needed, at the request of a member of the Council with the support of one third of the membership of the Council.

PARTICIPATION OF AND CONSULTATION WITH OBSERVERS OF THE COUNCIL

Rule 7

(a) The Council shall apply the rules of procedure established for committees of the General Assembly, as applicable, unless subsequently otherwise decided by the Assembly or the Council, and the participation of and consultation with observers, including States that are not members of the Council, the specialized agencies, other intergovernmental organizations and national human rights institutions, as well as non-governmental organizations, shall be based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996, and practices observed by the Commission on Human Rights, while ensuring the most effective contribution of these entities.

(b) Participation of national human rights institutions shall be based on arrangements and practices agreed upon by the Commission on Human Rights, including resolution 2005/74 of 20 April 2005, while ensuring the most effective contribution of these entities.

ORGANIZATION OF WORK AND AGENDA FOR REGULAR SESSIONS

Organizational meetings

Rule 8

(a) At the beginning of each Council year, the Council shall hold an organizational meeting to elect its Bureau and to consider and adopt the agenda, programme of work, and calendar of regular sessions for the Council year indicating, if possible, a target date for the conclusion of its work, the approximate dates of consideration of items and the number of meetings to be allocated to each item.

(b) The President of the Council shall also convene organizational meetings two weeks before the beginning of each session and, if necessary, during the Council sessions to discuss organizational and procedural issues pertinent to that session.

PRESIDENT AND VICE-PRESIDENTS

Elections

Rule 9

(a) At the beginning of each Council year, at its organizational meeting, the Council shall elect, from among the representatives of its members, a President and four Vice-Presidents. The President and the Vice-Presidents shall constitute the Bureau. One of the Vice-Presidents shall serve as Rapporteur.

(b) In the election of the President of the Council, regard shall be had for the equitable geographical rotation of this office among the following Regional Groups: African States, Asian States, Eastern European States, Latin American and Caribbean States, and Western European and other States. The four Vice-Presidents of the Council shall be elected on the basis of equitable geographical distribution from the Regional Groups other than the one to which the President belongs. The selection of the Rapporteur shall be based on geographic rotation.

Bureau

Rule 10

The Bureau shall deal with procedural and organizational matters.

Term of office

Rule 11

The President and the Vice-Presidents shall, subject to rule 13, hold office for a period of one year. They shall not be eligible for immediate re-election to the same post.

Absence of officers

Rule 12 [105]

If the President finds it necessary to be absent during a meeting or any part thereof, he/she shall designate one of the Vice-Presidents to take his/her place. A Vice-President acting as President shall have the same powers and duties as the President. If the President

ceases to hold office pursuant to rule 13, the remaining members of the Bureau shall designate one of the Vice-Presidents to take his/her place until the election of a new President.

Replacement of the President or a Vice-President

Rule 13

If the President or any Vice-President ceases to be able to carry out his/her functions or ceases to be a representative of a member of the Council, or if the Member of the United Nations of which he/she is a representative ceases to be a member of the Council, he/she shall cease to hold such office and a new President or Vice-President shall be elected for the unexpired term.

SECRETARIAT

Duties of the secretariat

Rule 14 [47]

The Office of the United Nations High Commissioner for Human Rights shall act as secretariat for the Council. In this regard, it shall receive, translate, print and circulate in all official United Nations languages, documents, reports and resolutions of the Council, its committees and its organs; interpret speeches made at the meetings; prepare, print and circulate the records of the session; have the custody and proper preservation of the documents in the archives of the Council; distribute all documents of the Council to the members of the Council and observers and, generally, perform all other support functions which the Council may require.

RECORDS AND REPORT

Report to the General Assembly

Rule 15

The Council shall submit an annual report to the General Assembly.

PUBLIC AND PRIVATE MEETINGS OF THE HUMAN RIGHTS COUNCIL

General principles

Rule 16 [60]

The meetings of the Council shall be held in public unless the Council decides that exceptional circumstances require the meeting be held in private.

Private meetings

Rule 17 [61]

All decisions of the Council taken at a private meeting shall be announced at an early public meeting of the Council.

CONDUCT OF BUSINESS

Working groups and other arrangements

Rule 18

The Council may set up working groups and other arrangements. Participation in these bodies shall be decided upon by the members, based on rule 7. The rules of procedure of these bodies shall follow those of the Council, as applicable, unless decided otherwise by the Council.

Quorum

Rule 19 [67]

The President may declare a meeting open and permit the debate to proceed when at least one third of the members of the Council are present. The presence of a majority of the members shall be required for any decision to be taken.

Majority required

Rule 20 [125]

Decisions of the Council shall be made by a simple majority of the members present and voting, subject to rule 19.

**Appendix I: Renewed mandates until they could be considered
by the Human Rights Council according to its Annual Programme of Work**

Independent expert appointed by the Secretary-General on the situation of human rights in Haiti

Independent expert appointed by the Secretary-General on the situation of human rights in Somalia

Independent expert on the situation of human rights in Burundi

Independent expert on technical cooperation and advisory services in Liberia

Independent expert on the situation of human rights in the Democratic Republic of the Congo

Independent expert on human rights and international solidarity

Independent expert on minority issues

Independent expert on the effects of economic reform policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights

Independent expert on the question of human rights and extreme poverty

Special Rapporteur on the situation of human rights in the Sudan

Special Rapporteur on the situation of human rights in Myanmar

Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea

Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (The duration of this mandate has been established until the end of the occupation.)

Special Rapporteur on adequate housing as a component of the right to an adequate standard of living

Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

Special Rapporteur on extrajudicial, summary or arbitrary executions

Special Rapporteur on freedom of religion or belief

Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights

Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children

Special Rapporteur on the human rights of migrants

Special Rapporteur on the independence of judges and lawyers

Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

Special Rapporteur on the right to education

Special Rapporteur on the right to food

Special Rapporteur on the sale of children, child prostitution and child pornography

Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people

Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Special Rapporteur on violence against women, its causes and consequences

Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises

Special Representative of the Secretary-General for human rights in Cambodia

Special Representative of the Secretary-General on the situation of human rights defenders

Representative of the Secretary-General on human rights of internally displaced persons

Working Group of Experts on People of African Descent

Working Group on Arbitrary Detention

Working Group on Enforced or Involuntary Disappearances

Working Group on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

Appendix II: Terms in office of mandate-holders

Mandate-holder	Mandate	Terms in office
Charlotte Abaka	Independent Expert on the situation of human rights in Liberia	July 2006 (first term)
Yakin Ertürk	Special Rapporteur on violence against women, its causes and consequences	July 2006 (first term)
Manuela Carmena Castrillo	Working Group on Arbitrary Detention	July 2006 (first term)
Joel Adebayo Adekanye	Working Group on Enforced or Involuntary Disappearances	July 2006 (second term)
Saeed Rajae Khorasani	Working Group on Enforced or Involuntary Disappearances	July 2006 (first term)
Joe Frans	Working Group on people of African descent	July 2006 (first term)
Leandro Despouy	Special Rapporteur on the independence of judges and lawyers	August 2006 (first term)
Hina Jilani	Special Representative of the Secretary-General on the situation of human rights defenders	August 2006 (second term)
Soledad Villagra de Biedermann	Working Group on Arbitrary Detention	August 2006 (second term)
Miloon Kothari	Special Rapporteur on adequate housing as a component of the right to an adequate standard of living	September 2006 (second term)
Jean Ziegler	Special Rapporteur on the right to food	September 2006 (second term)
Paulo Sérgio Pinheiro	Special Rapporteur on the situation of human rights in Myanmar	December 2006 (second term)

Mandate-holder	Mandate	Terms in office
Darko Göttlicher	Working Group on Enforced or Involuntary Disappearances	January 2007 (first term)
Tamás Bán	Working Group on Arbitrary Detention	April 2007 (second term)
Ghanim Alnajjar	Independent Expert appointed by the Secretary-General on the situation of human rights in Somalia	May 2007 (second term)
John Dugard	Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967	June 2007 (second term)
Rodolfo Stavenhagen	Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people	June 2007 (second term)
Arjun Sengupta	Independent Expert on the question of human rights and extreme poverty	July 2007 (first term)
Akich Okola	Independent Expert on the situation of human rights in Burundi	July 2007 (first term)
Titinga Frédéric Pacéré	Independent Expert on the situation of human rights in the Democratic Republic of the Congo	July 2007 (first term)
Philip Alston	Special Rapporteur on extrajudicial, summary or arbitrary executions	July 2007 (first term)
Asma Jahangir	Special Rapporteur on freedom of religion or belief	July 2007 (first term)
Okechukwu Ibeanu	Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights	July 2007 (first term)
Vernor Muñoz Villalobos	Special Rapporteur on the right to education	July 2007 (first term)
Juan Miguel Petit	Special Rapporteur on the sale of children, child prostitution and child pornography	July 2007 (second term)

Mandate-holder	Mandate	Terms in office
Vitit Muntarbhorn	Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea	July 2007 (first term)
Leila Zerrougui	Working Group on Arbitrary Detention	August 2007 (second term)
Santiago Corcuera Cabezut	Working Group on Enforced or Involuntary Disappearances	August 2007 (first term)
Walter Kälin	Representative of the Secretary-General on the human rights of internally displaced persons	September 2007 (first term)
Sigma Huda	Special Rapporteur on trafficking in persons, especially in women and children	October 2007 (first term)
Bernards Andrew Nyamwaya Mudho	Independent Expert on the effects of economic reform policies and foreign debt on the full enjoyment of human rights, particularly economic, social and cultural rights	November 2007 (second term)
Manfred Nowak	Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment	November 2007 (first term)
Louis Joinet	Independent Expert appointed by the Secretary-General on the situation of human rights in Haiti	February 2008 (second term)
Rudi Muhammad Rizki	Independent Expert on human rights and international solidarity	July 2008 (first term)
Gay McDougall	Independent Expert on minority issues	July 2008 (first term)
Doudou Diène	Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance	July 2008 (second term)
Jorge A. Bustamante	Special Rapporteur on the human rights of migrants	July 2008 (first term)
Martin Scheinin	Special Rapporteur on the promotion and protection of human rights while countering terrorism	July 2008 (first term)

Mandate-holder	Mandate	Terms in office
Sima Samar	Special Rapporteur on the situation of human rights in the Sudan	July 2008 (first term)
John Ruggie	Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises	July 2008 (first term)
Seyyed Mohammad Hashemi	Working Group on Arbitrary Detention	July 2008 (second term)
Najat Al-Hajjaji	Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination	July 2008 (first term)
Amada Benavides de Pérez	Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination	July 2008 (first term)
Alexander Ivanovich Nikitin	Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination	July 2008 (first term)
Shaista Shameem	Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination	July 2007 (first term)
Ambeyi Ligabo	Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression	August 2008 (second term)
Paul Hunt	Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health	August 2008 (second term)
Peter Lesa Kasanda	Working Group on people of African descent	August 2008 (second term)
Stephen J. Toope	Working Group on Enforced or Involuntary Disappearances	September 2008 (second term)

Mandate-holder	Mandate	Terms in office
George N. Jabbour	Working Group on people of African descent	September 2008 (second term)
Irina Zlatescu	Working Group on people of African descent	October 2008 (second term)
José Gómez del Prado	Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination	October 2008 (first term)
Yash Ghai	Special Representative of the Secretary-General for human rights in Cambodia	November 2008 (first term)

5/2. CODE OF CONDUCT FOR SPECIAL PROCEDURES MANDATE-HOLDERS OF THE HUMAN RIGHTS COUNCIL

The Human Rights Council,

Guided by the aims and principles of the Charter of the United Nations and the Universal Declaration of Human Rights and recognizing the ensuing obligations inter alia of States to cooperate in promoting universal respect for human rights as enshrined therein,

Recalling the Vienna Declaration and Programme of Action adopted on 25 June 1993 by the World Conference on Human Rights,

Recalling also that in resolution 60/251 of 15 March 2006, entitled “Human Rights Council”, the General Assembly:

- (a) Reaffirmed that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing and that all human rights must be treated in a fair and equal manner on the same footing and with the same emphasis;
- (b) Acknowledged that peace and security, development and human rights are the pillars of the United Nations system and that they are interlinked and mutually reinforcing;
- (c) Decided that members elected to the Council shall uphold the highest standards in the promotion and protection of human rights and shall fully cooperate with the Council;
- (d) Stressed the importance of “ensuring universality, objectivity and non-selectivity in the consideration of human rights issues, and the elimination of double standards and politicization”;

(e) Further recognized that the promotion and protection of human rights “should be based on the principles of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings”;

(f) Decided that “the work of the Council shall be guided by the principles of universality, impartiality, objectivity, and non-selectivity, constructive international dialogue and cooperation, with a view to enhancing the promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development”;

(g) Also decided that “the methods of work of the Council shall be transparent, fair and impartial and shall enable genuine dialogue, be results-oriented, allow for subsequent follow-up discussions to recommendations and their implementation and also allow for substantive interaction with special procedures and mechanisms”;

Underlining the centrality of the notions of impartiality and objectivity, as well as the expertise of mandate-holders, within the context of special procedures, along with the need to give the required degree of attention to all human rights violations, wherever they may be taking place,

Bearing in mind that the efficiency of the system of special procedures should be reinforced through the consolidation of the status of mandate-holders and the adoption of principles and regulations taking the specificities of their mandate into consideration,

Considering that it is necessary to assist all stakeholders, including States, national human rights institutions, non-governmental organizations and individuals, to better understand and support the activities of mandate-holders,

Recalling articles 100, 104, 105 of the Charter of the United Nations, section 22 of article VI of the Convention on the Privileges and Immunities of the United Nations of 13 February 1946 and paragraph 6 of General Assembly resolution 60/251,

Noting decision 1/102 of 30 June 2006, in which the Council decided to extend exceptionally for one year the mandates and mandate-holders of the special procedures of the Commission on Human Rights, of the Sub-Commission for the Promotion and Protection of Human Rights as well as the procedure established pursuant to Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970,

Noting also decision 1/104 of 30 June 2006, in which the Council established the Open-ended Intergovernmental Working Group entrusted with the task of formulating recommendations on the issue of the review and possibly the enhancement and rationalization of all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights, in order to maintain a regime of special procedures in accordance with paragraph 6 of General Assembly resolution 60/251,

Noting further resolution 2/1 of 27 November 2006, in which the Council requested the Open-ended Intergovernmental Working Group to “draft a code of conduct regulating the work of the special procedures”,

Considering that this code of conduct is an integral part of the review, improvement and rationalization called for in General Assembly resolution 60/251 that, inter alia, seeks to

enhance the cooperation between Governments and mandate-holders which is essential for the effective functioning of the system,

Considering also that such a code of conduct will strengthen the capacity of mandate-holders to exercise their functions whilst enhancing their moral authority and credibility and will require supportive action by other stakeholders, and in particular by States,

Considering further that one should distinguish between, on the one hand, the independence of mandate-holders, which is absolute in nature, and, on the other hand, their prerogatives, as circumscribed by their mandate, the mandate of the Human Rights Council, and the provisions of the Charter of the United Nations,

Mindful of the fact that it is desirable to spell out, complete and increase the visibility of the rules and principles governing the behaviour of mandate-holders,

Noting the Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials, and Experts on Mission that was adopted by the General Assembly in resolution 56/280 of 27 March 2002,

Noting also the draft Manual of the United Nations Human Rights Special Procedures adopted in 1999 by the sixth annual meeting of mandate-holders, as revised,

Taking note of the deliberations and proposals of the Open-ended Intergovernmental Working Group on Review of Mandates,

1. *Urges* all States to cooperate with, and assist, the special procedures in the performance of their tasks and to provide all information in a timely manner, as well as respond to communications transmitted to them by the special procedures without undue delay;
2. *Adopts* the Code of Conduct for Special Procedures Mandate-Holders of the Human Rights Council, the text of which is annexed to the present resolution and whose provisions should be disseminated by the Office of the United Nations High Commissioner for Human Rights, to the mandate-holders, to the Member States of the United Nations and to other concerned parties.

*9th meeting
18 June 2007*

[Resolution adopted without a vote.]¹²

Annex: Draft Code of Conduct for Special Procedures Mandate-Holders of the Human Rights Council

Article 1 - Purpose of the Code of Conduct

The purpose of the present Code of Conduct is to enhance the effectiveness of the system of special procedures by defining the standards of ethical behaviour and professional

¹² See A/HRC/5/21, chap. III, para. 62.

conduct that special procedures mandate-holders of the Human Rights Council (hereinafter referred to as "mandate-holders") shall observe whilst discharging their mandates.

Article 2 - Status of the Code of Conduct

1. The provisions of the present Code complement those of the Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials, and Experts on Mission (ST/SGB/2002/9) (hereinafter referred to as "the Regulations");
2. The provisions of the draft manual of United Nations Human Rights Special Procedures should be in consonance with those of the present Code;
3. Mandate-holders shall be provided by the United Nations High Commissioner for Human Rights, along with the documentation pertaining to their mission, with a copy of the present Code of which they must acknowledge receipt.

Article 3 - General principles of conduct

Mandate-holders are independent United Nations experts. While discharging their mandate, they shall:

(a) Act in an independent capacity, and exercise their functions in accordance with their mandate, through a professional, impartial assessment of facts based on internationally recognized human rights standards, and free from any kind of extraneous influence, incitement, pressure, threat or interference, either direct or indirect, on the part of any party, whether stakeholder or not, for any reason whatsoever, the notion of independence being linked to the status of mandate-holders, and to their freedom to assess the human rights questions that they are called upon to examine under their mandate;

(b) Keep in mind the mandate of the Council which is responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all, through dialogue and cooperation as specified in General Assembly resolution 60/251 of 15 March 2006;

(c) Exercise their functions in accordance with their mandate and in compliance with the Regulations, as well as with the present Code;

(d) Focus exclusively on the implementation of their mandate, constantly keeping in mind the fundamental obligations of truthfulness, loyalty and independence pertaining to their mandate;

(e) Uphold the highest standards of efficiency, competence and integrity, meaning, in particular, though not exclusively, probity, impartiality, equity, honesty and good faith;

(f) Neither seek nor accept instructions from any Government, individual, governmental or non-governmental organization or pressure group whatsoever;

(g) Adopt a conduct that is consistent with their status at all times;

(h) Be aware of the importance of their duties and responsibilities, taking the particular nature of their mandate into consideration and behaving in such a way as to maintain and reinforce the trust they enjoy of all stakeholders;

(i) Refrain from using their office or knowledge gained from their functions for private gain, financial or otherwise, or for the gain and/or detriment of any family member, close associate, or third party;

(j) Not accept any honour, decoration, favour, gift or remuneration from any governmental or non-governmental source for activities carried out in pursuit of his/her mandate.

Article 4 - Status of mandate-holders

1. Mandate-holders exercise their functions on a personal basis, their responsibilities not being national but exclusively international.
2. When exercising their functions, the mandate-holders are entitled to privileges and immunities as provided for under relevant international instruments, including section 22 of article VI of the Convention on the Privileges and Immunities of the United Nations.
3. Without prejudice to these privileges and immunities, the mandate-holders shall carry out their mandate while fully respecting the national legislation and regulations of the country wherein they are exercising their mission. Where an issue arises in this regard, mandate-holders shall adhere strictly to the provisions of Regulation 1 (e) of the Regulations.

Article 5 - Solemn declaration

Prior to assuming their functions, mandate-holders shall make the following solemn declaration in writing:

“I solemnly declare that I shall perform my duties and exercise my functions from a completely impartial, loyal and conscientious standpoint, and truthfully, and that I shall discharge these functions and regulate my conduct in a manner totally in keeping with the terms of my mandate, the Charter of the United Nations, the interests of the United Nations, and with the objective of promoting and protecting human rights, without seeking or accepting any instruction from any other party whatsoever.”

Article 6 - Prerogatives

Without prejudice to prerogatives for which provision is made as part of their mandate, the mandate-holders shall:

- (a) Always seek to establish the facts, based on objective, reliable information emanating from relevant credible sources, that they have duly cross-checked to the best extent possible;
- (b) Take into account in a comprehensive and timely manner, in particular information provided by the State concerned on situations relevant to their mandate;
- (c) Evaluate all information in the light of internationally recognized human rights standards relevant to their mandate, and of international conventions to which the State concerned is a party;
- (d) Be entitled to bring to the attention of the Council any suggestion likely to enhance the capacity of special procedures to fulfil their mandate.

Article 7 - Observance of the terms of the mandate

It is incumbent on the mandate-holders to exercise their functions in strict observance of their mandate and in particular to ensure that their recommendations do not exceed their mandate or the mandate of the Council itself.

Article 8 - Sources of information

In their information-gathering activities the mandate-holders shall:

- (a) Be guided by the principles of discretion, transparency, impartiality, and even-handedness;
- (b) Preserve the confidentiality of sources of testimonies if their divulgation could cause harm to individuals involved;
- (c) Rely on objective and dependable facts based on evidentiary standards that are appropriate to the non-judicial character of the reports and conclusions they are called upon to draw up;
- (d) Give representatives of the concerned State the opportunity of commenting on mandate-holders' assessment and of responding to the allegations made against this State, and annex the State's written summary responses to their reports.

Article 9 - Letters of allegation

With a view to achieving effectiveness and harmonization in the handling of letters of allegation by special procedures, mandate-holders shall assess their conformity with reference to the following criteria:

- (a) The communication should not be manifestly unfounded or politically motivated;
- (b) The communication should contain a factual description of the alleged violations of human rights;
- (c) The language in the communication should not be abusive;
- (d) The communication should be submitted by a person or a group of persons claiming to be victim of violations or by any person or group of persons, including non-governmental organizations, acting in good faith in accordance with principles of human rights, and free from politically motivated stands or contrary to, the provisions of the Charter of the United Nations, and claiming to have direct or reliable knowledge of those violations substantiated by clear information;
- (e) The communication should not be exclusively based on reports disseminated by mass media.

Article 10 - Urgent appeals

Mandate-holders may resort to urgent appeals in cases where the alleged violations are time-sensitive in terms of involving loss of life, life-threatening situations or either imminent or ongoing damage of a very grave nature to victims that cannot be addressed in a timely manner by the procedure under article 9 of the present Code.

Article 11 - Field visits

Mandate-holders shall:

- (a) Ensure that their visit is conducted in compliance with the terms of reference of their mandate;
- (b) Ensure that their visit is conducted with the consent, or at the invitation, of the State concerned;
- (c) Prepare their visit in close collaboration with the Permanent Mission of the concerned State accredited to the United Nations Office at Geneva except if another authority is designated for this purpose by the concerned State;

(d) Finalize the official programme of their visits directly with the host country officials with administrative and logistical back-up from the local United Nations Agency and/or Representative of the High Commissioner for Human Rights who may also assist in arranging private meetings;

(e) Seek to establish a dialogue with the relevant government authorities and with all other stakeholders, the promotion of dialogue and cooperation to ensure the full effectiveness of special procedures being a shared obligation of the mandate-holders, the concerned State and the said stakeholders;

(f) Have access upon their own request, in consultation with the Office of the High Commissioner for Human Rights and after a common understanding between the host Government and the mandate-holder, to official security protection during their visit, without prejudice to the privacy and confidentiality that mandate-holders require to fulfil their mandate.

Article 12 - Private opinions and the public nature of the mandate

Mandate-holders shall:

(a) Bear in mind the need to ensure that their personal political opinions are without prejudice to the execution of their mission, and base their conclusions and recommendations on objective assessments of human rights situations;

(b) In implementing their mandate, therefore, show restraint, moderation and discretion so as not to undermine the recognition of the independent nature of their mandate or the environment necessary to properly discharge the said mandate.

Article 13 - Recommendations and conclusions

Mandate-holders shall:

(a) While expressing their considered views, particularly in their public statements concerning allegations of human rights violations, also indicate fairly what responses were given by the concerned State;

(b) While reporting on a concerned State, ensure that their declarations on the human rights situation in the country are at all times compatible with their mandate and the integrity, independence and impartiality which their status requires, and which is likely to promote a constructive dialogue among stakeholders, as well as cooperation for the promotion and protection of human rights;

(c) Ensure that the concerned government authorities are the first recipients of their conclusions and recommendations concerning this State and are given adequate time to respond, and that likewise the Council is the first recipient of conclusions and recommendations addressed to this body.

Article 14 - Communication with Governments

Mandate-holders shall address all their communications to concerned Governments through diplomatic channels unless agreed otherwise between individual Governments and the Office of the High Commissioner for Human Rights.

Article 15 - Accountability to the Council

In the fulfilment of their mandate, mandate-holders are accountable to the Council.

**5/101. INSTITUTION-BUILDING OF THE HUMAN RIGHTS COUNCIL AND
DRAFT CODE OF CONDUCT FOR SPECIAL PROCEDURES MANDATE-
HOLDERS OF THE HUMAN RIGHTS COUNCIL**

At its 9th meeting, on 18 June 2007, the Human Rights Council decided, without a vote, to agree on the text introduced by the President entitled "United Nations Human Rights Council: institution-building" (A/HRC/5/L.2) considered jointly with the draft code of conduct for special procedures mandate-holders of the Human Rights Council (A/HRC/5/L.3/Rev.1).¹³

A/RES/62/219. REPORT OF THE HUMAN RIGHTS COUNCIL

The General Assembly,

Taking note of Human Rights Council resolutions 5/1 entitled "Institution-building of the United Nations Human Rights Council" and 5/2 entitled "Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council", of 18 June 2007,

Endorses the decision of the Human Rights Council to adopt resolutions 5/1 and 5/2, including the annexes and appendices thereto.

*79th plenary meeting
22 December 2007*

6/13. THE SOCIAL FORUM

The Human Rights Council,

Recalling all previous resolutions and decisions adopted on this issue by the former Commission on Human Rights and its Sub-Commission on the Promotion and Protection of Human Rights, as well as by the Economic and Social Council,

Recalling also its resolution 5/1 of 18 June 2007,

Bearing in mind that the reduction of poverty and the elimination of extreme poverty remain an ethical and moral imperative of humankind, based on respect for human dignity, and noting the report of the Chairperson-Rapporteur of the fourth Social Forum, held on 3 and 4 August 2006, which focused on "The fight against poverty and the rights to participation: the role of women",

Reaffirming the unique nature within the United Nations of the Social Forum, which makes possible a dialogue and an exchange between the representatives of Member States, civil society, including grass-roots organizations, and intergovernmental organizations, and stressing that the current reform of the United Nations should take into account the contribution of the Social Forum as a vital space for open and fruitful dialogue on issues

¹³ See A/HRC/5/21, para. 62.

linked with the national and international environment needed for the promotion of the enjoyment of all human rights by all,

1. *Welcomes* the report of the fourth Social Forum held in Geneva on 3 and 4 August 2006 submitted by the Chairman-Rapporteur (A/HRC/Sub.1/58/15);

2. *Takes note with satisfaction* of the conclusions and recommendations of the 2006 Social Forum and of the innovative nature of many of them, and calls upon States, international organizations - in particular those with a mandate for poverty eradication - non-governmental organizations, civil society organizations, trade unions and other relevant actors to take them into account when designing and implementing poverty-eradication programmes and strategies;

3. *Decides* to preserve the Social Forum as a unique space for interactive dialogue between the United Nations human rights machinery and various stakeholders, including grass-roots organizations, and underlines the importance of coordinated efforts at national, regional and international levels for the promotion of social cohesion based on the principles of social justice, equity and solidarity as well as to address the social dimension and challenges of the ongoing globalization process;

4. *Decides also* that the Social Forum shall continue meeting every year, requests that the next meeting of the Social Forum be held during 2008, in Geneva, on dates suitable for the participation of representatives of United Nations Member States and of the broadest possible range of other stakeholders, especially from developing countries, and decides that at its next meeting the Social Forum should focus on:

(a) Questions relating to the eradication of poverty in the context of human rights;

(b) Capturing best practices in the fight against poverty in the light of grass-roots presentations to the Social Forum;

(c) Social dimension of the globalization process;

5. *Decides further* that the Social Forum will meet for three working days, in order that it may devote:

(a) One day to thematic discussions on poverty and human rights and the work of the international human rights mechanisms in the field of economic, social and cultural rights and the right to development in relation to poverty, in order to receive feedback from civil society to provide to different mechanisms;

(b) One day to discussion on the social dimension of the globalization process;

(c) One day to an interactive debate with relevant thematic procedures mandate-holders of the Human Rights Council on issues related to the topics of the Social Forum, and to formulating conclusions and recommendations to be presented to relevant bodies through the Human Rights Council;

6. *Requests* the President of the Human Rights Council to appoint, before the end of 2007, from candidates nominated by regional groups, the Chairperson-Rapporteur for the 2008 Social Forum and decides to respect the principle of regional rotation while appointing the chairpersons-rapporteurs of the Social Forum in the future;

7. *Invites* the appointed Chairperson-Rapporteur to announce, in a timely manner, the most appropriate dates for convening the 2008 Social Forum, after holding consultations with United Nations Member States and other stakeholders;
8. *Requests* the United Nations High Commissioner for Human Rights to consult all actors identified in the present resolution on the issues referred to in paragraph 4 above and to present a report as a background contribution for the dialogues and debates that will be held at the 2008 Social Forum;
9. *Requests also* the High Commissioner for Human Rights to facilitate the participation in the 2008 Social Forum, to assist the Chairperson-Rapporteur as resource persons, of up to four relevant Human Rights Council thematic procedures mandate-holders, in particular the independent expert on the question of human rights and extreme poverty and the independent expert on human rights and international solidarity;
10. *Decides* that the Social Forum will remain open for participation of representatives of United Nations Member States and all other interested stakeholders such as intergovernmental organizations, different components of the United Nations system, especially mandate-holders of thematic procedures and mechanisms of the human rights machinery, regional economic commissions, specialized agencies and organizations - in particular the United Nations Development Programme, the World Bank, the International Monetary Fund and the World Trade Organization, as well as representatives designated by human rights national institutions and non-governmental organizations in consultative status with the Economic and Social Council and other non-governmental organizations, in particular newly emerging actors such as small groups and rural and urban associations from the North and the South, anti-poverty groups, peasants' and farmers' organizations and their national and international associations, voluntary organizations, youth associations, community organizations, trade unions and associations of workers, as well as representatives of the private sector, regional banks, and other financial institutions and international development agencies, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996, and practices observed by the Commission on Human Rights, while ensuring the most effective contribution of these entities;
11. *Requests* the Office of the United Nations High Commissioner for Human Rights to seek effective means of ensuring consultation and the broadest possible participation of representatives from every region, especially those from developing countries, in the Social Forum, including by establishing partnerships with non-governmental organizations, the private sector and international organizations;
12. *Requests* the Secretary-General to adopt the appropriate measures to disseminate information about the Social Forum, invite the relevant individuals and organizations to the Social Forum and take all practical measures required for the success of this initiative;
13. *Invites* the 2008 Social Forum to submit to the Human Rights Council a report including a proposal of possible themes for the 2009 Social Forum;
14. *Requests* the Secretary-General to provide the Social Forum with all the services and facilities necessary to fulfil its activities, and also requests the United Nations High Commissioner for Human Rights to provide all the necessary support to facilitate the convening and proceedings of the Social Forum;

15. *Decides* to continue consideration of this issue under the relevant agenda item when the report of the 2008 Social Forum is submitted to the Human Rights Council.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/15. FORUM ON MINORITY ISSUES

The Human Rights Council,

Recalling the International Covenant on Civil and Political Rights and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities adopted by consensus by the General Assembly by its resolution 47/135 of 18 December 1992,

Taking into consideration article 27 of the International Covenant on Civil and Political Rights as well as other relevant existing international standards and national legislation,

Recalling Commission on Human Rights resolution 1995/24 of 3 March 1995, Economic and Social Council resolution 1995/31 of 25 July 1995 and decision 1998/246 of 30 July 1998 on the mandate of the Working Group on Minorities of the Sub-Commission on the Promotion and Protection of Human Rights,

Recalling also Human Rights Council resolution 5/1 of 18 June 2007, which calls upon the Council to decide at its sixth session on the most appropriate mechanisms to continue the work of the former working groups of the Sub-Commission,

Taking note of the final report of the Working Group on Minorities (A/HRC/Sub.1/58/19), in particular the recommendations on the future of the Working Group, which emphasizes the need for a mechanism to serve as a forum for dialogue and mutual understanding on minority rights issues,

Taking note also of the report of the Secretary-General on the rights of persons belonging to national or ethnic, religious and linguistic minorities (A/HRC/4/109), in which he invites the Council to consider ways to maintain mechanisms offering opportunities for the meaningful participation of civil society,

Commending the important work undertaken by the independent expert on minority issues and recalling the complementarity of her mandate with that of the former Working Group on Minorities provided for in Commission on Human Rights resolution 2005/79 of 21 April 2005,

Emphasizing the need for reinforced efforts to meet the goal of the full realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Affirming that effective measures and the creation of favourable conditions for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, ensuring effective non-discrimination and equality for all, as well as full and effective participation in matters affecting them, contribute to the prevention and peaceful solution of human rights problems and situations involving minorities,

Underlining the need to pay specific attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the situation of persons belonging to national or ethnic, religious and linguistic minorities, and drawing attention to the relevant provisions of the Durban Declaration and Programme of Action adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, including the provisions on forms of multiple discrimination,

Emphasizing the importance of dialogue among all relevant stakeholders on the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities as an integral part of the development of society as a whole, including the sharing of best practices such as for the promotion of mutual understanding of minority issues, managing diversity by recognizing plural identities, and promoting inclusive and stable societies as well as social cohesion therein,

Emphasizing also the importance of national processes aimed at promoting and strengthening dialogue between all relevant stakeholders on issues relating to the rights of persons belonging to national, or ethnic, religious and linguistic minorities with a view to ensuring the realization of their rights without discrimination and to help build stable societies,

1. *Decides* to establish a forum on minority issues to provide a platform for promoting dialogue and cooperation on issues pertaining to persons belonging to national or ethnic, religious and linguistic minorities, which shall provide thematic contributions and expertise to the work of the independent expert on minority issues.¹⁴ The Forum shall identify and analyse best practices, challenges, opportunities and initiatives for the further implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

2. *Also decides* that the Forum shall be open to the participation of States, United Nations mechanisms, bodies and specialized agencies, funds and programmes, intergovernmental organizations, regional organizations and mechanisms in the field of human rights, national human rights institutions and other relevant national bodies, academics and experts on minority issues and non-governmental organizations in consultative status with the Economic and Social Council; the Forum shall also be open to other non-governmental organizations whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996, and practices observed by the Commission on Human Rights, through an open and transparent accreditation procedure in accordance with the Rules of Procedure of the Human Rights Council, which will provide for the timely information on participation and consultations with States concerned;

¹⁴ Subject to review of the mandate of the independent expert, as foreseen in resolution 5/1 of 18 June 2007.

3. *Decides further* that the Forum shall meet ~~annually~~ for two working days allocated to thematic discussions;
4. *Requests* the President of the Human Rights Council to appoint for each session, on the basis of regional rotation, and in consultation with regional groups, a chairperson of the Forum among experts on minority issues, nominated by members and observers of the Council; the chairperson, serving in his/her personal capacity, shall be responsible for the preparation of a summary of the discussion of the Forum, to be made available to all participants of the Forum;
5. *Decides* that the independent expert on minority issues shall guide the work of the Forum and prepare its annual meetings, and invites him/her to include in his/her report thematic recommendations of the Forum and recommendations for future thematic subjects, for consideration by the Human Rights Council;
6. *Expresses its expectation* that the Forum will contribute to the efforts of the United Nations High Commissioner for Human Rights to improve the cooperation among United Nations mechanisms, bodies and specialized agencies, funds and programmes on activities related to the promotion and protection of the rights of persons belonging to minorities, including at regional level;
7. *Requests* the High Commissioner for Human Rights to provide all the necessary support to facilitate, in a transparent manner, the convening of the Forum and the participation of relevant stakeholders from every region in its meetings, giving particular attention to ensuring broadest possible and equitable participation, including, in particular, the representation of women;
8. *Requests* the Secretary-General to provide the Forum, within existing resources of the United Nations, with all the services and facilities necessary to fulfil its mandate;
9. *Decides* to review the work of the Forum after four years.

*21st meeting
28 September 2007*

[Resolution adopted without a vote.]

**6/16. INFORMAL MEETING TO DISCUSS THE MOST APPROPRIATE
MECHANISMS TO CONTINUE THE WORK OF THE WORKING
GROUP ON INDIGENOUS POPULATIONS**

The Human Rights Council,

Recalling that the Human Rights Council institution-building text, annexed to resolution 5/1 of 18 June 2007, stated that the “Council will decide at its sixth session (first session of its second cycle) on the most appropriate mechanisms to continue the work of the Working Group on Indigenous Populations ...”,

Decides to request the Office of the United Nations High Commissioner for Human Rights to convene an informal meeting in Geneva, for a day and a half, open to the participation of States, indigenous peoples and other stakeholders preceding the resumed sixth session in December of the Council to exchange views on the most appropriate mechanisms to continue the work of the Working Group on Indigenous Populations.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/17. ESTABLISHMENT OF FUNDS FOR THE UNIVERSAL PERIODIC REVIEW MECHANISM OF THE HUMAN RIGHTS COUNCIL

The Human Rights Council,

Bearing in mind that the universal periodic review is a cooperative mechanism with the full involvement of the country concerned and with consideration given to its capacity-building needs in accordance with General Assembly resolution 60/251 of 15 March 2006,

Underlining the fact that the institution-building text adopted on 18 June 2007 states that a universal periodic review Voluntary Trust Fund should be established to facilitate the participation of developing countries, particularly least developed countries, in the universal periodic review,

Recalling that the institution-building text also requests the Council to decide on the question whether to resort to existing financing mechanisms or to create a new mechanism,

1. *Requests* the Secretary-General to establish a universal periodic review Voluntary Trust Fund to facilitate the participation of developing countries, particularly least developed countries, in the universal periodic review mechanism;
2. *Also requests* the Secretary-General to establish a new financial mechanism called the Voluntary Fund for Financial and Technical Assistance to be administered jointly with the universal periodic review Voluntary Trust Fund mentioned in paragraph 1, in order to provide, in conjunction with multilateral funding mechanisms, a source of financial and technical assistance to help countries implement recommendations emanating from the universal periodic review in consultation with, and with the consent of, the country concerned;
3. *Urges* all member States, observers and other stakeholders of the Council to support the operationalization of the above funds;
4. *Requests* the Office of the High Commissioner for Human Rights to take the necessary measures with a view to expeditiously operationalizing the mechanisms;

5. *Decides* to follow up on the matter under the same agenda item at its seventh session.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/36. EXPERT MECHANISM ON THE RIGHTS OF INDIGENOUS PEOPLES

The Human Rights Council,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006, and paragraph 84 of the annex to Human Rights Council resolution 5/1 of 18 June 2007,

Recalling that, at its sixty-first session, the General Assembly adopted in its resolution 61/295 of 13 September 2007 the United Nations Declaration on the Rights of Indigenous Peoples,

Bearing in mind Council resolution 6/16 of 28 September 2007,

Recalling that the Council should be cognizant of the work being undertaken on indigenous issues by other bodies in the United Nations system,

1. *Decides*, in order to assist the Council in the implementation of its mandate, to establish a subsidiary expert mechanism to provide the Council with thematic expertise on the rights of indigenous peoples in the manner and form requested by the Council:

(a) The thematic expertise will focus mainly on studies and research-based advice;

(b) The mechanism may suggest proposals to the Council for its consideration and approval, within the scope of its work as set out by the Council;

2. *Also decides* that this mechanism shall report annually to the Council on its work;

3. *Further decides* that the expert mechanism shall consist of five independent experts, the selection of which shall be carried out in accordance with the procedure established in paragraphs 39 to 53 of the annex to Council resolution 5/1 of 18 June 2007;

4. *Strongly recommends* that, in the selection and appointment process, the Council give due regard to experts of indigenous origin;

5. *Decides*, in order for the expert mechanism to enhance cooperation and avoid duplicating the work of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and the Permanent Forum, that it shall invite the

Special Rapporteur and a member of the Permanent Forum to attend and contribute to its annual meeting;

6. *Also decides* that the members of the expert mechanism shall serve for a three-year period and may be re-elected for one additional period;

7. *Further decides* that, within its mandate, the expert mechanism on the rights of indigenous peoples should determine its own methods of work, although the expert mechanism shall not adopt resolutions or decisions;

8. *Decides* that the expert mechanism shall meet once annually three days in its first year and thereafter for up to five days, and that the sessions may be a combination of open and private meetings;

9. *Also decides* that the annual meeting of the expert mechanism shall be open to the participation, as observers, of States, United Nations mechanisms, bodies and specialized agencies, funds and programmes, intergovernmental organizations, regional organizations and mechanisms in the field of human rights, national human rights institutions and other relevant national bodies, academics and experts on indigenous issues, non-governmental organizations in consultative status with the Economic and Social Council; the meeting shall also be open to indigenous peoples' organizations and non-governmental organizations, whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996, and practices observed by the Commission on Human Rights, through an open and transparent accreditation procedure in accordance with the rules of procedure of the Human Rights Council, which will provide for the timely information on participation and consultation with States concerned;

10. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human, technical and financial assistance to the expert mechanism for the effective fulfilment of its mandate.

*34th meeting
14 December 2007*

[Resolution adopted without a vote.]

6/101. WORKING GROUP ON COMMUNICATIONS

At its 20th meeting, on 27 September 2007, the Human Rights Council decided, without a vote, as a transitional measure, to request the members of the former Working Group on Communications to act as members of the Working Group on Communications of the new Complaint Procedure operating within the parameters of the new procedure until such time as the new Working Group is established.

6/102. FOLLOW-UP TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1

At its 20th meeting, on 27 September 2007, the Human Rights Council decided to adopt, without a vote: “

I. General Guidelines for the preparation of information under the Universal Periodic Review

“Reaffirming the relevant provisions, related to the universal periodic review, of General Assembly resolution 60/251 of 15 March 2006 and of Human Rights Council resolution 5/1 of 18 June 2007 containing the institution-building package, the Council adopts the following General Guidelines:

- A. Description of the methodology and the broad consultation process followed for the preparation of information provided under the universal periodic review;
- B. Background of the country under review and framework, particularly normative and institutional framework, for the promotion and protection of human rights: constitution, legislation, policy measures, national jurisprudence, human rights infrastructure including national human rights institutions and scope of international obligations identified in the ‘basis of review’ in resolution 5/1, annex, section IA;
- C. Promotion and protection of human rights on the ground: implementation of international human rights obligations identified in the ‘basis of review’ in resolution 5/1, annex, section IA, national legislation and voluntary commitments, national human rights institutions activities, public awareness of human rights, cooperation with human rights mechanisms ...;
- D. Identification of achievements, best practices, challenges and constraints;
- E. Key national priorities, initiatives and commitments that the State concerned intends to undertake to overcome those challenges and constraints and improve human rights situations on the ground;
- F. Expectations of the State concerned in terms of capacity-building and requests, if any, for technical assistance;
- G. Presentation by the State concerned of the follow-up to the previous review.

II. Technical and objective requirements for eligible candidates for mandate-holders

A. Background

According to resolution 5/1, ‘the following general criteria will be of paramount importance while nominating, selecting and appointing mandate-holders: (a) expertise; (b) experience in the field of the mandate; (c) independency; (d) impartiality; (e) personal integrity; (f) objectivity’. Due consideration should be given to gender balance as well as to appropriate representation of different legal systems. ‘Eligible candidates are highly qualified individuals who possess established competence, relevant expertise and extensive professional experience in the field of human rights’ (paras. 39-41).

B. General aspects

1. The Office of the United Nations High Commissioner for Human Rights has the responsibility to 'immediately prepare, maintain and periodically update a public list of eligible candidates in a standardized format'. The list shall include 'personal data, areas of expertise and professional experience' (resolution 5/1, para. 43).
2. The Secretariat may provide a standardized form, on the basis of the technical and objective requirements stipulated below, for candidates to fill in, and shall allow for highlighting any expertise they possess in specific areas, so as to facilitate the selection of relevant candidacies from the roster as soon as appointments for particular mandates are necessary.
3. The data and information provided by the candidates shall be substantiated by appropriate written credentials to be annexed to the curricula vitae.
4. 'A consultative group would be established to propose to the President, at least one month before the beginning of the session in which the Council would consider the selection of mandate-holders, a list of candidates who possess the highest qualifications for the mandates in question and meet the general criteria and practical requirements' (resolution 5/1, para. 47).

C. Technical and objective requirements

The following should be considered:

1. Qualifications: relevant educational qualifications or equivalent professional experience in the field of human rights; good communication skills in one of the official languages of the United Nations.
2. Relevant expertise: knowledge of international human rights instruments, norms and principles; as well as knowledge of institutional mandates related to the United Nations or other international or regional organizations' work in the area of human rights; proven work experience in the field of human rights.
3. Established competence: nationally, regionally or internationally recognized competence related to human rights.
4. Flexibility/readiness and availability of time to perform effectively the functions of the mandate and to respond to its requirements, including attending Human Rights Council sessions.

III. Advisory Committee of the Human Rights Council: technical and objective requirements for the submission of candidatures

Mandate: In conformity with resolution 5/1, the technical and objective requirements for the submission of candidatures will be established and approved by the Human Rights Council at its sixth session (first session of the second cycle). These should include:

- Recognized competence and experience in the field of human rights;
- High moral standing;
- Independence and impartiality.

When selecting their candidates, States should consult their national human rights institutions and civil society organizations and apply the following guidelines on technical and objective requirements for the submission of their candidates:

A. Competence and experience

Academic studies in the field of human rights or related areas and/or experience and exposure to leadership roles in the human rights field at the national, regional, or international level;

Substantial experience (at least five years) and personal contributions in the field of human rights;

Knowledge of the United Nations system and of institutional mandates and policies related to the work in the area of human rights, as well as knowledge of international human rights instruments, norms, disciplines, and familiarity with different legal systems and civilizations will be preferable;

Proficiency in at least one of the United Nations official languages;

Availability of time to fulfil the work of the Advisory Committee in an effective manner, both to attend its sessions and to carry out mandated activities between sessions.

B. High moral standing

C. Independence and impartiality

Individuals holding decision-making positions in Government or any other organization or entity which might give rise to a conflict of interest with responsibilities inherent to the mandate shall be excluded. Elected members of the Advisory Committee will act in their personal capacity.

D. Other considerations

The principle of non-accumulation of human rights functions at the same time shall be respected.

In electing members of the Advisory Committee, the Council should give due consideration to gender balance and appropriate representation of different civilizations and legal systems.”

A/HRC/OM/L.1: PRESIDENTIAL STATEMENT AT THE OPENING OF THE MEETING FOR THE SELECTION OF THE UPR TROIKAS

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HUMAN RIGHTS COUNCIL

Presidential Statement at the opening of the Meeting for the Selection of the UPR Troikas

-28 February 2008-

Informal "informal" discussions have been pursued on the issue of the Universal Periodic Review in order to agree on the practical modalities for the implementation of the provisions contained in the Institution Building text.

This paper is a reflection of the general consensus on the role of the Troika Members during the preparation for the review and the level of the representation of States in the review. There is also a common understanding regarding the modalities for the selection of the Troikas.

In this respect, the role of the Troikas shall be to collate questions and/or issues in order to facilitate the preparation of the State under Review (SuR) for the interactive dialogue during the review. In doing this, the Troika Members will relay the respective questions and/or issues without altering their meaning in any way. In the facilitation process, the Troika Members shall also refrain from embarking upon, or involving in, any assessment or evaluation of questions/issues raised by the States, as well as of the situation of the human rights of the SuR.

Whilst acknowledging that the level of the State's representation in the review process is its own prerogative, it is advisable that the respective decision take into account the importance of the process.

Regarding the selection of the troikas, provided for in paragraph 18 (d) of the Human Rights Council Institution Building text, we will proceed as follows:

1. For the drawing of lots, the names of the 47 Troika Members will be divided into 5 different bags, organized by regions. For computing reasons, one Troika Member shall be present two times in the respective container. That Member shall be determined by drawing of lots from the 47 Members of the HRC.
2. At the invitation of the President, a representative of each State under review at the 1st and 2nd UPR Working Group session will get to the troika selection desk set up aside the podium. This will be done in the order of consideration at the said sessions.
3. The Representative will first proceed with the drawing by lot of the troika combination from one of the 16 possible combinations as identified by the program developed by the secretariat. Should the representative have requested beforehand that one of the Troika Members be from its own regional group, the drawing should continue, if necessary, until this purpose is served.
4. The Representative will then draw by lot the countries that will be members of the troika, from the 3 bags that correspond to its troika combination.

5. If a State under review wishes to substitute a Troika Member, it may draw a fourth lot from that same bag. Otherwise, the results of the drawing will be announced.
6. The President will assume that selected Troika Member agree to be included in the respective Troikas, unless the wish to be excused from participating in that Troika is indicated by raising the flag.
7. Should a Troika Member excuse itself from a participating in the respective Troika, the State under review will proceed to draw another lot from the same bag as the one where the concerned Troika Member had been drawn from. This procedure shall be followed in case other Troika Members also excuse themselves from a review. It is understood that States that are selected for the Troikas shall exert self-restraint in using their right to be excused from this selection, in line with the responsibility of being a Member of the HRC.
8. If the State under review has not requested the substitution of a Troika Member and it wishes to do so, it may do it at this stage.
9. The President shall announce the final result of each drawing.
10. If a State is not able to be represented in the selection of the troikas, it will notify the President and request her or him to draw the corresponding lots. The representative of the country concerned will be informed of the results of the drawing in a timely manner.

Some other aspects like the specific modalities for the discussion in the UPR

Working Group, or questions related to the adoption of the outcome by the Plenary, require further consultation. They shall be addressed before the review process actually starts in April.

I would like to thank all delegations for their cooperative engagement in solving these very important issues.

8/1. CONFERENCE FACILITIES AND FINANCIAL SUPPORT FOR THE HUMAN RIGHTS COUNCIL

The Human Rights Council,

Bearing in mind General Assembly resolutions 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007,

Recalling Council decision 3/104 of 8 December 2006 on conference facilities and financial support for the Council and the report of the Secretary-General on its implementation (A/62/125),

1. *Reaffirms* the need to ensure the provision of necessary financial resources to the Council and its working groups in order to discharge its mandate fully, as stipulated in General Assembly resolution 60/251 and implemented by Council resolution 5/1;
2. *Expresses its concern* at the delays in the submission of documents to the Council, including those relating to the universal periodic review, and in particular the delays

in the translation of documents into the six official languages of the United Nations, and in this context requests the Office of the United Nations High Commissioner for Human Rights and the Conference Services Division at the United Nations Office at Geneva to make an assessment of the situation and to report back to the Council at its ninth session with proposals for adequate measures, bearing in mind the necessity of maintaining financial efficiency, to address these problems;

3. *Reaffirms* that the Council will consider favourably the adoption of a decision on the webcasting of all public proceedings of its various working groups, taking into account the principles of transparency, equal treatment and non-selectivity and, in this context, requests the Department of Public Information of the United Nations Office at Geneva to make an assessment of the situation and to report back to the Council at its ninth session with proposals for adequate measures, including the necessary resources to establish a permanent capacity for webcasting.

*28th meeting
18 June 2008*

[Adopted without a vote.]

PRST/8/1. MODALITIES AND PRACTICES FOR THE UNIVERSAL PERIODIC REVIEW PROCESS

On 9 April 2008, the President of the Council made a statement reading as follows:

I. Modalities of work for troika members before the session of the Working Group on the Universal Periodic Review

1. States that wish to raise questions and/or issues with the State under review may do so via the troika, which shall relay them to the Secretariat. These questions and/or issues should conform to the basis of the review, as identified by the Human Rights Council in paragraph 1 of the annex to its resolution 5/1 on institution-building of the Council, and shall be raised in a manner that is consistent with the principles and objectives of the universal periodic review, as stated in resolution 5/1, and be based mainly on the three universal periodic review documents.
2. The Secretariat shall then transmit all questions and/or issues to the State under review no later than 10 working days before the date of the review in the Working Group on the Universal Periodic Review.
3. The troika members shall cluster the questions and/or issues in accordance with the content and the structure of the report prepared by the State under review.

4. As the universal periodic review is, inter alia, a transparent process, the questions and/or issues will be circulated among Member and Observer States after being relayed to the State under review.

5. The State under review is sovereign in addressing the questions and/or issues it chooses to answer of those transmitted to it by the troika members or raised during the proceedings of the Working Group.

II. Modalities for the review in the Working Group

6. The interactive dialogue of the universal periodic review exercise takes place solely in the Working Group of the Universal Periodic Review.

7. The State under review will be given up to 60 minutes in the Working Group, to be used for:

- (a) Initial presentation of the national report / responses to written questions;
- (b) Replies to the questions raised from the floor during the interactive dialogue, if desired;
- (c) Concluding comments at the end of the review, in an interactive dialogue under the guidance of the President.

III. Report of the Working Group

8. The Working Group shall prepare a factual report of its proceedings, consisting of a summary of the interactive dialogue, which will reflect recommendations and/or conclusions made by delegations during the interactive dialogue.

9. The report of the Working Group shall be prepared by the troika by fully involving the State under review and with the assistance of the Secretariat.

10. The State under review is expected to examine all recommendations made, in accordance with the provisions of the annex to Council resolution 5/1. In all cases, the recommendations that enjoy the support of the State under review are to be identified as such. Other recommendations, together with the comments of the State under review, are to be noted. Both will be included in the report of the Working Group, to be adopted by the Council at its plenary session. The State under review is expected to follow up on the recommendations that enjoy its support as well as on voluntary commitments and pledges.

11. The State under review will inform the Council about its views concerning the recommendations and/or conclusions as well as voluntary commitments/pledges whenever it is in a position to do so, during the meeting of the Working Group, or between the session of the Working Group and the next session of the Council, or during the meeting of the Council at its plenary session.

IV. Modalities at the plenary session

12. The review process starts at Working Group level and ends with the adoption of the outcome of the review by the Council at its plenary session.

13. The report of the Working Group, together with the views of the State under review concerning the recommendations and/or conclusions, as well as voluntary commitments made by the State under review and replies presented by the State under review before the adoption of the outcome by the Council at its plenary session to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group, will constitute the outcome of the review, which shall be adopted by the Council at its plenary session through a standardized decision.

14. A summary of the views expressed on the outcome of the review by the State under review and of Member and Observer States of the Council, as well as general comments made by other relevant stakeholders before the adoption of the outcome by the plenary, will be included in the report of the Council session.

V. General modalities

15. Only the three documents mentioned in paragraph 15 of the annex to Council resolution 5/1 as constituting the basis of the review will be posted on the Extranet.

16. The Council will consider favourably the adoption of a decision on the webcasting of all public proceedings of its various working groups, taking into account the principles of transparency, equal treatment and non-selectivity.

PRST/8/2. TERMS OF OFFICE OF SPECIAL PROCEDURES MANDATE-HOLDERS

At the 27th meeting, on 18 June 2008, the President of the Council made a statement reading as follows:

1. In accordance with General Assembly resolution 60/251 and Human Rights Council resolution 5/1, a special procedures mandate-holder's tenure shall not exceed six years in a particular position (two terms of three years for thematic procedures).

2. The Council guarantees the integrity and independence of the system of special procedures. It will also follow up on the implementation of the code of conduct for special procedures mandate-holders, as contained in Council resolution 5/2.

3. In this regard, the President will convey to the Council any information brought to his or her attention, including that by States and/or by the coordination committee of special procedures, concerning cases of persistent non-compliance by a mandate-holder with the provisions of Council resolution 5/2, especially prior to the renewal of mandate-holders in office.

4. The Council will consider such information and act upon it as appropriate. In the absence of the above-mentioned information, the terms in office of the mandate-holders shall be extended for a second three-year term by the Council.

**9/14. MANDATE OF THE WORKING GROUP OF EXPERTS
ON PEOPLE OF AFRICAN DESCENT**

The Human Rights Council,

Recalling resolutions 2002/68 of 25 April 2002 and 2003/30 of 23 April 2003 of the Commission on Human Rights,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Reaffirming the relevant international human rights instruments, in particular the International Convention on the Elimination of All Forms of Racial Discrimination, proclaimed by the General Assembly in its resolution 2106 (XX) of 20 December 1965, and stressing the importance of their full implementation,

Recalling Council resolutions 5/1 on the institution-building of the Human Rights Council and 5/2 on the code of conduct for special procedures mandate-holders of the Council of 18 June 2007, and stressing that the mandate-holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

Underlining the importance of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which constitutes a solid foundation for the elimination of all scourges and manifestations of racism, racial discrimination, xenophobia and related intolerance,

Recognizing that the successful implementation of the Programme of Action requires political will and adequate funding at the national, regional and international levels and international cooperation,

Acknowledging the significant role played by the Durban Declaration and Programme of Action follow-up mechanisms and stressing the importance of creating the necessary synergies between them and of avoiding duplication and overlapping,

1. *Welcomes and acknowledges* the importance and significance of the work of the Working Group of Experts on People of African Descent in examining the current situation and conditions and the extent of racism against Africans and people of African descent;

2. *Urges* consideration of the recommendations of the Durban Declaration and Programme of Action follow-up mechanisms contained in General Assembly and Council resolutions;

3. *Recommends* that States take measures to ensure adequate representation of people of African descent in the judiciary and other areas of the justice system, without prejudice to the principle of meritocracy, and calls upon States to identify factors that have resulted in the disproportionate number of arrests, sentencing and incarceration of Africans and people of African descent, particularly young men, and to take immediate and appropriate measures to eliminate those factors and to adopt crime-prevention strategies and programmes that include alternatives to incarceration;

4. *Emphasizes* the need to establish methods by which disaggregated information may be collected effectively on health, education, access to housing, employment, treatment in the criminal justice system, political participation and representation, with regard to, inter alia, Africans and people of African descent, and that such information provide the basis for the creation and monitoring of policies and practices that address any discrimination found;

5. *Also emphasizes* the importance of collecting disaggregated information and urges the Office of the United Nations High Commissioner for Human Rights to provide support to the States that request it for the collection of such information;

6. *Underscores* the importance that States and international and regional organizations ensure that existing mechanisms for complaints for discrimination are accessible to Africans and people of African descent;

7. *Requests* the Office of the High Commissioner to compile a series of best practices in areas such as access to housing, education, health, employment and institutional and legal frameworks pertaining to Africans and people of African descent;

8. *Decides* to extend the mandate of the Working Group on People of African Descent for three years with the following mandate, to meet for two sessions of five working days each in closed and public meetings:

(a) To study the problems of racial discrimination faced by people of African descent living in the diaspora and, to that end, gather all relevant information from Governments, non-governmental organizations and other relevant sources, including through the holding of public meetings with them;

(b) To propose measures to ensure full and effective access to the justice system by people of African descent;

(c) To submit recommendations on the design, implementation and enforcement of effective measures to eliminate racial profiling of people of African descent;

(d) To make proposals on the elimination of racial discrimination against Africans and people of African descent in all parts of the world;

(e) To address all the issues concerning the well-being of Africans and people of African descent contained in the Durban Declaration and Programme of Action;

(f) To elaborate short-, medium- and long-term proposals for the elimination of racial discrimination against people of African descent, bearing in mind the need for close collaboration with international and development institutions and the specialized agencies of the United Nations system to promote the human rights of people of African descent through, inter alia, the following activities:

(vi) Improving the human rights situation of people of African descent by devoting special attention to their needs through, inter alia, the preparation of specific programmes of action;

(vii) Designing special projects, in collaboration with people of African descent, to support their initiatives at the community level and to facilitate the

exchange of information and technical know-how between these populations and experts in these areas;

(viii) Liaising with financial and developmental institutional and operational programmes and specialized agencies of the United Nations, with a view to contribute to the development programmes intended for people of African descent by allocating additional investments to health systems, education, housing, electricity, drinking water and environmental control measures and promoting equal opportunities in employment, as well as other affirmative or positive measures and strategies within the human rights framework;

9. *Requests* the Working Group to submit reports on progress in the elaboration of its mandate to the Council;

10. *Urges* the United Nations High Commissioner for Human Rights to take measures within the framework of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, including by highlighting the plight of victims and initiating consultations with various international sporting and other organizations, enabling them to contribute to the struggle against racism and racial discrimination;

11. *Requests* States, non-governmental organizations, relevant human rights treaty bodies, special procedures and other mechanisms of the commissions, national institutions, international, financial and development institutions, and specialized agencies, programmes and funds of the United Nations to collaborate with the Working Group by providing it with the necessary information and, where possible, reports in order to enable the Working Group to carry out its mandate;

12. *Stresses* the need to ensure adequate financial and human resources, including through the regular budget of the United Nations, for the Office of the High Commissioner to carry out its responsibilities efficiently in the implementation of the Durban Declaration and Programme of Action;

13. *Recalls* the establishment of a voluntary fund to provide additional resources for, inter alia, the participation of people of African descent, representatives of developing countries, especially the least developed countries, non-governmental organizations and experts, in the open-ended sessions of the Working Group, and invites States to contribute to that fund.

*22nd meeting
24 September 2008*

[Adopted without a vote.]

9/103. STRENGTHENING OF THE HUMAN RIGHTS COUNCIL

At its 22nd meeting, on 24 September 2008, the Human Rights Council decided, by consensus, to adopt the following text:

“The Human Rights Council,

Recalling General Assembly resolution 60/251, previous relevant President’s statements and Council decisions and resolutions, the reports related to the functioning of and support for the Council, and underlining the crucial importance of appropriate resources to support the work of the Council and its numerous mechanisms,

Bearing in mind the increase in meetings, documentation and other activities arising from the establishment of the Council and the development of its related mechanisms, which will continue to meet regularly throughout the year,

Recalling its decision 3/104 of 8 December 2006, in which the Council requested the Secretary-General to report on means to guarantee the provision of, inter alia, translation of documentation and webcast coverage for sessions of the Council,

Recalling also that the resulting report of the Secretary-General (A/62/125) was not fully supported in terms of additional resources under budget sections 2 and 28,

1. *Takes note* of the report of the Office of the United Nations High Commissioner for Human Rights on conference facilities and financial support for the Human Rights Council (A/HRC/9/18), submitted pursuant to Council resolution 8/1;
2. *Also takes note* of the assessment of the Division of Conference Management at the United Nations Office at Geneva on the situation relating to the submission of documents to the Council, including those of the universal periodic review, and in particular the delays in the translation of documents into the six languages of the United Nations and the assessment of the Department of Public Information regarding the information servicing requirements of the Council, including the webcasting of all proceedings of its working groups, taking into account the principles of transparency, equal treatment and non-selectivity;
3. *Requests* the Secretary-General to present to the General Assembly during the main segment of its sixty-third session a report with details of the resources required to ensure the provision of necessary services indicated in the report of the Office of the High Commissioner (A/HRC/9/18);
4. *Decides* to recommend that the General Assembly ensure the establishment of an Office of the President of the Human Rights Council, with adequate staffing resources, including the provision of necessary equipment;
5. *Requests* the United Nations Office at Geneva to ensure that the facilities for the President be in the immediate vicinity of the conference room used by the Council;
6. *Decides* to remain seized of this issue.”

PRST/9/2. FOLLOW-UP TO PRESIDENT'S STATEMENT 8/1

At the 22nd meeting, on 24 September 2008, the President of the Council read out the following statement:

“To ensure the smooth adoption of future reports relating to the universal periodic review, and in the light of the consultations held with all concerned parties, the following arrangements shall be followed:

(a) The report of the respective session of the Council shall comprise, as an integral section, the following parts:

(ix) Summary of the views expressed by the State under review in the plenary session of the Council before the adoption of the outcome, its replies to questions and issues not sufficiently addressed during the interactive dialogue, its views on conclusions and recommendations, its voluntary commitments and its concluding remarks;

(x) Summary of the views expressed on the outcome by Member and observer States of the Council;

(xi) Summary of general comments made by other relevant stakeholders;

(b) In order to reflect the views of all speakers accurately and to ensure balanced reporting on both the Working Group and plenary sessions, and bearing in mind the financial implications, including costs for translation of documents, a word limit shall apply to documentation related to the universal periodic review, as specified in the chart annexed to the present text;

(c) Statements or part of the statements, including those ruled out of order under the universal periodic review, will be dealt with in accordance with the rules and practices of the Council.”

ANNEX: UNIVERSAL PERIODIC REVIEW DOCUMENTATION

Working Group (in session)	A/HRC/8/xx	Report of the Working Group on each country reviewed.	Up to 9,630 words/country (includes recommendations)*
Working Group (post-session)	A/HRC/8/xx/Add.1 (optional)	Written views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review after the session of the Working Group.	Up to 2,675 words
Council plenary	Integral section of A/HRC/xx/L.10	<ul style="list-style-type: none"> (i) Summary of the views expressed by the State under review in the plenary session of the Council before the adoption of the outcome, its replies to questions and issues not sufficiently addressed during the interactive dialogue, its views on conclusions and recommendations, its voluntary commitments and its concluding remarks; (ii) Summary of the views expressed on the outcome by Member and observer States of the Council; (iii) Summary of general comments made by other relevant stakeholders. 	Up to 3,210 words/country*

* Number of words prorated to speaking time used by each category of speaker within agreed time limits.

TECHNICAL MODALITIES FOR THE UPR

UNIVERSAL PERIODIC REVIEW SEGMENT

IN HUMAN RIGHTS COUNCIL

PLENARY SESSIONS

TECHNICAL MODALITIES

List of speakers

Delegations, wishing to take the floor during the plenary's consideration of universal periodic review (UPR) outcomes, may register when the list of speakers opens. The list of speakers for States under review (SuRs) to be considered on a specific day will be opened half a day before.

N.B: The modalities for inscription on the list of speakers for the general debate under item 6 are the same as for general debates under other HRC agenda items.

Organization of the one hour consideration of the UPR outcome

• The SuR will have up to 20 minutes, to be organized at the SuR's convenience, in order to, as appropriate:

- Present its views on recommendations and/or conclusions;
- Present its views on voluntary pledges and commitments;
- Reply to questions not sufficiently addressed during the Working group;
- Present its views on the outcome;
- Make final comments.

• Member States and observer States of the Council, as well as UN agencies will have up to 20 minutes to express their views on the UPR outcome for the country under review. Speaking time will be as follows:

- 3 minutes for Member States
- 2 minutes for Observers

Speakers who cannot be accommodated within the time available may provide the Secretariat with a written copy of their statement for posting on the UPR extranet.

• Stakeholders will have up to 20 minutes to make general comments. Speaking time will be as follows:

- 2 minutes per speaker

10/29. THE SOCIAL FORUM

The Human Rights Council,

Recalling all previous resolutions and decisions adopted on the Social Forum by the former Commission on Human Rights and its Subcommission on the Promotion and Protection of Human Rights, as well as by the Economic and Social Council,

Recalling also its resolutions 5/1 of 18 June 2007 and 6/13 of 28 September 2007,

Bearing in mind that the reduction of poverty and the elimination of extreme poverty remain an ethical and moral imperative of humankind, based on respect for human dignity, and noting the report of the Chairperson-Rapporteur of the 2008 Social Forum, held in Geneva from 1 to 3 September 2008, which focused on questions relating to the eradication of poverty in the context of human rights, best practices in the fight against poverty and the social dimension of the globalization process,

Reaffirming the unique nature within the United Nations of the Social Forum, which makes possible a dialogue and an exchange between the representatives of Member States, civil society, including grass-roots organizations and intergovernmental organizations, and stressing that the current reform of the United Nations should take into account the contribution of the Social Forum as a vital space for open and fruitful dialogue on issues linked with the national and international environment needed for the promotion of the enjoyment of all human rights by all,

1. *Takes note with satisfaction* of the report of the 2008 Social Forum submitted by the Chairman-Rapporteur (A/HRC/10/65);
2. *Takes note with interest* of the conclusions and recommendations of the 2008 Social Forum and of the innovative nature of many of them, and calls upon States, international organizations, in particular those with a mandate for poverty eradication, non-governmental organizations, civil society organizations, trade unions and other relevant actors to take them into account when designing and implementing poverty-eradication programmes and strategies;
3. *Reaffirms* the Social Forum as a unique space for interactive dialogue between the United Nations human rights machinery and various stakeholders, including grass-roots organizations, and stresses the need to ensure a greater participation of grass-roots organizations and of those living in poverty, particularly women, especially from developing countries, in the Social Forum sessions, and to this end considers, inter alia, the possibility of the establishment of a voluntary United Nations fund to contribute to providing resources to these organizations so that they may participate in and contribute to the deliberations of future sessions;
4. *Underlines* the importance of coordinated efforts at the national, regional and international levels for the promotion of social cohesion based on the principles of social justice, equity and solidarity and of addressing the social dimension and challenges of the ongoing globalization process and the negative impact of the current economic and financial crises;

5. *Requests* that the next meeting of the Social Forum be held during 2009, in Geneva, on dates suitable for the participation of representatives of States Members of the United Nations and of the broadest possible range of other stakeholders, especially from developing countries, and decides that, at its next meeting, the Social Forum should focus on:

(a) The negative impact of economic and financial crises on efforts to combat poverty;

(b) National anti-poverty programmes: best practices of States in implementing social security programmes from a human rights perspective;

(c) International assistance and cooperation in combating poverty;

6. *Decides* that the Social Forum will meet for three working days, in order that it may devote:

(a) Two days to thematic discussions on the topics of the Forum;

(b) One day to an interactive debate with relevant thematic procedures mandate holders of the Council on issues related to the topics of the Social Forum, and to formulating conclusions and recommendations to be presented to relevant bodies through the Council;

7. *Requests* the President of the Council to appoint, as early as possible, from candidates nominated by regional groups, the Chairperson-Rapporteur for the 2009 Social Forum, bearing in mind the principle of regional rotation;

8. *Invites* the appointed Chairperson-Rapporteur to announce, in a timely manner, the most appropriate dates for convening the 2009 Social Forum, after holding consultations with States Members of the United Nations and other stakeholders;

9. *Requests* the United Nations High Commissioner for Human Rights to consult all actors identified in the present resolution on the issues referred to in paragraph 5 above and to present a report as a background contribution for the dialogues and debates that will be held at the 2009 Social Forum;

10. *Also requests* the High Commissioner to facilitate the participation in the 2009 Social Forum, in order to assist the Chairperson-Rapporteur as resource persons, of up to four relevant Council thematic procedures mandate holders, in particular the independent expert on the question of human rights and extreme poverty and the independent expert on human rights and international solidarity;

11. *Decides* that the Social Forum will remain open to the participation of representatives of States Members of the United Nations and all other interested stakeholders, such as intergovernmental organizations, different components of the United Nations system, especially mandate holders of thematic procedures and mechanisms of the human rights machinery, regional economic commissions, specialized agencies and organizations, in particular the United Nations Development Programme, the World Bank, the International Monetary Fund, the World Trade Organization and the United Nations Conference on Trade and Development, as well as representatives designated by human rights national institutions and non-governmental organizations in consultative status with the Economic and Social Council, and shall also be open to other non-governmental organizations, whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the

United Nations, in particular newly emerging actors such as small groups and rural and urban associations from the North and the South, anti-poverty groups, peasants' and farmers' organizations and their national and international associations, voluntary organizations, youth associations, community organizations, trade unions and associations of workers, as well as representatives of the private sector, regional banks and other financial institutions and international development agencies, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996, and practices observed by the Commission on Human Rights, through an open and transparent accreditation procedure, in accordance with the rules of procedure of the Human Rights Council, while ensuring the most effective contribution of these entities;

12. *Requests* the Office of the High Commissioner to seek effective means of ensuring consultation and the broadest possible participation of representatives from every region, especially those from developing countries, in the Social Forum, including by establishing partnerships with non-governmental organizations, the private sector and international organizations;

13. *Requests* the Secretary-General to take the appropriate measures to disseminate information about the Social Forum, invite the relevant individuals and organizations to the Social Forum and take all practical measures required for the success of this initiative;

14. *Invites* the 2009 Social Forum to submit a report to the Council;

15. *Requests* the Secretary-General to provide the Social Forum with all the services and facilities necessary to fulfil its activities, and also requests the High Commissioner to provide all the necessary support to facilitate the convening and proceedings of the Forum;

16. *Decides* to continue consideration of this issue under the relevant agenda item when the report of the 2009 Social Forum is submitted to the Council.

*45th meeting
27 March 2009*

[Adopted without a vote.]

PRST/10/1. REPORTS OF THE ADVISORY COMMITTEE

At the 45th meeting, on 27 March 2009, the President of the Council read out the following statement:

"The Human Rights Council,

1. *Takes note* of the report of the first session of the Advisory Committee (A/HRC/10/2-A/HRC/AC/2008/1/2) and notes that some suggestions therein have been incorporated in the report of the Advisory Committee on its second session or other decisions and resolutions of the Council, and other suggestions could be considered in future sessions;

rights, including the right to development, and the need for all mandate holders to act in an objective, independent, non-selective, impartial and non-politicized manner, and recalling the need for all States to cooperate with and assist the special procedures in the performance of their tasks, to provide all information in a timely manner and to respond without undue delay to communications transmitted to them by the special procedures,

1. *Reaffirms* that the code of conduct for special procedures mandate holders is aimed at strengthening the capacity of mandate holders to exercise their functions while enhancing their moral authority and credibility, and that it requires supportive action by all stakeholders, and in particular by States;

2. *Recalls* that it is incumbent on special procedures mandate holders to exercise their functions with full respect for and strict observance of their mandates, as outlined in the relevant Council resolutions providing such mandates, and to comply fully with the provisions of the code of conduct;

3. *Requests* the Office of the United Nations High Commissioner for Human Rights, in accordance with Council resolution 5/2, to assist the special procedures further with a view to contributing to their awareness of and full compliance with the code of conduct;

4. *Decides* to remain seized of this matter.

*29th meeting
18 June 2009*

11/12. INTERGOVERNMENTAL WORKING GROUP ON THE EFFECTIVE IMPLEMENTATION OF THE DURBAN DECLARATION AND PROGRAMME OF ACTION

The Human Rights Council,

Recalling Commission on Human Rights resolutions 2002/68 of 25 April 2002 and 2003/30 of 23 April 2003,

Recalling also Council resolution 1/5 of 30 June 2006,

Stressing that the Durban Declaration and Programme of Action, adopted on 8 September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, provides a solid basis for combating racism, racial discrimination, xenophobia and related intolerance,

Acknowledging with appreciation the outcome document of the Durban Review Conference, held in the framework of the General Assembly from 20 to 24 April 2009, including paragraph 124 thereof,

1. *Decides* to extend the mandate of the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action for a period of three years;

2. *Also takes note* of the report of the second session of the Advisory Committee (A/HRC/AC/2/2), which includes five suggestions related to the following:

- (a) A draft declaration on human rights education and training;
- (b) A draft set of principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members;
- (c) Gender mainstreaming;
- (d) Expert consultation on the issue of protection of civilians in armed conflict;
- (e) A study on the food crisis.

3. *Notes that:*

(a) The first and the fifth suggestions have been addressed by draft resolutions A/HRC/10/L.16 and A/HRC/10/L.25, respectively, while the second suggestion has been addressed in the context of Council resolution 8/13;

(b) The suggestion for the Advisory Committee with regard to the gender mainstreaming may be addressed in the context of the work of the Council at its future sessions;

(c) With respect to the suggestion concerning the participation of an expert of the Advisory Committee in the expert consultation on the issue of protection of civilians in armed conflict, convened in accordance with Council resolution 9/9, with the understanding that it would be implemented within the existing resources.

It is my understanding that, after consulting with Member States, this procedure does not set any precedent for the future reports of the Advisory Committee which will be dealt with in accordance with Council resolution 5/1.”

11/11. SYSTEM OF SPECIAL PROCEDURES

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the Vienna Declaration and Programme of Action and all other relevant international human rights instruments,

Bearing in mind General Assembly resolution 60/251 of 15 March 2006 establishing the Human Rights Council,

Recalling its resolutions 5/1 and 5/2 of 18 June 2007 and the annexes thereto on the institution-building of the Council, General Assembly resolution 62/219 of 22 December 2007 and President's statement 8/2 of 18 June 2008,

Expressing its appreciation for the valuable contribution of all special procedures to the promotion and protection of all human rights, civil, political, economic, social and cultural

before their consideration by the Council, and requests the Secretary-General to ensure the necessary support to that effect.”

28th Meeting
18 June 2009

[Adopted without a vote.]

**12/1. OPEN-ENDED INTERGOVERNMENTAL WORKING GROUP ON THE
REVIEW OF THE WORK AND FUNCTIONING OF THE HUMAN RIGHTS
COUNCIL**

The Human Rights Council,

Recalling the Charter of the United Nations,

Recalling also the relevant provisions of the 2005 World Summit Outcome, in which the General Assembly underlined its resolve to strengthen the human rights mechanisms and institutions of the United Nations,

Recalling further General Assembly resolution 60/251 of 15 March 2006, in particular paragraph 16, in which the Assembly decided that the Council should review its work and functioning five years after its establishment and report back to the Assembly,

Recalling Council resolutions 5/1 and 5/2 of 18 June 2007, as well as General Assembly resolution 62/219 of 22 December 2007, including the annexes and appendices thereto,

1. *Decides* to establish an open-ended intergovernmental working group with the mandate to review the work and functioning of the Council;
2. *Also decides* that the working group will hold two sessions for five working days each, in Geneva, after its fourteenth session;
3. *Requests* the President of the Council to chair the working group;
4. *Also requests* the President to undertake transparent and all-inclusive consultations prior to working group sessions on the modalities of the review, and to keep the Council informed thereof;
5. *Requests* the Secretary-General to present a report to the Council at its fifteenth session on how to improve conference and secretariat services for the Council;
6. *Requests* the working group to report to the Council at its seventeenth session on the progress achieved in the implementation of the present resolution;

2. *Also decides* to remain seized of this matter under the relevant agenda item.

*29th meeting
18 June 2009*

[Adopted without a vote.]

11/117. ISSUANCE OF REPORTS OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW IN ALL OFFICIAL LANGUAGES OF THE UNITED NATIONS

At its 28th meeting, on 18 June 2009, the Human Rights Council decided to adopt the following text and to submit it to the General Assembly as a matter of urgency, for its implementation:

“Bearing in mind General Assembly resolutions 60/251 of 15 March 2006 and 62/219 of 22 December 2007, Human Rights Council resolution 5/1 of 18 June 2007 and 8/1 of 18 June 2008, Council decision 9/103 of 24 September 2008 and President’s statements 8/1 of 24 September 2008 and 9/2 of 9 April 2008,

Stressing that the Working Group on the Universal Periodic Review of the Human Rights Council adopted the reports on the review of 32 Member States at its fourth and fifth sessions,

Concerned that 13 of the reports adopted by the Working Group at its fourth session were not issued as official documents of the United Nations in the six official languages prior to their consideration and adoption by the Council at its eleventh session, and that the processing and issuance of two of the reports adopted by the Working Group at its fifth session remains delayed,

Recalling the importance of multilingualism in the work of the United Nations and the need to issue all reports of the Working Group in all official languages of the Organization,

1. *Decides* that all the reports adopted by the Working Group on the Universal Periodic Review at its fourth and fifth sessions and the additional information submitted by the States under review before the adoption of the outcome by the Council shall be issued as official documents in all official languages of the United Nations prior to the twelfth session of the Council, and requests the Secretary-General to take the necessary measures to that effect;

2. *Recalls* that the Working Group should endeavour to apply in its reports the word limits established in the annex to President’s statement 9/2, bearing in mind that the Working Group is entrusted with the authority to decide on the adoption of reports that exceptionally exceed those word limits;

3. *Decides* that all reports adopted by the Working Group shall be issued as official documents in all official languages of the United Nations, in a timely manner

7. *Requests* the Secretary-General to provide the working group with all the necessary resources and facilities in order for it to carry out its mandate.

*30th meeting
1 October 2009*

[Adopted without a vote.]

A/RES/47/202. PATTERN OF CONFERENCES

Resolution adopted by the General Assembly [on the report of the Fifth Committee a/47/806]

B

7. *Urges* the Secretary-General to take necessary measures to ensure that pre-session documents for meetings are distributed no less than six weeks before the meetings in all official languages, unless there is a specific decision by the body concerned regarding the timing of issuance of pre-session documentation;

8. *Urges* the substantive departments of the Secretariat to comply with the rule which requires them to submit pre-session documents to the Office of Conference Services at least ten weeks before the beginning of sessions, in order to permit processing in time in all official languages;

9. *Requests* the Secretary-General, in the context of measures mentioned in paragraphs 7 and 8 above, to review all of the factors involved in the timely issuance of pre-session documentation, including the quality and timeliness of submissions to the Office of Conference Services, and to report thereon to the General Assembly at its forty-ninth session through the Committee on Conferences;

A/RES/48/222. PATTERN OF CONFERENCES

B

The General Assembly,

Recalling its resolutions on the control and limitation of documentation, including resolutions 33/56 of 14 December 1978, 36/117 B of 10 December 1981, 37/14 C of November 1982, 45/238 B of 21 December 1990 and 47/202 B of 22 December 1992,

...5. *Also requests* The Secretary-General to take all necessary measures to ensure that documents are submitted by author departments in compliance with the ten-week rule in order to permit processing on time in all official languages, and to include information on the impact of those measures in the report on compliance with the six-week rule requested in paragraph 9 of resolution 47/202 B;

