

31 May 2006

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Paper on Human Rights CouncilConsultation Process upto 19 June 2006

Resolution A/60/251 provides the most comprehensive and consensual framework for functioning of the Human Rights Council. The General Assembly resolution gives ample guidance on the Council structure, procedures, functioning, agenda and programme of work for the first year. With these parameters, the organization of the first session of the Council should be agreed through intergovernmental consultations in close coordination with the regional groups. These consultations should be transparent and inclusive.

Bureau

In accordance with the rules of procedures of the Committees of the General Assembly, the Bureau should only deal with organizational issues. All substantive and procedural matters should be dealt by the Council. The composition of the Bureau should be: one chair, four vice-chairs, with one vice chair also acting as rapporteur. Developing consensus through coordination with regional groups should continue, inter-alia, through examining the possibility for an Expanded Bureau.

Programme of sessions of the Council from 19 June 2006 to June 2007

The Council should hold the following sessions between 19 June 2006 to June 2007:

- Two weeks session from 19-30 June 2006.
- Three weeks session in September 2006.
- One week session in January 2007.
- Four weeks session in March-April 2006.

A comprehensive work plan should be developed and agreed for the Council sessions in the first year.

First session - 19-30 June 2006

The first session may begin by ceremonial opening followed by a 4-5 day High Level Segment which should be kept flexible to enable the Foreign Ministers of OIC countries to attend the High Level Segment. The first session should take decisions on issues on the review and rationalization of mandates, mechanisms, functions and responsibilities of the CHR in pursuance of Resolution A/60/251 including the extension of mandates, Sub-Commission and 1503 Procedures. The item of violation of human rights in Palestine and other Occupied Arab Territories including Syrian Golan should be considered in the first session of the Council.

The following inter-governmental working groups may be established by the Council to:

- (i) Review of agenda mandates including special rapporteurs, Sub-Commission, 1503 procedure, intergovernmental working groups, transitional arrangements such as extension of mandates and mandate holders. This working group may also deliberate on the interpretation of human rights concepts and themes and avoiding double standards or politicization in their implementation as well as institutional linkage between the Human Rights Council and the Office of the High Commissioner for Human Rights.

- (ii) Devise procedures, format and modalities of the universal periodic review.

These working groups may continue their work in the inter-sessional period to enable the Council to complete this work in one year as stipulated in the Resolution A/60/251.

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Council sessions beyond June 2007

Following should be the programme of work of the annual sessions of the Council:

- Three Weeks session in June-July.
- Three weeks session in September-October.
- Four weeks session in March-April.

The March-April session should be the main session with a High Level Segment. The agenda items may be distributed in the three sessions according to an agreed programme of work. One week in each session may be allocated for universal periodic review. An interactive dialogue with the special rapporteurs may be a part of general debate under the relevant agenda item.

Agenda of the Council

~~According to OP-6 of Resolution A/60/251, the Human Rights Council should have a structured agenda and programme of work. In the first place, the agenda of the CHR (Document E/CN.4/2005/1 entitled provisional agenda) should be transferred to the Council. The Council in formulating its own agenda should take into account guidance by the Resolution A/60/251, the agenda of the CHR and the interests of all delegations and groups.~~

The agenda of the Council must reflect adequate balance in the treatment of all sets of human rights – civil, cultural, economic, political, social and cultural rights -- including the right to development and individual as well as collective rights.

Important human rights themes to be included in the agenda of the Council are: Right to self-determination; occupation and its implications and consequences on human rights; violations of human rights in Palestine and other occupied Arab territories including Syrian Golan; racism, racial discrimination, xenophobia and combating defamation of religions; promotion of tolerance and respect for and freedom of religion and belief; and the Right to Development.

A work plan may be developed for consideration of human rights issues by the Council during its first year.

Rules of Procedure

OP-11 of the Resolution A/60/251 provides that the Council shall apply the rules of procedures established for committees of the General Assembly, as applicable, unless subsequently otherwise decided by the General Assembly or the Council.

Reports of the Council

In accordance with the provisions of resolution A/60/251, the Council should submit its annual report and recommendations to the UNGA.

Relationship with the OHCHR

The OHCHR's activities and the correlation between its programmes and budget should be subject to an oversight by the Council on annual basis.