

Proposal by the United States Government
A Template for the Human Rights Council Peer Review Process

a. Who is reviewed?

-- All UN members are reviewed on an equal basis and with the same frequency. It is patronizing to treat developing countries as second-class States to be reviewed less frequently. Those nations deserve as much advice and help as developed nations. All members of the HRC and candidate States should be reviewed first, so that no one can ask why HRC members have standing to speak to others' situation in the international community. Also, operative paragraph 9 of the General Assembly resolution that established the HRC provides that its members are to be reviewed during their terms of membership. Order of review for all other countries will be determined by lottery.

b. Who reviews?

-- Peer review will be conducted by a working group of the members of the Council, consisting of two members from each regional group in a structure like the Bureau of the HRC and CHR.

c. How frequent are reviews?

-- As there are more than 190 countries to be reviewed and limited resources to conduct this process, at the rate of 40 meaningful reviews a year, each country would be reviewed once every five years. This is frequently enough to have impact without being burdensome on nations.

d. What is the review process?

-- The process will begin with the circulation by the Peer Review Working Group (PRWG) of a short factual questionnaire for each country, regarding, inter alia, the human rights treaties to which it is a party and other measures it is taking relating to human rights (e.g., Universal Declaration of Human Rights).

-- Based on the questionnaire and information received from all sources, including information that will be actively solicited from UN treaty bodies and NGOs by the PRWG, there would be two annual intersessional meetings of the PRWG of two weeks each.

-- During each session, the PRWG would invite each country being reviewed to participate in a two-hour open session, in which the PRWG and the country conduct a dialogue.

-- The sessions will be open to the public.

-- The dialogue will be conducted by Member States of the HRC, but integrating the

information and questions welcomed and collected by the PRWG from NGOs and human rights experts. The dialogue will be cooperative, non-condemnatory and directed at facilitating concrete results (including identifying areas suitable for technical assistance and support).

-- The PRWG will not duplicate the work of existing human rights treaty bodies and special mechanisms.

-- During the process, all countries will be treated equally and with no double standards.

e. What is the follow-up to the review?

-- The PRWG will submit to the Council an annual report of its activities for appropriate action.