



FACTSHEET: Work And Structure Of The Human Rights Council

On 18 June 2007, one year after its first meeting, and in compliance with General Assembly resolution 60/251, the Human Rights Council agreed on a package of elements that established the procedures, mechanisms and structures that will form the basis for its future work.

The Council will meet as a quasi-standing body. Its agenda and programme of work provides the opportunity to discuss all thematic human rights issues and situations that require the Council's attention throughout the year. Its rules of procedure and methods of work shall ensure transparency, predictability, impartiality and will enable genuine dialogue and be results-oriented.

Universal Periodic Review (UPR)

Through this new mechanism, the Council will review on a periodic basis the fulfillment of the human rights obligations of all countries. It will ensure that all States, including members of the Council, are treated equally and are subject to a review of their human rights record.

- All UN Member States will be reviewed within a period of four years in the first cycle - with 48 States to be reviewed every year;
- All the members of the Council will be reviewed during their term of membership;
- The first States to be reviewed will be chosen by regional groups through the drawing of lots to ensure full respect for equitable geographic distribution. Alphabetical order will then be applied beginning with these countries, with the exception of those who volunteer to be reviewed;
- The review will be carried out by a working group composed of members of the Council that will meet three times per year for two weeks and will be facilitated by groups of three States members of the Council which will act as Rapporteurs (or "troikas") appointed by the Council;
- Recommendations from the special procedures¹ and human rights treaty bodies, as well as information from other sources, such as non-governmental organizations and national human rights institutions, will be considered as elements for the review in addition to the report of the State concerned;
- The final outcome of the UPR will consist of recommendations to be implemented primarily by the State concerned and, as appropriate, by other relevant stakeholders.
- The first session of the working group on the UPR is scheduled for the beginning of 2008.

Special Procedures

The special procedures are considered the most effective, flexible and responsive mechanisms within the UN human rights system. The Council's review of these procedures aims to strengthen the system and to ensure greater synergy with other human rights mechanisms within the UN system.

- The Council agreed to criteria and established a process for the continuing review, rationalization and improvement of all special procedure mandates was established by the Council;

¹ Special procedures" is the general name given to the mechanisms established by the former Commission on Human Rights and assumed by the Human Rights Council to address either specific country situations or thematic issues in all parts of the world. Special procedures are either an individual (called "Special Rapporteur", "Special Representative of the Secretary-General", "Representative of the Secretary-General", or "Independent Expert") or a working group usually composed of five members (one from each region)

- Any decision to streamline, merge or eventually discontinue mandates will be guided by the need for improvement of the enjoyment and protection of human rights;
- The Council's existing thirty-eight country and thematic special procedures will be reviewed in accordance with a schedule to be agreed upon by the Council;
- An agreed process and general criteria for the selection of special procedure mandate-holders will ensure that individuals with the highest standards of expertise, experience, independence and impartiality are selected;
- A "Code of Conduct" for mandate-holders aimed at strengthening the effectiveness of the system and the capacity of mandate-holders to exercise their functions was also adopted by the Council. It will enhance their moral authority and credibility and requires supportive action by other stakeholders, in particular by States.

Human Rights Council Advisory Committee

An Advisory Committee, replacing the former Sub-Commission on the Promotion and Protection of Human Rights, will be established to support the Council's work. Functioning as a think tank, the Committee will provide expertise and advice and conduct substantive research and studies on thematic issues of interest to the Council at its request.

- The Advisory Committee will be made up of eighteen experts serving in their personal capacity;
- In the performance of its mandate, the Advisory Committee is urged to establish interaction with States, national human rights institutions, NGOs and other civil society entities;
- Members of the Committee will serve for a period of three years and be eligible for re-election only once;
- The Committee will convene up to two sessions for a maximum of ten working days per year with the possibility of additional sessions to be held on an ad hoc basis as approved by the Council;
- The Council will decide at its sixth session 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.

Complaint Procedure

Based on the previous "1503 procedure" the Council's confidential complaint procedure will allow individuals and organizations to continue to bring complaints about gross and reliably attested violations of human rights to the attention of the Council.

- The complaint procedure will be more victims-oriented and will conduct its work in a more timely manner;
- The procedure will ensure that the complainant and the State concerned are informed of the proceedings at key stages of the review;
- Two working groups, on Communications and on Situations respectively, will be established to examine communications received and bring to the attention of the Council consistent patterns of gross and reliably attested violations of human rights and fundamental freedoms;
- Both working groups will meet at least twice a year for five working days each period;
- The procedure provides more options on the measures that may be taken by the Council at the conclusion of the process.

For further information please contact Rolando Gomez, email: rgomez@unog.ch, tel. +41 22 917 2326

For use of information media; not an official record (July 2007)