



# Inaugural Session of the Human Rights Council 19 to 30 June 2006

## Highlights in Brief

At its first meeting in Geneva, the Human Rights Council struck a balance between advancing essential procedural requirements and addressing substantive human rights issues. During the high-level segment, ministers and senior representatives attended from more than 80 countries around the world.

The Council made significant progress in both substantive and procedural areas with main outcomes including:

### **Enforced Disappearances**

- The Council adopted by consensus a landmark treaty to prevent and prohibit enforced disappearances. The International Convention for the Protection of All Persons from Enforced Disappearances defines the practice of enforced disappearances as a crime, and as a crime against humanity when it is widespread or systematic. The Convention, which focuses on preventive measures as well as the rights of victims, is being forwarded to the September session of the General Assembly for final adoption.

### **Indigenous Rights**

- The Council adopted the UN Declaration on the Rights of Indigenous Peoples, which reaffirms the right of self-determination of indigenous peoples and sets out other indigenous rights. These include, among others: the right to protection against actions taken without free, prior and informed consent; the right to be consulted on decisions and actions that have an impact on indigenous peoples' rights and interests; the right to traditional lands and resources; and the right of indigenous peoples to maintain and continue to develop their own spiritual and religious practices. The Declaration will be forwarded to the General Assembly's September session for adoption.

### **Universal Periodic Review**

- The Council will review the human rights performance of all States in the United Nations, including its own members. The Council set up a working group that will develop the procedures and timing of this "Universal Periodic Review" over the coming months and report back to the Council starting in September 2006.

### **Urgent Human Rights Issues**

Council members focused their discussions on five human rights issues during this session, namely the situation of human rights in the occupied Arab territories, including Palestine; support for the Abuja Agreement on Darfur; avoiding incitement to hatred and violence for reasons of religion or race; the human rights of migrants; and the role of human rights defenders in promoting and protecting human rights.

The Council adopted a resolution deciding to undertake substantive consideration of the human rights violations and implications of the Israeli occupation of Palestine and other occupied Arab territories at its next session and future sessions, including through consideration of reports from the relevant special rapporteurs.

### **Preventing Torture**

- The Council called upon all States to ratify the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman, Degrading Treatment or Punishment, which entered into force during the Council session, on 22 June. The Optional Protocol establishes a mechanism of in-country inspections of places of detention in order to prevent acts of torture.

### **Economic, Social and Cultural Rights**

- Support for continuing efforts towards the elaboration of an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights came in the form of an extension of the Working Group on this issue for a period of two years. An Optional Protocol would establish a complaints procedure under the Covenant, thus affirming the equality and indivisibility of all human rights, whether civil and political or economic, social and cultural rights.

### **Combating Racism and Discrimination**

- To strengthen international efforts in combating racism, racial discrimination, xenophobia and related intolerance, the Council requested that a detailed study be undertaken by experts into the gaps in existing relevant international instruments. The Council also requested that the Special Rapporteurs on freedom of religion and on racial discrimination, as well as the High Commissioner for Human Rights, report to the next session on the phenomenon of incitement to racial and religious hatred and the promotion of tolerance.

### **Hostage-taking**

- The Council condemned all acts of hostage-taking anywhere in the world and called for concerted efforts to end such practices by all States, and by the international community.

### **Review of mandates and mechanisms of the previous Commission**

- To ensure there is no gap in human rights protection during this transitional period, the Council extended all the independent fact-finding mechanisms, or 'special procedures' of that body, as well as the mandates of the Sub-Commission on the Promotion and Protection of Human Rights and the 1503 complaints procedure for one year. A working group of the Council will review over the coming year all mandates and mechanisms inherited from the Commission. The Council will take up the reports of the special procedures at its September 2006 meeting.

### **Participation of civil society**

- Inclusive arrangements for the participation of non-governmental organizations (NGOs) that were previously observed by the Commission were successfully applied at the new Council. Civil society contributed throughout all segments of the session. NGOs participated in interactive dialogues with States and were included in all informal consultations held in parallel to the main Council session.

### **Programme of Work for Future Sessions**

- The Council will meet for a total of nine weeks in three sessions over the next year. The proposed dates are 18 September to 6 October and 27 November to 8 December 2006, and 12 March to 6 April 2007.
- A framework for a programme of work for the Council was adopted for the first year, which includes decisions on the universal periodic review and the review of mandates at the March 2007 session, and the consideration of all reports of the special procedures at the next session in September and any new reports in March 2007.

*Following the conclusion of the first session, the Council decided to convene a special session on the situation as well as the human rights violations in the occupied Palestinian territory. The special session will be held on 5 July 2006.*