



Human Rights Council

Information Service

United Nations Office in Geneva

What is the Human Rights Council?

The Human Rights Council is the body created by United Nations Member States to strengthen the promotion and protection of human rights around the world. The Council replaces the UN Commission on Human Rights.

What makes the Human Rights Council different from its predecessor?

The Commission on Human Rights had many proud accomplishments, particularly in setting global human rights standards. But many new features make the Council an even stronger body. For example, the Commission's members were really selected behind closed doors and then "elected" by acclamation. By contrast, the new members of the Council had to compete for seats, and successful candidates needed to win the support of a majority of all member states, in a secret ballot. For the first time ever, candidates gave voluntary commitments to promote and uphold human rights, and will be expected to meet them or else face possible suspension from the Council.

The resolution establishing the Council also stresses the importance of ending double-standards, a problem that plagued the past Commission. Thus, the Council will also have a new universal periodic review mechanism, which will offer the Council - and the world - the opportunity to examine the records of all 191 member States of the United Nations. Unlike before, no country can escape scrutiny. This promises to be a very powerful tool for human rights advocates worldwide.

In addition, the Council will meet throughout the year, whereas the Commission's limited six-week schedule severely impaired its effectiveness and flexibility. With this precious additional time, the Council will be able to undertake preventive initiatives to defuse simmering crises, and to respond quickly to emerging human rights crises.

Who sits in the new Council?

On 9 May, 2006, 47 countries were elected members of the Council. The distribution of seats is in accordance with equitable geographical representation (13 from the African Group; 13 from the Asian Group; 6 from the Eastern European Group; 8 from the Latin American and Caribbean Group; and 7 from the Western European and Other States Group). For a full list of members, see <http://www.ohchr.org/english/bodies/hrcouncil/membership.htm>

If some members of the Council have less than perfect human rights records, won't the Council fall victim to the same problems that plagued the Commission?

The Council, the members of which are elected in genuine competitive elections, is meant to work on the basis of universality, impartiality, objectivity and non-selectivity. It is necessarily inclusive, as it has to conduct much of its work on the basis of dialogue and cooperation and that includes talking to and assisting countries that are seen to have specific rights problems. What is more, no country has a perfect human rights record, and all States must be accountable for their shortcomings. The test is not membership, but accountability and the demonstrated willingness of countries to provide redress and make improvements. These are the aims of the new Council and its mechanisms.

Will a new bureaucracy really lead to an improvement in human rights around the world?

It is true that a purely institutional change is not enough. For there to be a real impact, the members of the new Council must be prepared to look beyond their immediate political interests and embrace the cause of protecting human rights worldwide. That will require political will and principled leadership from every one of them. It will also require the engagement of civil society and the public in ensuring members live up to their commitments.

Could a Member have its rights and privileges suspended in the Council?

The General Assembly has the right to suspend the rights and privileges of any Council Member that it decides has persistently committed gross and systematic violations of human rights during its term of membership. This process of suspension requires a two-thirds majority vote by the General Assembly.

How long are the terms of membership?

Members are elected for three year terms. They are not eligible for immediate re-election after serving two consecutive terms.

Where will the Human Rights Council fit in within the United Nations system?

The Human Rights Council is a subsidiary body of the General Assembly. This makes it directly accountable to the full membership of the United Nations. During a review in five years time, member States will consider, among other questions, whether to elevate the Council to the status of a principal organ.

Where and how often will the Council meet?

While the old Commission met only once per year in a single six-week session, the Human Rights Council will hold no fewer than three sessions per year (including a main session) for a total period of no less than ten weeks. The Geneva-based Council will also be able to convene to deal with urgent situations, and to hold special sessions when necessary. Importantly, any Council member can call for a special session, and the support of only one-third of the Council membership is required to authorize the sitting.

Will non-governmental organizations and other observers participate in the proceedings of the Council as they did with the Commission on Human Rights?

Observers, including non-governmental organizations, intergovernmental organizations, national human rights institutions and specialized agencies, will participate in the Council through the same arrangements and practices that applied to the Commission.

How will the work of the special mechanisms of the Commission on Human Rights (independent experts and special rapporteurs) be affected by the establishment of the Council?

The Council will carry over all the Commission's mandates and responsibilities to ensure that there is not a protection gap in the transition. A review will be completed within one year from the Council's first session. This review will examine ways to rationalize and strengthen the special procedures and mechanisms including the Sub-Commission of Commission on Human Rights on the Promotion and Protection of Human Rights.

What will the relationship be between the United Nations High Commissioner for Human Rights and the Human Rights Council?

The new Council will assume the same role and responsibilities of the Commission on Human Rights relating to the work of the Office of the High Commissioner. As such, the High Commissioner will retain her independent role under her separate General Assembly mandate, and the Office of the High Commissioner will provide the substantive secretariat for the Council, and will cooperate closely with the Council in promoting and protecting human rights.

How would you summarize the main objectives of the Human Rights Council?

The Council will be responsible for promoting universal respect for and protection of all human rights and fundamental freedoms for all. It will address violations, promote human rights assistance and education, help develop international human rights law, review the human rights records of member States, work to prevent abuses, respond to emergencies, and serve as an international forum for dialogue on human rights issues.

What will be accomplished at this first session?

The new Council will elect a President of the Council. In the first week a high-level segment will here from over 100 dignitaries. The High Commissioner for Human Rights will present her annual report to the new Council and engage in dialogue on human rights questions. The Council will hear from representatives of national human rights commissions, non-governmental human rights organizations, human rights treaty bodies, independent special procedures, and the Sub-Commission on the Promotion and Protection of Human Rights. The Council will aim to adopt its program of work for the first year.