

# COUNCIL MONITOR

International Service for Human Rights



Human Rights Monitor Series

## COUNCIL ALERT WORKING GROUP ON AGENDA AND RULES OF PROCEDURE, 15-19 JANUARY 2007.

The UN Human Rights Council has operated without a fixed agenda or methods of work since its first session in June 2006. The Council therefore decided at its third session in November-December 2006 to establish a working group that will formulate recommendations on the Council's agenda, annual programme of work, methods of work, and rules of procedure. The first meeting of the working group takes place on the week beginning 15 January 2007. This will be chaired by the President of the Council and will be facilitated by the Ambassadors of Guatemala and the Philippines<sup>1</sup>.

### Background

In establishing the Human Rights Council, General Assembly resolution 60/251 provided that "the Council shall apply the rules of procedure established for committees of the General Assembly, as applicable, *unless subsequently otherwise decided* by the Assembly or the Council." However, on account of the transitional nature of the work of the Council in its first year, the agenda, working methods and timetable of the Council have been flexible, and do not necessarily set any precedent for the future.

It was only at the recent 3<sup>rd</sup> session of the Human Rights Council that the questions of rules and agenda were formally discussed by the Council.<sup>2</sup> During these discussions, the Council had before it two non-papers by the European Union and the Asian Group, which offered divergent views on future methods.<sup>3</sup> The Council was also provided with a non-paper by the Secretariat on issues relating to working arrangements. The outcome of these discussions resulted in the adoption by consensus of a President's decision to establish the intersessional working group.<sup>4</sup>

### Likely issues before the Working Group

Whilst it is not yet clear how the working group will proceed, both the non-papers and the discussions within the Council should provide the general framework for discussions. Issues that may be discussed over the future meetings of the working group include:

<sup>1</sup> H.E. Mr Carlos Ramiro Martínez Alvarado (Guatemala) and Mr H.E. Enrique A. Manalo (Philippines).

<sup>2</sup> For a summary of these discussions, see ISHR's Council Monitor Daily Update, 31 November 2006, at [http://www.ishr.ch/hrm/council/updates/30\\_November\\_06.pdf](http://www.ishr.ch/hrm/council/updates/30_November_06.pdf).

<sup>3</sup> The text of all non-papers and statements are available at the OHCHR extranet, which can be accessed at [www.ohchr.org/english/bodies/hrcouncil/form.htm](http://www.ohchr.org/english/bodies/hrcouncil/form.htm) (fill out the form on the page to receive the user name and password).

<sup>4</sup> For the President's decision, see the draft report of the 3rd session of the Council at <http://www.ohchr.org/english/bodies/hrcouncil/docs/3session/A.HRC.3.L.11.pdf>.

- the need to strike a balance between a predictable agenda and providing flexibility to introduce new items if required;
- the desire for purely thematic agenda items versus the maintenance of country-specific agenda items;
- the introduction of a 'follow-up' agenda item;
- the maintaining of 'interactive dialogues' with Special Procedures, as recently developed within the Human Rights Council;
- the use 'informal consultations' with the President versus the recreation of the Commission on Human Rights' expanded bureau; and
- the participation of non-members of the Council.

All issues addressed by the working group are critically important, as their outcome will determine whether the institutional capacity of the future body is greater than, or merely identical to, that of the previous Commission on Human Rights.

### **What you can do**

NGOs can submit written statements or make oral statements during the session of the working group. NGO written statements should be submitted to [hrcngo@ohchr.org](mailto:hrcngo@ohchr.org) for publication on the Council extranet. NGOs can also lobby member States of the Council through their national ministries or permanent missions in Geneva. They can also monitor and publicise the working group's actions.

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## **ABOUT THE PUBLICATION**

The *Council Monitor* forms part of the Human Rights Monitor Series produced by ISHR. It provides you with information about all the key developments at the Human Rights Council, including Daily Updates during the session of the Council, an Overview of the session, briefings and updates on the major issues of concern in the transition from the Commission on Human Rights to the Council and other key reports. It is currently an online publication that can be found at [www.ishr.ch/hrm/council](http://www.ishr.ch/hrm/council)

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