

COUNCIL MONITOR

International Service for Human Rights



Human Rights Monitor Series

HUMAN RIGHTS COUNCIL, 2ND AND 3RD SESSIONS COUNCIL ALERT

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Timetable for the resumed 2nd and 3rd sessions

The Human Rights Council will resume its 2nd session on 27 November 2006. The President of the Council, Ambassador de Alba, has circulated a draft timetable for the resumed 2nd session and the 3rd session.¹ In the timetable and in a preparatory meeting held on 1 November 2006, he indicated that the first two days of the session would be devoted to dealing with all the pending draft resolutions that were tabled when the Council met in September and October 2006 but which the Council was unable to take up at that time. The Council will then open the third session on 28 November 2006 and would take up the following matters on its agenda:

1. An update from the High Commissioner for Human Rights;
2. Follow-up to prior Council decisions (the Council may hear the report of the Commission of Inquiry on Lebanon under this Item);
3. Working methods and future agenda of the Council;
4. Progress reports of the Working Group on review of mechanisms and mandates and Working Group on the Universal Periodic Review, with a view to adopting preliminary conclusions.

The Council may also hold interactive dialogues with some special procedure mandate holders who were unable to attend its session in September and October but their participation is yet to be confirmed.

Pending draft resolutions

The President of the Council raised the issue of the 44 pending draft resolutions in the preparatory meeting held on 1 November 2006. He recommended that States consider withdrawing the draft resolutions that they had tabled or postponing them till the 4th session in March-April 2007, to enable the Council to deal with all the draft resolutions that were tabled. To address any concerns among States about their ability to re-table the resolutions that they withdrew, he suggested the adoption of a procedural decision, which would

¹ Available at <http://www.ishr.ch/hrm/council/drafttimetable.pdf>.

automatically allow the Council to consider any resolutions that lapsed at the 2nd session in its 4th session. He requested that States organise informal consultations in advance of the session to reach consensus or discuss any possible amendments to the resolutions that they had tabled. He also suggested a ‘deadline’ of 15 November 2006, though this was not binding on States, for the submission of revised texts in order to avoid an extensive number of oral amendments during the session. Most of the States that were present at the preparatory meeting expressed supported the President’s suggestions.

A number of States have been organising consultations on their draft resolutions and some resolutions have already been withdrawn. Information about upcoming consultations and any revisions to the draft resolutions is available on the OHCHR extranet.²

Working Group on review of mechanisms and mandates

At its 1st session the Council adopted a decision (Council *Decision 2006/104*) to establish an inter-sessional open-ended Working Group to “formulate concrete recommendations on the issue of reviewing and, where necessary, improving and rationalizing all mandates, mechanisms, functions and responsibilities in order to maintain a system of special procedures, expert advice and a complaint procedure”.³ Three facilitators were appointed for discussions on the special procedures (Ambassador Thomas Husak, the Permanent Representative of the Czech Republic), Sub-Commission/system of expert advice (Ambassador Mousa Burayzat, the Permanent Representative of Jordan) and the 1503 procedure/complaint procedure (Ambassador Blaise Godet, the Ambassador of Switzerland).

The Working Group on the review of mechanisms and mandates (the Working Group) is meeting from 13 to 24 November 2006.⁴ The meetings will be held in conference room 17 at the Palais de Nations in Geneva. The Working Group will discuss the following topics on the dates listed below:

- **Review of special procedures: all day on 13, 14 and 17 November, and in the mornings on 22, 23, 24 November 2006;**
- **Complaint procedure: in the mornings on the 15, 16 and 21 November 2006;**
- **Expert advice: in the afternoons on the 15, 16, and 24 November 2006.**

Ambassador Husak, the facilitator for the discussions on the review of special procedures, has circulated a list of nine topics for discussion during the Working Group’s meetings.⁵ He has suggested spending three hours on each topic. The nine topics he has identified are: nomination and appointment; priority areas of mandates; achieving coherence between the mandates; relationship with the Human Rights Council; cooperation by the Governments; relation between the mandate-holders and with the other human rights mechanisms and actors, including when addressing the situation at country level; organisation and logistics – support to the special procedures by the OHCHR; other issues related to working methods; and a review, rationalisation and harmonisation of mandates – general criteria. He has also listed a review of individual mandates on the document but not specifically as one of the nine of topics of discussion.

² The OHCHR extranet can be accessed at www.ohchr.org/english/bodies/hrcouncil/form.htm (fill out the form on the page to receive the user name and password).

³ For further information on the Working Group see <http://www.ishr.ch/hrm/council/WGrevmand/index.htm>. For background information on the review of special procedures, Sub-Commission and 1503 procedure see M.Abraham, *A New Chapter for Human Rights*, (ISHR and FES, 2006) available at www.ishr.ch/handbook and www.ishr.ch/hrm/council.

⁴ The timetable for the meetings is available at www.ishr.ch/hrm/council/TimetableWGs.pdf.

⁵ Available at <http://www.ishr.ch/hrm/council/review/ninetopics.pdf>.

ISHR will publish a preliminary report on the discussions in the Working Group in the *Council Monitor* at the end of the first week of the meetings and a final report on each segment by 28 November 2006.⁶

Oral statements made during informal consultations in the lead up to the meetings of the Working Group and proposals and other documents that were submitted are available on the OHCHR extranet.⁷ NGOs and NHRIs should note that there are currently very few contributions and proposals from NGOs and NHRIs on the expert advice body or the complaint procedure.

OHCHR has circulated a discussion paper on the 1503 procedure⁸ at the request of the facilitator, and welcomes any comments, suggestions or feedback from NGOs, in particular from those who have used and/or are familiar with the 1503 procedure. NGOs who are interested in submitting their comments should e-mail Ms. Maria-Andrea Echazu at ma-echazu@ohchr.org.

Working Group on the Universal Periodic Review Mechanism

The Working Group on the Universal Periodic Review (UPR) mechanism is an inter-sessional open-ended Working Group, which was created by Human Rights Council *Decision 2006/103*. The Working Group has been authorised by the Council to meet for ten days to at its first session to establish an inter-sessional open-ended Working Group to develop the modalities of the new UPR mechanism.⁹

The Working Group on the UPR is meeting all day on the 20 November 2006 and in the afternoons on 21, 22 and 23 November 2006.¹⁰ The meetings will be held in conference room 17 at the Palais de Nations in Geneva.

The agenda for the meetings of the Working Group has not yet been developed but OHCHR has informed participants that in the morning of the 20 November 2006, representatives of the International Atomic Energy Agency, the International Monetary Fund, the Organization of American States and the World Trade Organization are scheduled to make presentations on existing mechanisms for periodic review.

ISHR will publish a report on the discussions in the Working Group in the *Council Monitor* by 28 November 2006.¹¹

⁶ These reports will be available on www.ishr.ch/hrm/council. The Conference of NGOs in Consultative Status with the United Nations (CONGO) will be producing short summaries of the proceedings at the Working Group on a daily basis, these summaries will be available at <http://www.ngocongo.org/index.php?what=news&id=10353>.

⁷ The OHCHR extranet can be accessed at www.ohchr.org/english/bodies/hrcouncil/form.htm (fill out the form on the page to receive the user name and password). A list of documents that are published on the extranet is available at <http://www.ishr.ch/hrm/council/WGrevmand/extranet.pdf>.

⁸ Available at <http://www.ishr.ch/hrm/council/1503/1503ohchr.pdf>.

⁹ For further information on the Working Group see <http://www.ishr.ch/hrm/council/upr/index.htm>. For background information on the UPR see M. Abraham, *A New Chapter for Human Rights*, (ISHR and FES, 2006) available at www.ishr.ch/handbook and www.ishr.ch/hrm/council

¹⁰ The timetable is available at <http://www.ishr.ch/hrm/council/WGrevmand/Revised%20draft%20timetable%2014.06.2006.pdf>.

¹¹ These reports will be available on www.ishr.ch/hrm/council. The Conference of NGOs in Consultative Status with the United Nations (CONGO) will be producing short summaries of the proceedings at the Working Group on a daily basis, these summaries will be available at <http://www.ngocongo.org/index.php?what=news&id=10353>.

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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

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