

COUNCIL MONITOR

International Service for Human Rights



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HUMAN RIGHTS COUNCIL, 6TH SESSION 10-28 SEPTEMBER 2007 COUNCIL ALERT

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Overview

The 6th session of the Human Rights Council (the Council) will convene from 10 to 28 September 2007. The President of the Council, Ambassador Costea, distributed a draft programme of work for the session at the organisational meeting held on 24 August.¹ He explained that the programme is still subject to change and that another organisational meeting may be convened before the start of the session. Together with the programme of work he also circulated a draft schedule for the review of special procedures mandates, a schedule for the presentation of reports by the special procedures mandate holders, and a schedule for the presentation of other reports to the Council during its second cycle.

The 6th session will finalise important decisions related to the completion of the institution-building of the Council. These include: guidelines for the Universal Periodic Review (UPR); the technical and objective criteria for eligible candidates for a special procedures mandate; the technical and objective requirements for the submission by States of candidates for the Advisory Committee of the Council; and the continuation of the working groups of the former Sub-Commission on the Promotion and Protection of Human Rights (the Sub-Commission).

The Council will also hear reports from a small number of special procedures:

- Special rapporteur on freedom of religion and belief;
- Special rapporteur on trafficking in persons, especially women and children;
- Independent expert on human rights and international solidarity; and
- Special rapporteur on racism, racial discrimination, xenophobia and related intolerance.

The Council will also begin the review of the following special procedures mandates:

¹ Available on the OHCHR extranet (fill out the form on the page to receive the user name and password) at www.ohchr.org/english/bodies/hrcouncil/form.htm.

- Working group on arbitrary detention;
- Special rapporteur on freedom of religion and belief;
- Special rapporteur on the right to food;
- Special rapporteur on the situation of human rights and fundamental freedoms of indigenous people; and
- Independent expert on the effects of economic reform policies and foreign debt on the full enjoyment of human rights, particularly economic, social and cultural rights.

It will also decide on the schedule of review of countries under the UPR. The President informed that the work on developing an algorithm to select the countries for the review had almost been completed.

The draft programme of work also includes follow-up to Council *Resolution 4/9* on combating defamation of religions, *Resolution OM/1/2* on Palestine,² and *Resolution OM/1/3* on Darfur³.

The President announced that the 6th session will not be concluded in September but that it will resume for one week from 10 to 14 December. He also informed that a calendar for the Council's work in 2008 had been posted on the extranet of the Office of the High Commissioner for Human Rights (OHCHR).⁴

Draft programme of work for the 6th session

The proposed programme of work dated 24 September 2007 sets aside time during the first days of the first week for informal meetings to discuss the proposals by the two Facilitators appointed by the President of the Council to propose guidelines for the UPR information submitted by States and to develop the technical and objective requirements for the submission by States of candidates for the Advisory Committee of the Council. The President has himself been leading informal discussions on the technical and objective criteria for eligible candidates for a special procedures mandate and the future of the working groups of the former Sub-Commission. The proposed guidelines for the UPR, prepared by the Facilitator, Ambassador Mohammed Loulichki of Morocco, were distributed on 10 August 2007.⁵ The technical and objective requirements for the candidates for the Advisory Committee have yet to be finalised by the Facilitator, Ambassador Alicia Martín Gallegos of Nicaragua.

One day has also been dedicated to a general debate that will allow any delegation to raise any issue covered by the agenda of the Council. During the organisational meeting several delegations were critical of the inclusion of this segment in the programme of work and they argued that such an item had not been agreed in the institution-building text.⁶

In presenting the draft programme of work, the President explained that efforts had been made to ensure that the review of special procedures mandates could coincide with the mandate holder's presentation of the annual report. While he believed that the presence of the mandate holders for the assessment of their respective mandate was not required as such, it would be desirable for them to be present for the assessment. Regarding the proposed assessment of mandates, Egypt, on behalf of the African Group, said that it regretted that its proposal for review of the mandates on Democratic Republic of the Congo, Burundi, and the Sudan had not been included in the draft programme for the session.

² Human rights situation in the Occupied Palestinian Territory: follow-up to Human Rights Council *Resolutions S-1/1* and *S-3/1*, adopted at the organisational meeting of the Council on 20 June 2007.

³ Follow-up to *Resolution 4/8* of 30 March 2007 adopted by the Human Rights Council at its fourth session entitled "Follow-up to decision S-4/101 of 13 December 2006, adopted by the Council at its fourth special session entitled "Situation of human rights in Darfur'", adopted at the organisational meeting of the Council on 20 June 2007.

⁴ Available on the OHCHR extranet.

⁵ Available on the OHCHR extranet.

⁶ Bangladesh and Algeria.

Other issues for further discussion

Portugal, on behalf of the European Union (EU), informed that they would present an initiative at the 6th session regarding the elimination of all forms of intolerance based on religion or belief. They also recalled *Decision 4/105* to postpone the consideration of a number of draft proposals from the 4th session to future sessions of the Council, and in particular their draft resolution on Sri Lanka.⁷

Egypt, on behalf of the African Group, suggested that the programme of work should also include a discussion of the relationship between the Council and the OHCHR.⁸

Slovenia reiterated its suggestion that time should be allocated for a discussion of how to integrate a gender perspective into the work of the Council as agreed in the institution-building text. It proposed that half a day should be set aside for this.⁹

The President informed that the annual calendar of meetings for the Council's second cycle had been made available on the extranet. He indicated that further discussion with delegations on the calendar will take place before the 6th session when the Council will adopt it. He also informed delegations that conference facilities and services would be available for the planned June 2008 session.

Several delegations repeated their earlier stated concerns about the beginning of the UPR session in February 2008.¹⁰ They argued that States needed more time to prepare for the review and that the cycle should only begin after the March 2008 session of the Council. Other delegations were in favour of holding the first UPR session as suggested before the main session in March.¹¹

⁷ A/HRC/2/L.33/Rev.1 entitled "Right of the child"; A/HRC/2/L.37 entitled "Sri Lanka"; A/HRC/2/L.38/Rev.1 entitled "Impunity"; A/HRC/2/L.42/Rev.1 entitled "Freedom of opinion and expression"; A/HRC/2/L.43 entitled "The rights of indigenous peoples".

⁸ This was supported by China.

⁹ This was supported by Switzerland.

¹⁰ Pakistan (on behalf of the Organisation of the Islamic Conference), Egypt (on behalf of the African Group), Algeria, China, and Bangladesh.

¹¹ Portugal (on behalf of the EU) and Brazil (on behalf of the Group of Latin American and Caribbean States).

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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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