

### First meeting of the Human Rights Council

In view of the common objective of strengthening the UN human rights machinery, the latter should be prevented from being interrupted or staying idle during the Council's establishment process.

The Council shall assume, review and, where necessary, improve and rationalize all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights. At the same time it has to create mechanisms for the fulfilment of new functions (such as the universal periodic review) and adopt modalities to work on a regular basis during a minimum of 10 weeks per year, in at least three sessions, of which one should be the main one.

During what is left of 2006, the availability of conference services allows for two weeks in June (19-30), three weeks in September and two in November (7 weeks altogether).

#### Principles / Criteria

1. Certainty. There is a need to reach ad-referendum agreements on administrative matters, agenda, rules of procedure and program of work of the June meeting and some basic understanding about the rest of the year. This need is especially acute for organizing the High Level Segment (HLS).
2. Inclusiveness. Open, transparent and participative consultations in order to get a clear understanding of the objectives and priorities from all participants, including all UN members and NGOs.
3. Flexibility. Be receptive about the priorities of others. Avoid categorization of each other's priorities (substantive/procedural, urgent/non-urgent, divisive/non-confrontational, etc.).
4. Continuity. Decisions must be taken to allow the system to keep working throughout the transition period (to safeguard the legacy of the Commission).
5. Prioritization and self-restraint. Limited meeting-time available will not allow the consideration of all issues in June. There is a need for all delegations to reflect on their own priorities for June and for the rest of the year. Self-restraint is needed to avoid an overloaded agenda in June.
6. Gradual approach. It will not be possible (or even advisable) to establish in June the modalities and rules to be applied during the first years of the Council. We may need to settle for provisional agreements (applicable only for the first session or the first year). This would mean:
  - Based on OP 11 of Res. A/60/251, use GA Rules and other modalities of the 61<sup>o</sup> CHR for observers and NGOs (accreditation, etc.).
  - To have a high level segment in June following the established modalities.
  - To agree on an agenda for the June meeting and on a general outline of a program of work for the September and November meetings.

#### June 2006 Meeting

**Opening Ceremony.** [Possible participation of Secretary General, High Commissioner for Human Rights, President of the General Assembly.].

**High Level Segment.** [Based on 2005 modalities. Possible reduction of speaking-time from 15 to 7 minutes, to complete the segment by Thursday 22<sup>nd</sup>.].

Possible Agenda for the June meeting

1. **Election of Officers.** [Chairman, one or more Vice-Chairmen and a Rapporteur<sup>1</sup>].
2. **Adoption of Agenda and Organization of work.** [Based on OP 11<sup>2</sup> GA Res. A/60/251 and CHR Docs. 2002/16 y 2003/118].
3. **Report of the High Commissioner for Human Rights.**
4. **Implementation of GA Res. A/60/251.**
  - 4.1. **Matters related to mandates, mechanisms, functions and responsibilities of the Commission on Human Rights<sup>3</sup>.** [Decision on extension of all mandates through an all-encompassing resolution. Including Special Procedures and Expert Bodies. Decision on the 1503 procedure, including its report. Decision on the Sub commission, including examination of its report, extension of mandate of its members, functioning of working groups, work of its special rapporteurs, transitional arrangements for last meeting].
  - 4.2. **Reports of the CHR's Intergovernmental Working Groups.** [Racism, Right to Development, Economic, Social and Cultural Rights, Disappearances' Convention, Indigenous Declaration].
  - 4.3. **Measures for definition of universal review mechanism<sup>4</sup>, revision of mandates, expert advice and complaint mechanism<sup>5</sup>.** [Through creation of working groups or other facilitation mechanism. Possible role of SP's Coordinating Committee to express views from mandate holders].
  - 4.4. **Other initiatives and proposals.** [Based on priorities of all delegations.].
  - 4.5. **Program of work for first year.** (Rule 99 b). [Including a calendar for the consideration of reports referred to the Council<sup>6</sup>. Interactive dialogues. Dates of meetings. Flexible enough to allow inclusion of emerging issues.].
5. **Report of the session.**

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<sup>1</sup> Rule 103: "Each Main Committee shall elect a Chairman, two Vice-Chairmen and a Rapporteur. In the case of other committees, each shall elect a Chairman, one or more Vice-Chairmen and a Rapporteur [...]"

<sup>2</sup> *Decides* 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 of the Council, and also decides that the participation of and consultation with observers, including States that are not members of the Council, the specialized agencies, other intergovernmental organizations and national human rights institutions, as well as non-governmental organizations, shall be based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996 and practices observed by the Commission on Human Rights, while ensuring the most effective contribution of these entities.

<sup>3</sup> *Decides also* that the Council shall assume, review and, where necessary, improve and rationalize all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights in order to maintain a system of special procedures, expert advice and a complaint procedure; the Council shall complete this review within one year after the holding of its first session (OP6 Res. A/60/251).

<sup>4</sup> OP 5 e) Res. A/60/251.

<sup>5</sup> See Note 3.

<sup>6</sup> Commission on Human Rights Resolution E/ECN.4/2006/L.2 (Paragraph 2).