Intergovernmental working group to develop the modalities of the universal periodic review mechanism (UPR)

The Secretariat of the Human Rights Council presents its compliments to all Permanent Missions in Geneva, United Nations departments and bodies, specialized agencies, intergovernmental and non-governmental organizations and, as requested by the Facilitator, the Permanent Representative of Morocco, has the honour to transmit a proposed programme of work for the intergovernmental working group to develop the modalities of UPR established in accordance with Human Rights Council decision 1/103, which will meet from 20 to 24 November 2006 in room XVII of the Palais des Nations.

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16 November 2006
Proposed programme of work for the Working Group to develop the modalities of the universal periodic review mechanism (UPR)  
(20 to 24 November 2006)

Prepared by the Facilitator, H.E. Mr. Mohammed Loulichki (Morocco)

Legislative basis:

Pursuant to paragraph 5(e) of General Assembly resolution 60/251 (15 March 2006), the Human Rights Council is to:

Undertake a universal periodic review, based on objective and reliable information, of the fulfillment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States; the review shall be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs; such a mechanism shall complement and not duplicate the work of treaty bodies; the Council shall develop the modalities and necessary time allocation of the universal periodic review mechanism within one year after the holding of its first session.

By its decision 1/103 (30 June 2006), the Human Rights Council decided to establish an intersessional open-ended intergovernmental working group to develop the modalities of the UPR mechanism. The Working Group would have at its disposal ten days (or twenty 3–hour meetings) of fully serviced meetings and would allow sufficient time and flexibility for the development of the universal periodic review mechanism. See attached decision for complete reference.

Proposed programme of work:

The following proposed programme of work has been prepared on the basis of decision 1/103 and on the six elements for discussion announced by the Facilitator at the informal consultations held on 2 August 2006, on which all oral and written contributions were previously presented on UPR.

Monday, 20 November (10.00 am to 1.00 pm)

- Presentations by representatives of the International Monetary Fund, the Organization of American States and the World Trade Organization on their existing mechanisms for periodic review. A representative of the International Atomic Energy Agency in Geneva will be present at the meeting.

- Interactive dialogue with the Working Group.

Monday, 20 November (3.00 pm to 6.00 pm)

- Focused discussion on the following elements:
  i. Terms of reference / basis of review;
  ii. Objectives and principles of the review;
  iii. Periodicity and order of review.
Wednesday, 22 November (3.00 pm to 6.00 pm)

- Focused discussion on the process and modalities of review:
  i. Preparatory process of review;
  ii. Conduct of the review.

Thursday, 23 November (9.00 am to 12.00 pm)

- Focused discussion on the following points:
  i. Outcome of the review;
  ii. Follow-up to the review.

Friday, 24 November (9.00 am to 12.00 pm)

- Any other remaining issues.
- Presentation of draft preliminary conclusions prepared by the Facilitator.
- Comments and observations on the draft preliminary conclusions.

[see HRC decision 1/103 below]
Human Rights Council

Decision 1/103. The Universal Periodic Review

At its 22nd meeting, on 30 June 2006, the Human Rights Council adopted, without a vote, the following text:

"The Human Rights Council,

"Bearing in mind General Assembly resolution 60/251 of 15 March 2006 entitled "Human Rights Council" and in particular the decision of the Assembly that the Council shall undertake a universal periodic review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States,

"Taking into consideration that the review shall be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs and that such a mechanism shall complement and not duplicate the work of treaty bodies,

"Bearing in mind that members of the Council shall be reviewed under the universal periodic review mechanism during their term of membership,

"Bearing in mind also that the General Assembly decided that the Council shall develop the modalities and necessary time allocation for the universal periodic review mechanism within one year after the holding of its first session, as called for in resolution 60/251,

"Underlining the importance of a comprehensive implementation of General Assembly resolution 60/251,

"1. Decides to establish an intersessional open-ended intergovernmental working group to develop the modalities of the universal periodic review mechanism;

"2. Decides that the Working Group shall have at its disposal ten days (or twenty 3-hour meetings) of fully serviced meetings and that it shall allow sufficient time and flexibility for the development of the universal periodic review mechanism;

"3. Requests the President of the Council to chair the Working Group with the assistance, if necessary, of one or more facilitators from among permanent missions in Geneva, to undertake these open-ended, intersessional, transparent, well-scheduled and inclusive consultations with the participation of all stakeholders;
“4. Decides that informal consultations could begin immediately through an open-ended consultative process in order to compile proposals and relevant information and experiences, to facilitate open-ended discussions appropriately scheduled by the Chairperson with the involvement of all stakeholders;

“5. Requests the Office of the United Nations High Commissioner for Human Rights to provide the Working Group with background information on existing mechanisms for periodic review, for example, of the Council of Europe, the International Atomic Energy Agency, the International Labour Organization, the International Monetary Fund, the New Partnership for Africa’s Development, the Organization for Economic Cooperation and Development, the Organization for American States and the World Trade Organization) and to compile the contributions of all stakeholders;

“6. Requests the Working Group to report regularly to the Council starting in September 2006 on progress made in the development of modalities and necessary time allocation for the universal periodic review, as requested by the General Assembly in paragraphs 5 (e) and 9 of its resolution 60/251.”