Informal consultations
on preparations for the first session of the Human Rights Council

The Office of the United Nations High Commissioner for Human Rights presents its compliments to all Permanent Missions in Geneva, United Nations departments and bodies, specialized agencies, intergovernmental and non-governmental organizations and further to the open-ended informal consultations held on Tuesday, 13 June 2006, has the honour to circulate the documents that were referred to during that meeting:

- A draft programme of work for the first session of the Human Rights Council as prepared by the President-designate;
- A draft agenda/programme of work of the first session of the Human Rights Council as prepared by the OIC;
- A non-paper on a framework for a program of work for the first year of the Human Rights Council as prepared by Norway;
- A non-paper on the Universal Periodic Review as prepared by Canada.

13 June 2006
<table>
<thead>
<tr>
<th>1ST WEEK</th>
<th>2ND WEEK</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AM</strong></td>
<td><strong>AM</strong></td>
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<tr>
<td>Inaugural Meeting</td>
<td>Reports of mechanisms and mandates (Report of the 5 IWGs)</td>
</tr>
<tr>
<td>Election of Officers</td>
<td>HLS</td>
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<td>HLS</td>
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<tr>
<td>HLS</td>
<td>Universal Periodic Review Mechanism</td>
</tr>
<tr>
<td>General Segment</td>
<td>Review of mandates and mechanisms (special procedures, expert advice and complaint procedure)</td>
</tr>
<tr>
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<td>HLS</td>
<td>Dialogue and cooperation on Human Rights: Human rights education and learning, advisory services, technical assistance and capacity-building. Programme of work for future sessions of the HRC</td>
</tr>
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<td>HLS</td>
<td>National Institutions’ statement (3/5) NGOs Statements</td>
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<tr>
<td>Adoption of the Agenda and organization of work</td>
<td>(ctd)</td>
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<td><strong>PM</strong></td>
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<td>HLS</td>
<td>Conclusions and recommendations, including interim measures on mechanisms and mandates</td>
</tr>
<tr>
<td>Report of the High Commissioner for Human Rights</td>
<td>(ctd)</td>
</tr>
<tr>
<td>Chair of the Coordinating Committee of Special Rapporteurs</td>
<td>Chair of the Sub-Commission Chair of the Meeting of Chairpersons</td>
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<td>Report of the session</td>
</tr>
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Agenda/Programme of Work of the First Session of the Council

1. Election of Chair and Vice Chairs
2. Adoption of agenda and Programme of work
3. Adoption of the Rules of Procedure in accordance with OP-11 of UNGA Resolution A/60/251.
4. Opening ceremony
5. High Level Segment
6. General Segment (Delegations that have not spoken in the HLS)
7. Consideration of urgent human rights issues:
   (a) Violation of human rights in Palestine and other Occupied Arab Territories
   (b) Promotion of tolerance and respect for and freedom of religion and belief/Combating incitement to racial or religious hatred and promotion of tolerance and dialogue among civilizations
   (c) Consideration of reports of five intergovernmental working groups.
8. Implementation of the GA resolution A/60/251
   (a) Assumption by the Council of the mandates, mechanisms, functions and responsibilities of the CHR in accordance with UNGA Resolution A/60/251 and 62nd CHR Resolution E/CN.4/2006/L.2 (See annexed schemata)
   (b) Decision on Review of mandates, mechanisms, functions and responsibilities and, where necessary, improve and rationalize them:
      Inter-governmental working groups may be established on:
      (i) Review of mandates
      (ii) Universal periodic review
9. Adoption of agenda and programme of work for the first year including inter-sessional arrangements.
10. Adoption of reports of the session.
Annexure

**Schemata for Agenda of the Human Rights Council**

**Derived from UNGA Resolution A/60/251**

Guiding principles contained in resolution A/60/251

- Principles and purposes of the Charter of the United Nations including developing friendly relations among nations based on the respect for the principle of equal rights and self-determination of people and respect for human rights and fundamental freedoms (PP1)
- UN Charter, UDHR, VDPOA, ICCPR and ICESCR (PP2 and 5)
- Universality and indivisibility of human rights (PP3)
- Non-discrimination and fair and equal treatment in promoting universal respect for human rights (PP-5 and OP-2)
- Promoting tolerance, respect for and freedom of religion or belief (PP-7)
- Universality, objectivity, impartiality, non-selectivity (OP-4)
- Dialogue, cooperation, promotion and protection of all rights including the RTD(OP4)
- Promote human rights education, advisory services, technical assistance capacity building through consultation and consent of the states. (OP-5a)
- Promote implementation by states of human rights obligations (OP5d)
- Address situations of violations of human rights including gross and systematic violations (OP-3)
- Prevention of human rights violations and respond to emergencies (OP-5f)

Assumption of work:

- Assume, review and, where necessary, improve and rationalize all mandates, mechanisms, functions and responsibilities of the CHR to maintain a system of special procedures, expert advice and a complaint procedure. The council will complete this review in one year (OP-6)

- Assume responsibilities of the CHR relating to the work of the OHCHR (OP-5G)

Organization of Sessions:

- Council will schedule no fewer than three sessions in a year for a total duration of no less than ten weeks (OP-10)

Rules/procedures/working methods

- Rules of Procedure of the Committees of General Assembly unless subsequently decided otherwise. Arrangements for participation of observers, specialized agencies and intergovernmental organizations similar to CHR arrangements. NGOs' participation according to ECOSOC resolution 1996/31 (OP-11)

- Rules of Procedure for convening special sessions with one third vote of the members.

Universal Periodic Review

- Develop modalities of universal periodic review within one year after the first session – The mechanism of review should ensure: dialogue, cooperation and
capacity building needs, universality of coverage and equal treatment of all states, reliable and objective information (OP-5e).

- Member states will be reviewed once in their term (OP-9).

Reporting

- Make recommendations to the General Assembly on development of international law in the field of human rights (OP-5c)

- Make recommendations with regard to the promotion and protection of human rights (OP-5i)

- Submit an annual report to the General Assembly (OP-5j)

General Assembly to review the status of the Council in five years (OP-1)
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DATE: 12 JUNE 2006
TO: PERMANENT MISSIONS TO THE UNITED NATIONS IN GENEVA
ATTENTION: HUMAN RIGHTS EXPERTS
SUBJECT: NON-PAPER ON A FRAMEWORK FOR A PROGRAM OF WORK FOR THE FIRST YEAR OF THE HUMAN RIGHTS COUNCIL

Please find enclosed a non-paper on a framework for a Program of Work for the first year of the Human Rights Council. This non-paper is not to be considered as a proposal for a program of work. It merely reflects an assessment of what has been at this stage expressed as being broadly acceptable as a framework for a program of work. It is deliberately made simple in the form of a framework to allow additional and/or alternative inputs. A concrete proposal for a Program of work will evidently have to be far more detailed.

- The main purpose of the Program of work for the first year of the Human Rights Council would be to enhance transparency and predictability both regarding the first meeting in June and other meetings during the first year.

- The first year of the HRC is a transitional year during which new mechanisms are to be established, while the legacy of the CHR must be assumed and also adequate time and attention is given to substantial debates and decisions on promotion and protection of human rights. This is what we have tried to illustrate by clustering the issues under 3 headings: Review and Institution building; Reports of mechanisms and mandates; Emerging and urgent issues. Most of the issues are evidently interconnected.

- A distinction should be made between the program of work for the first year and the agenda of the Human Rights Council. The agenda for each session of the first year will flow from the Program of work for the first year. A separate issue will be agenda of the HRC for the subsequent years.

- While a sufficient level of flexibility must be retained through the agenda for each session, the program of work should provide a certain level of predictability to ensure that the discussions taking place in the HRC are focused and well prepared, and that relevant stakeholders can participate.

Yours sincerely,

Wegger Chr. Strommen,
Ambassador
Permanent Representative of Norway
The Human Rights Council
Draft framework for a program of work for the first year

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<tr>
<th>Session 1</th>
<th>Session 2</th>
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<tbody>
<tr>
<td><strong>The inaugural meeting</strong></td>
<td><strong>The High Level Segment</strong></td>
<td><strong>Annual report of the High Commissioner</strong></td>
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### 1. Review and institution building

- **Decisions on organisation of work**
  - Agenda for first session
  - Number of sessions, dates of meetings
  - Program of work for the first year

- **Interim (urgent) measures (Omnibus decision, ref. OP6 of GA Res 60/251)**
  - Extension of all Special Procedures and mandate holders, including PBI
  - Decision on the Sub-Commission and its mechanisms, including PBI
  - Decision on the 1503-procedure, including PBI

- **Establish intersessional formal/informal mechanisms to work out modalities for:**
  - Universal Periodic Review (OP 5e), review of mandates, mechanisms, functions and responsibilities of the CHRI in order to maintain a system of special procedures, expert advice and a complaint procedure (OP 6), methods of work and rules of procedure

- **Progress reports**

- **Decisions on organisation of work of the 2nd session**

- **Decisions on organisation of work of the 3rd session**

- **Decisions on organisation of work of the 4th session**

- **Progress reports / Decisions**
  - Decisions on modalities for UPR7

- **Decisions on modalities for UPR7**

- **Outcome of review of mandates, mechanisms, functions and responsibilities**
The Human Rights Council
Draft framework for a program of work for the first year

- agenda
- special sessions

|  |  | Implementation of UPR.

- Minimum the 14 members whose term ends in 2007?

2. Reports of mechanisms and mandates
Decisions on the reports of the five inter-governmental working groups, including PBIAs.
(Racism, Right to Development, Optional Protocol to CESCR, Enforced Disappearances, Indigenous Declaration)

|  | Reports of the Special Procedures. Interactive dialogues. (Order to be decided in a non-selective manner in accordance with objective criteria)

1.
2.
3.
4.
....

|  | Reports, studies and other documents prepared by the Secretariat, OHCHR or UNSG requested by the CHR.

|  | Reports of the Sub-committee

|  | Reports of the 1503-procedure

3. Emerging and urgent issues
Promotion and protection of human rights (OP2-OP5 of GA res 60/251), i.a.
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The Human Rights Council
Draft framework for a program of work for the first year

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**Urgent issues**
- Initiatives by delegations on specific issues / situations to be submitted through the Chair in advance of the session.

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Universal Periodic Review (UPR)
Proposed Action by the Human Rights Council, June 2006
Non-Paper 13 June 2006

- The General Assembly Resolution 60/251 decided that the HRC shall:

  "undertake a universal periodic review based on objective and reliable information, of the fulfilment by each State of its human right 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 for the UPR within one year after the holding of its first session."

- It also decided that members elected to the Council shall "be reviewed under the universal periodic review mechanism during their term of membership."

- The June session of the HRC will need to focus on priority transitional decisions including the establishment of an appropriate mechanism to "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 GA 60/251 OP5e.

- An appropriate flexible yet structured mechanism to establish these modalities would be the appointment by the HRC President of a facilitator to undertake open and transparent, informal and formal consultations with all stakeholders.

- These consultations would include ten days (or twenty 3-hour meetings) of scheduled, open-ended, fully serviced meetings which would allow sufficient time and flexibility for the development and consideration of this new review mechanism.

- Preliminary consultations by the facilitator could begin immediately, to be followed by formal, open-ended discussions appropriately scheduled by the facilitator in consultation with stakeholders, taking into account the needs of those delegations bringing representatives from capital.

- The HRC should be updated on progress by the facilitator during its regular sessions, starting in September 2006.

- A final report setting out the agreed modalities and time allocation for the UPR should be submitted to the HRC, ideally by December 2006, and a decision by the HRC would then be taken on the UPR modalities so as to allow for the first review to be completed as mandated in GA60/251 OP5e and CP9.