Informal consultations on the Program of Work of the Human Rights Council
Geneva 6 June 2006

Overview

Informal consultations on the program of work were convened at Palais des Nations on 6 June 2006, chaired by Ms. Astrid Helle Ajamay, of the permanent mission of Norway. Other organisers of this meeting included the delegations of Chile, India, South Africa and the Russian Federation. Mr. Eric Tistounet, from the Office of the High Commissioner for Human Rights (OHCHR), was also invited. The main focus of the meeting was the program of work for the first year of the Human Rights Council (the Council). The objective was to promote transparency, predictability and flexibility for the activities of the Council.

The discussion was based on the paper submitted by the conveners of the meeting, entitled "preliminary and non-exhaustive list of elements to be considered for inclusion in the program of work for the first year of the Council". This list of elements is composed of three parts, "implementation of General Assembly resolution 60/251", "legacy of the Commission on Human Rights", and "emerging issues". The drafters of the paper explained that some issues of each category should be examined at all sessions of the first year.

The relevance of these consultations was challenged by Syria, asking whether they were not in competition with the discussions that are held by the Mexican President-designate. However the Mexican delegation explained that this meeting was complementary, because the President-designate was only dealing with the agenda and program of work for the first session of the Council in June.

Key issues

- **Sessions of the Human Rights Council:**
  Japan noted that there should be a two-week session of the Council in November or December. However the representative expressed concern at the Council meeting happening at the same time as the 3rd Committee in New York. The representative from the OHCHR explained that it was possible to organise a session in the last week of November and the first week of December that would not coincide with the 3rd Committee.

- **Implementation of General Assembly Resolution 60/251:**
  The discussions under this item focussed on the issues of the implementation of the universal periodic review, the extension of mandates, and the timing of the election of members and Bureau of the Council. Concerning the universal periodic review, Japan underlined that the 14 members of the Council with a one-year mandate have to be examined this year. However more States should be examined, otherwise it would take 15 years to review all countries. South Africa regretted the lack of discussion on the implementation of this new but very important mechanism.
  On the extension of mandates, most States agreed to adopt an omnibus resolution extending mandates of special procedures, Sub-Commission and the communications procedure based on ECOSOC resolution 1503. Pakistan noted that the extension period should be predictable for mandate-holders to be able to continue to work efficiently. Finally, Latvia suggested the election of the Chair at the end of the annual session for the following year, for more preparation and efficiency in the work of the Council.

- **Legacy of the Commission on Human Rights:**
  Mexico noted that the issues under this item should be dealt with as soon as possible, to carry on with other urgent issues. On the question of the examination of the reports by special procedures, opinions were divided. Austria and India supported the idea of splitting the examination of the reports between the two or three first sessions of the Council. On the other hand, Yemen refused the idea of selectivity and stressed that either the Council should be able to listen to all reports, or delay them all. Several States (France, Spain, Mexico, Peru and Bolivia) expressed their wish to handle the reports of the five inter-governmental working groups at the June session.

- **Emerging issues:**
  This theme is and will be certainly the most controversial. The substance of the issues that might be addressed was not much discussed (although Pakistan, Syria and Indonesia stressed the importance of some issues, e.g. racism, defamation of religions and the human rights violations in the occupied Palestinian territories). The suggestions made focused on process and included: announcing in advance the issues proposed for discussion (United Kingdom); having an item entitled 'matters arising' for each session (Switzerland); having a dialogue on thematic issues without necessarily the adoption of a resolution as outcome (United Kingdom, France); and active follow-up on resolutions, decisions and statements adopted by the Council (Syria, Yemen, New Zealand). Several States insisted that special sessions may be needed for some issues (Spain, Japan, Belgium).
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There was some discussion relating to the annual report of the High Commissioner; some States spoke in favour of a report at each session (Switzerland, New Zealand, Belgium, Germany); while others deemed it sufficient to receive a comprehensive report once a year (Syria, Yemen, Algeria, Pakistan).

Conclusions and next steps

There were no firm decisions at the end of these consultations, but all States had an opportunity to express their views on the paper that had been submitted to them. The next meeting relevant to the preparation of the first session of the Council is convened by the President-designate on 9 June 2006.