

Review of the Human Rights Council

Legal basis and general references:

- General Assembly resolution 60/251 of 15 March 2006 which established the Human Rights Council;
- Operative paragraph 1 of resolution 60/251 mandating the General Assembly to review the status of the Council within five years and operative paragraph 16 of resolution 60/251 mandating the Human Rights Council to review its work and functioning five years after its establishment and report to the General Assembly;
- Human Rights Council resolution 16/21 containing the “Outcome of the Review of the Work and Functioning of the Human Rights Council”;
- General Assembly decisions 65/195, 64/507, 63/503, 62/527, 61/503 on the allocation of agenda item “Report of the Human Rights Council”;
- Fifth Committee as the Main Committee of the General Assembly responsible for administrative and budgetary matters;
- General Assembly resolution 63/263 (endorsing the recommendation of the ACABQ that “the current modalities for consideration of the financial requirements arising from resolutions and decisions of the Council be maintained, albeit on an annual basis, and that they be comprehensively reviewed in the context of the proposed programmed budget for the biennium 2010”).

Possible elements of an outcome

- General Assembly resolution 60/251 is reaffirmed;
- The resolution to be adopted as consolidated outcome of the review process will be a supplement to General Assembly Resolution 60/251 of 15 March 2006;
- The text entitled “Outcome of the Review of the Work and Functioning of the United Nations Human Rights Council” is endorsed;

The status of the HRC:

- The status of the Human Rights Council as a subsidiary body of the General Assembly is maintained;
- The status of the Human Rights Council will be reviewed again in X years;

Alignment of the cycle of the HRC:

- From 1 January 2013 the Human Rights Council will start its yearly cycle at the beginning of the calendar year;
- From 2012 onwards, elections to the Human Rights Council will be held in fall;

- As a transitional measure, the period of office of Members of the Council ending in June 2012, will exceptionally be extended until 31 December 2012;

Financing of the HRC decisions:

- Options for financing the Council should be discussed in the 5th committee;
- The General Assembly will consider the financial implications emanating from the decisions of all regular sessions of the Council of that same year, including its September session;
- In the context of the approval of the proposed programme budget for the biennium 2012-13 and subsequent biennia, following a relevant decision by the Fifth Committee, the Secretary General shall be authorized to enter into commitments not exceeding US \$ 2 million in the context of unforeseen and extraordinary expenses arising from urgent decisions of the Human Rights Council, following a relevant decision by the Fifth Committee;

Consideration of the report in New York:

- The agenda item entitled "Report of the Human Rights Council" will be considered in plenary meeting and in the Third Committee, on the understanding that the Third Committee would consider and act on all recommendations of the Human Rights Council, including those that deal with the development of international law in the field of human rights;
- The General Assembly will consider in plenary meeting the annual report of the Human Rights Council on its activities for the year, to be presented by the President of the Human Rights Council in his capacity as President;

Elements for further discussion:

- Consider, whether to explore, or not, new options to implement operative paragraphs 8 and 9 of General Assembly resolution 60/251; such as the voluntary presentation of pledges by candidates, including their intent to fully and effectively cooperate with the Human Rights Council and its mechanisms during their membership;
- Resolutions of the Human Rights Council brought to the attention of the Third Committee for consideration and possible action will be considered individually/collectively;
- These resolutions are forwarded directly to the Third Committee for consideration and possible action, without prejudice to the right of Member States to present resolutions or decisions;
- The Human Rights Council is encouraged to continue improving its work and functioning.