

Distr.: Restricted  
29 October 2010

English only

---

**Human Rights Council**  
**Open-Ended Intergovernmental Working Group on the Review**  
**of the Work and Functioning of the Human Rights Council**  
**First session**  
Geneva, 25–29 October 2010

## **List of stakeholder contributions**

## **List of stakeholder contributions**

### **Part I:**

#### **Concrete proposals on:**

- I. Universal Periodic Review
- II. Special Procedures
- III. Advisory Committee and Complaint Procedure
- IV. Agenda and Framework for a Programme of work
- V. Methods of Work and Rules of Procedure

### **Part II:**

**No title**

### **Part:**

**No title**

**Annex: Written submissions**

## **Part I: Concrete proposals on:**

### **I. Universal Periodic Review**

#### **A. General**

- Provide greater profiling of the objective included in resolution 5/1 “improvements of the human rights situation on the ground” in the second cycle (Commonwealth Secretariat)
- Consider ways in which to enhance opportunities for small States engagement with the UPR, by using for example video submissions or video link (Commonwealth Secretariat).
- Build accessibility, including captioning from the start for any new communication and information initiatives (European Disability Forum)
- Provide greater profiling of the objective included in resolution 5/1 “improvements of the human rights situation on the ground” in the second cycle (Commonwealth Secretariat)
- Recognise as a basis for the discussion of measures to improve the UPR the complementary character of the international UPR system to the national system (Forum Human Rights Germany/Friedrich Ebert Foundation/German Institute for Human Rights)

#### **B. Periodicity and Second cycle**

##### **1. Four-year Periodicity**

- Keep the time period of each cycle to four years or less (European Disability Forum)

##### **2. No Gap Year**

- An immediate move to the second cycle is desirable (Commonwealth Secretariat)

##### **3. Other**

- Develop mechanisms and modalities for the assessment of the implementation of recommendations, in which civil society should play an active role; (Geneva for Human Rights)
- Devote the second cycle both to the assessment of the implementation of recommendations made in the previous review and to an assessment of the current human rights situation in the State under review; (Geneva for Human Rights)
- The next cycle should look at implementation of the outcome of the first cycle (Forum Human Rights Germany/Friedrich Ebert Foundation/German Institute for Human Rights)
- All relevant human rights issues may be addressed during the second cycle, whether or not they were accepted by the State under review during the first cycle (Canadian HIV/AIDS Legal Network)

## **C. UPR Documentation**

### **1. Methodology and Content of Second Cycle Reports**

- States clearly indicate in their national report and during their working group presentations what consultations have taken place (Canadian HIV/AIDS Legal Network)
- Prepare national consultations well based on a clear timeframe, hold them in advance of the preparation of the national report, and include fully civil society; (Geneva for Human Rights)
- National reports should reflect international obligations (Indian Council of South America);
- Include a specific section in relevant national reports on territories considered by the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Special Committee of 24) as non self-governing (Mouvement contre le racisme et pour l'amitié entre les peuples)
- Include a specific section in the compilation prepared by OHCHR in order to reflect the consideration by the Special Committee of 24 (Mouvement contre le racisme et pour l'amitié entre les peuples)

### **2. Interim Reporting**

- Further encourage States to report back to the HRC on progress made on the implementation of recommendations (Commonwealth Secretariat);
- Each State should elaborate a UPR implementation plan and present an interim report on implementation, while there should be a requirement to discuss them in the HRC (Forum Human Rights Germany/Friedrich Ebert Foundation/German Institute for Human Rights)
- Provide interim implementation reports as soon as possible but not later than two years after original UPR session (Civicus)
- Provide mid-term reports two years after a State's review on implementation of UPR recommendations (European Disability Forum)
- Encourage States to present a mid-term assessment (Forum Human Rights Germany/Friedrich Ebert Foundation/German Institute for Human Rights)
- States under review present an implementation plan on how they intend to fulfil their UPR commitments, as well as a mid-term implementation report (Canadian HIV/AIDS Legal Network)
- Further encourage States to report back to the HRC on progress made on the implementation of recommendations (Commonwealth Secretariat).

### **3. Other**

- Make all UPR reports available in Word, in html and on line with the Website Accessibility Initiative standards (European Disability Forum)
- Allow NHRI to submit a separate report in future UPR cycles (Asia Pacific Forum of National Human Rights)
- Introduce all input reports and present a summary to the Working Group (instead of the national report only) (Canadian HIV/AIDS Legal Network)

- Adjust the timeline for stakeholder submission to enable stakeholder submissions to address issues raised in the State report (Canadian HIV/AIDS Legal Network)
- All States should present an addendum 1 in a consistent format, preferably a grid and all elements of the outcome should be gathered together into a single consolidated outcome document (Canadian HIV/AIDS Legal Network)
- Enhance clarity of UPR outcomes. (Amnesty International)
- Discard suggestions that SuR should be consulted in the preparation of the OHCHR compilation and the stakeholder summary. (International Service for Human Rights)

## **D. Conduct of the Review in the Working Group**

- Give the floor to A status NHRIs immediately after their State during the Council's plenary discussion and adoption of the UPR report on that country (Asia Pacific Forum of National Human Rights Institutions)
- Allow NHRIs with "A" status to take the floor and present their assessment of the human rights situation in the SUR during the UPR Working Group. (International Service for Human Rights)
- Provide opportunities to introduce the UN compilation and the summary of stakeholders' inputs prepared by the OHCHR into the interactive dialogue of the UPR Working Group; (Geneva for Human Rights)
- Present the OHCHR compilation of UN information and summary of information by other stakeholders orally at the beginning of each country's review; (National Association of Community Legal Centers)
- The Council should allow pre-recorded statements from NGOs and NHRIs and should introduce video conferencing in accessible format. (National Association of Community Legal Centers)
- Improve the way the examination is carried out in the Working Group by involving e.g. the expertise of Special Procedures into the oral hearing (Forum Human Rights Germany/Friedrich Ebert Foundation/German Institute for Human Rights)
- Bring greater human rights expertise to the UPR process. (Amnesty International)
- Stakeholder summary and OHCHR compilation to be presented orally during the UPR working group. (International Service for Human Rights)

## **E. Duration of Review and List of Speakers**

### **1. General Principles**

- Ensure that all governments participate on an equal footing in the review with flexible time arrangements to meet the needs of all the governments who want to participate (Human Rights Watch)
- Allow any States wishing to make recommendations during the Working Group to do so (Canadian HIV/AIDS Legal Network)
- If a State is unable to take the floor due to time constraints, nonetheless collect and reflect their recommendations in the list of recommendations in the Working Group report (Canadian HIV/AIDS Legal Network)

- Extend the review to allow all States wanting to speak to do so. (International Service for Human Rights)

## **2. Duration of the WG Interactive Dialogue**

- Extend the time allotted for the individual review of country reports to allow all speakers to make comments (Civicus)
- Use the time saved to reinforce the dialogue of the HRC with Special Procedures (Mouvement contre le racisme et pour l'amitié entre les peuples)

## **F. Recommendations**

### **1. Clustering/Rationalization of Recommendations**

- Cluster recommendations by theme before the adoption of the report. Any editorial changes would need to be agreed by the receiving and the recommending States (Commonwealth Secretariat).
- Independent expertise, e.g. SP should help to cluster the recommendations for more clarity (Civicus)
- UPR recommendations should be clustered, streamlined, meaningful and genuinely aimed at improving the human rights situation on the ground (Asia Pacific Forum of National Human Rights Institutions)

### **2. Nature/Content of Recommendations**

- Recommendations should be focused, action-oriented, and clustered thematically in the outcome report with particular attention to the recommendations based on recommendations from other human rights mechanisms; (Geneva for Human Rights)
- Make recommendations with the view to have a real beneficial impact on the ground and be monitored and followed up in the second cycle (Civicus)
- Recommendations should be more specific and action oriented, fewer and better. (Forum Human Rights Germany/Friedrich Ebert Foundation/German Institute for Human Rights)
- All recommendations should be focused, action-oriented, implementable, measurable, and designed to improve the human rights situation in the SuR (Canadian HIV/AIDS Legal Network)
- Adopt a standard format to identify the status of implementation of recommendations, including actions taken, and future actions proposed (Canadian HIV/AIDS Legal Network)
- A set of specific targeted recommendations and precise comments must result from the review. (Amnesty International)
- Focus the review on addressing questions and making specific recommendations rather than making general or laudatory comments. (International Service for Human Rights)

### **3. Consistency of Recommendations with International & Human Rights Law**

- The formal commitment of States to international human rights standards, for example through ratifications, provides a set of legal obligations that might be made explicit when they form the basis of recommendations (Commonwealth Secretariat);

- The formal commitment of States to international human rights standards, for example through ratifications, provides a set of legal obligations that might be made explicit when they form the basis of recommendations (Commonwealth Secretariat)
- Appoint a legal adviser to assist the Troika and the President of the HRC in ensuring that recommendations made by States are consistent with international human rights law, and that SURs' do not reject recommendations by using arguments contrary to international law. (International Service for Human Rights)
- Establish a consultative expert group to review the recommendations made by States during the review to ensure their conformity with international norms and jurisprudence. (International Federation for Human Rights Leagues)
- Recommendations and State responses thereto, must be consistent with international human rights law (Canadian HIV/AIDS Legal Network)
- Increase expertise in the review and report adoption process to better identify and provide guidance to States in order to avoid responses to recommendations that are inconsistent with international obligations (Canadian HIV/AIDS Legal Network)
- Affirm, as a principle of the UPR, that no recommendation or State response thereto, may be interpreted to limit the scope of any State's obligations under international human rights law (Canadian HIV/AIDS Legal Network)

#### **4. Position of SuR on Recommendations**

- Provide responses to each recommendation in advance and in writing with reasons for reject being provided. Recommendations should not be rejected for reasons that are inconsistent with the SuR's international human rights obligations; (Geneva for Human Rights)
- States subject to review clearly state their position in relation to recommendations prior to the adoption of the outcome report. A tabular template which requires States to accept or reject each recommendation and provide a brief rational for rejection would be helpful in this respect; (National Association of Community Legal Centers)
- State should indicate clearly in writing in advance of the UPR outcome which recommendations it accepts (European Disability Forum)
- Provide responses to all recommendations in advance of the HRC adoption of the final report of the UPR. (Human Rights Watch)
- Explain reasons for rejection of recommendations that should not be contrary to the Vienna Convention on the Law of Treaties and other obligations under international human rights law (Human Rights Watch)
- Require from States to clearly state their position on each recommendation (Asia Pacific Forum of National Human Rights Institutions); (Forum Human Rights Germany/Friedrich Ebert Foundation/German Institute for Human Rights)
- Provide in writing State responses to all recommendations at least two weeks in advance of the session at which the report will be adopted. Comments should be provided for any recommendations not accepted. (Canadian HIV/AIDS Legal Network)
- SuR to clearly state their position with respect to each UPR recommendation. (International Coordinating Committee of NHRIs)

- Ensure increased clarity in responses to recommendations. SuRs to be required to reply in writing and to make their replies at least one week before the adoption of the UPR outcome by the Council. (International Service for Human Rights)
- SuR should have the obligation to accept or reject the recommendations formulated in a clear and transparent manner, at the adoption of the WG report. (International Federation for Human Rights Leagues)
- States be required to report back on implementation of UPR recommendations two years after the adoption of the final report. (National Association of Community Legal Centers)

## **G. Adoption of UPR Outcomes**

### **1. General**

- Allow NGOs without ECOSOC status to make comments on the UPR outcome at the plenary adoption. (Geneva for Human Rights)
- Indigenous peoples and non-ECOSOC status NGO's must be able to deliver interventions during the adoption of the report. (Indian Council of South America);
- Allocate more time to NGOs at the adoption of the UPR reports (European Disability Forum)
- Provide an opportunity for non-ECOSOC accredited NGOs to speak in the adoption of the UPR outcome for their country in the HRC plenary (Forum Human Rights Germany/Friedrich Ebert Foundation/German Institute for Human Rights)
- Reflect comments of stakeholders prior to the adoption of the final report in the summary, which should form part of the outcome (Canadian HIV/AIDS Legal Network)
- Allocate 15 minutes to each SuR during the plenary session to present its position on recommendations made, and explain its choices so that all 16 reports could be adopted within 4 hours (Mouvement contre le racismisme et pour l'amitié entre les peuples)
- Allocate time for other stakeholders to make general comments before the adoption of working groups reports. (International Service for Human Rights)
- Allow NHRIs and NGOs, including NGOs without ECOSOC status having made submissions for the stakeholders' summary, to participate in the adoption of the UPR reports by the Council through the use of video conferencing or pre-recorded statements. (International Service for Human Rights)
- Submit in writing any addendum to the Working Group report no later than a week prior to the adoption of the report. (Civicus)

### **2. New Mechanism for Adoption of Outcome**

- Separate the adoption of the UPR reports in plenary session from regular Council sessions and move it before or after the next UPR WG. (Civicus)

## **H. Role of the Troika**

### **1. Adjustments**

- Assign a more substantive role to the Troika in guiding the review in the UPR Working Group. There should be a group of experts who would follow the UPR process for particular States from the beginning to the end, including in implementation (Forum Human Rights Germany/Friedrich Ebert Foundation/German Institute for Human Rights)

### **2. Other**

- Troika to present to the UPR Working Group all written questions submitted in advance. (International Service for Human Rights)

## **I. Role of OHCHR**

- UPR outcomes should be communicated to all relevant stakeholders in the State concerned by the Secretariat of the Council-OHCHR (Nord-Sud XXI);
- OHCHR could play a larger role in assisting national consultations. It could develop guidelines for the conduct of national consultations and assist NGOs in their contribution to national consultations (Forum Human Rights Germany/Friedrich Ebert Foundation/German Institute for Human Rights)
- The Secretariat could collate best practices relating to particularly effective national consultations that have taken place, as a guide for States under review (Canadian HIV/AIDS Legal Network)

## **J. Role of Stakeholders**

### **1. Written Contributions**

- Consider “A” accredited NHRIs report as fourth report to be considered in the UPR as proposed by the International Coordinating Committee (European Disability Forum)
- Allow NHRIs to submit a separate ten-page report in future UPR cycles, which will be focused both on implementation of UPR recommendations and on the human rights situation in the country (International Coordinating Committee of NHRIs)
- Allow NHRIs and NGOs, including those without ECOSOC status, to submit written questions in advance of the review. (International Service for Human Rights)
- The process for a State’s report on implementation should allow for NGOs and NHRIs to comment on implementation through both written and oral submissions; (National Association of Community Legal Centers)

### **2. Enhanced Participation (oral interventions)**

- Improve the participation of stakeholders by allowing NGOs to make oral interventions during the consideration of a State in the Working Group (Nord-Sud XXI);
- Allow the NHRI of a state under review to participate in the interactive dialogue; (National Association of Community Legal Centers)

- Strengthen the role of NGOs in the adoption of the UPR process, by allowing non-ECOSOC accredited NGOs to take the floor during the Plenary session (Human Rights Watch)
- Allow NHRI to submit recommendations toward the review of their country in future UPR cycles to be included in the report of the country (Asia Pacific Forum of National Human Rights Institutions)
- Assign a formal opportunity to A status NHRIs to contribute to the UPR Working Group (Forum Human Rights Germany/Friedrich Ebert Foundation/German Institute for Human Rights)
- Enhance the participation of A-status NHRIs (Canadian HIV/AIDS Legal Network)
- “A” status accredited NHRI to be allocated speaking time during the review at the UPR Working Group following the presentation of the SUR (International Coordinating Committee of NHRIs)
- Allow for “A” status NHRIs to speak after the SUR and before the adoption of the report. (International Coordinating Committee of NHRIs)
- Allow the submission of statements via video conferencing in accessible format. (International Coordinating Committee of NHRIs)
- Allow “A” status NHRI to make a more substantive contribution in the UPR in the preparation, conduct and implementation of reviews; “A” status NHRIs to be able to submit their own documents as part of the review basis. (Amnesty International)

### **3. Other**

- Explore ways in which awareness raising initiative to national civil society in various parts of the Commonwealth might be enhanced to increase their participation in the UPR (Commonwealth Secretariat).
- Give other actors than States the opportunity to adopt UPR outcomes by committing to fulfilling them (Nord-Sud XXI);
- Bring independent expertise, NHRIs in compliance with the Paris Principles into the UPR process and introduce the OHCHR compilation and summary during the interactive dialogue (Human Rights Watch)
- Increase the role of parliaments in the UPR process. (Amnesty International)

## **K. Trust Fund for Participation**

- Operationalize and ensure adequate resources for the UPR Voluntary Trust Fund for the Participation of developing countries and Voluntary Fund for Financial and Technical Assistance (Nord-Sud XXI);
- Give consideration to establishing an independent voluntary fund to enable indigenous NGOs to fully participate in consultations in the country concerned before, during and after the State’s UPR (Nord-Sud XXI)
- Consider ways in which to enhance opportunities for small States engagement with the UPR, by using for example video submissions or video link (Commonwealth Secretariat)

- Extend the UPR Trust Fund to support NHRI attendance at the Working Group on the UPR and their participation in OHCHR-run trainings on the UPR (Asia Pacific Forum of National Human Rights Institutions)

## **L. Follow-up (incl. Voluntary Fund for Financial and Technical Assistance)**

### **1. General**

- Make the UPR country report more widely public, widely circulate the UPR outcome document in the country and the entire UN system (Civicus)
- Hold annual consultations as follow up measures to guarantee the continued cooperation of the State with all stakeholders to enhance implementation of the outcome of the UPR. (Civicus)
- Include time under Council Agenda Item 6 to discuss UPR follow up (European Disability Forum)
- Under UPR follow up States should provide information on: a) dissemination of information about the UPR in accessible formats, making them available to persons with disabilities; b) the extent to which they have implemented other recommendations directly mentioning persons with disability; c) the extent to which they have implemented other recommendations so as to ensure that persons with disabilities also benefit from implementation; d) whether and how the State is involving organizations of persons from different constituencies of persons with disabilities in implementation, and in consultations for their next UPR State report (European Disability Forum)
- Ensure inclusive consultations are incorporated in the follow up segment (European Disability Forum)
- States to hold similar consultations with stakeholders after the Working Group review, focused on implementation and follow-up (Canadian HIV/AIDS Legal Network)
- Council to make provision for mid-term implementation updates from SuRs, and to allocate sufficient time under item 6 for the presentation and discussion of such information. (Amnesty International)

### **2. Implementation of Recommendations – General**

- Implementations plans with a clear time frame and key milestones to be developed within 12 months of the adoption of the review. (Amnesty International)
- Give space to other stakeholders in the second cycle including NHRIs and NGOs to report on implementation of recommendation as suggested by Peru (Civicus)
- “A” status accredited NHRIs as well as other stakeholders to be able to provide regular update information on the status of implementation of UPR outcomes. (International Coordinating Committee of NHRIs)
- Require States to provide oral reports on their implementation of recommendations two years after the review. (International Coordinating Committee of NHRIs)
- Council to establish a requirement that each state adopt a national UPR implementation plan to be submitted to the Council (Amnesty International)

### **3. Technical Cooperation Strategies**

- Make available technical assistance and funding from the VF for the UPR, if needed. (Amnesty International)

### **4. Role of SuR**

- Action must be taken by SUR to implement recommendations and commitments at the national level in a systematic and timely manner. (Amnesty International)

## **M. Link with other Mechanisms**

- Incorporate country reports and recommendations of the Special Procedures (Civics)
- Involve regional organisations and national Parliaments in the follow-up (Forum Human Rights Germany/Friedrich Ebert Foundation/German Institute for Human Rights)
- Allow the chairperson of the Special Committee of 24 to make a brief statement at the Working Group (Mouvement contre le racisme et pour l'amitié entre les peuples)
- Remind to each State under review its obligation to abide by all recommendations made by Treaty bodies (Mouvement contre le racisme et pour l'amitié entre les peuples)
- Review could be an opportunity to strengthen the added value of the UPR and diminish its potential challenge to international norms and UN expert mechanisms. (International Federation for Human Rights Leagues)
- States should prepare their contribution to the UPR of third countries in drawing on the existing body of expert recommendations; in targeting their questions on the follow-up given to these recommendations, and in targeting their recommendations on specific follow-up activities to the expert conclusions. (International Federation for Human Rights Leagues)

## **II. Special Procedures**

### **A. Special procedures mandates**

- Strengthen the independent expertise of SPs, particularly through providing them with the power of initiative to address human rights of concern and/or call for the holding of special sessions; (The French National Consultative Commission on Human Rights)
- Enable the Coordination Committee to function as the appropriate body to settle contentions between States and SPs; (The French National Consultative Commission on Human Rights)
- Respect the wise decision of rejecting the proposal for an ethics or legal committee made during the institutional-building phase; (Amnesty International)
- Reject firmly reject proposals for a body, by whatever name, to oversee implementation of the CoC; (Amnesty International)
- Create regional Working Groups, in order to combat selectivity and complementary to the work of country-specific mandates; (Human Rights Watch)

- Shift the burden of proof to the complainant in cases of alleged violations of the Code of Conduct (Friedrich Ebert Stiftung/FEF)
- Ensure that there are no protection gaps in the SPs system; (Canadian HIV/AIDS Legal Network)
- Maintain SPs independence; (Canadian HIV/AIDS Legal Network)

## **B. Selection of mandate-holders**

- Allow the Chair and other members of the Coordination Committee, experts from the OHCHR, from academia or NGOs to assist the Consultative Group in identifying candidates in the selection of mandate holders; (CIVICU)
- Preserve the role of the HRC President in the mandate holders selection process, and to ensure full observance of the regional and gender balance; (Canadian HIV/AIDS Legal Network)
- When appointing country-specific special rapporteur, the President, in consultation with the Bureau, should submit a list of candidates to the country concerned, and allow the latter to express its preferences among them. If this procedure were to be followed, the probability of securing cooperation from the country concerned would be greatly enhanced ; (Coordinating Board of Jewish Organizations)
- Develop gradually a global pool of experts for the selection of mandates holders (FEF)
- Explore the possibility of requesting a motivation letter from the candidates in the appointment process (ISHR)
- Give more weight to the expertise of the mandate holder in the selection process while maintaining respect for geographical distribution (North South XXI)
- Create an advisory board of human rights expert to assist the President of the Council and OHCHR in reviewing applications (North South XXI)

## **C. Methods of work and reporting modalities**

- Enhance the complementarity between SPs and UPR; (The French National Consultative Commission on Human Rights)
- Strengthen selection criteria for HRC membership; (The French National Consultative Commission on Human Rights)
- Enhance orientation and induction for incoming mandate holders; (Canadian HIV/AIDS Legal Network)
- Support and enhance the role of the Coordination Committee in engaging in dialogue with States and mandate holders, and seeking positive resolution to any concern that may arise; (Canadian HIV/AIDS Legal Network)
- Hold a biennial debate devoted to:
  - reviewing cooperation with the special procedures that would address states' responsiveness to communications and urgent appeals and assess qualitatively the response,
  - reviewing the status of visit requests, including accepted requests where there have been long delays in setting dates; (Amnesty International)

- Allocate more than five minutes to states at the time of presentation of mission reports to the Council in order to have an adequate reflection and dialogue on the mission conclusions and recommendations or for reporting on steps taken to act on them; (Amnesty International)
- Develop a roster of independent experts that would be available to carry out ad-hoc tasks assigned by the HRC in response to urgent or special situation so as to avoid over-tasking of thematic procedures; (Human Rights Watch)
- Give more time to individual special rapporteurs and do not clustered reports and ensuing interactive dialogues; (CIVICUS)
- Give enough time to special procedures to engage in open or closed side events with States, both ECOSOC and non-ECOSOC NGOs, victims and human rights defenders; (CIVICUS)
- De-cluster the presentations of the special procedures mandate holders as a matter of accessibility so that the dialogues take place one at a time; (European Disability Forum)
- Even if two mandate holders make presentations to the council during the same time slot, divide the time evenly and first to have all of the interventions for the first mandate holder, before turning to the dialogue with the second mandate holder; (European Disability Forum)
- If the mandate holders have done joint reports, have one segment on their presentations, solely for the purpose of the joint report; (European Disability Forum)
- Make available all reports of the special procedures mandate holders in Word or HTML, and not PDF, which is inaccessible to some people who use screen readers. (European Disability Forum)
- Dedicate more time to the interactive dialogues with Special Procedures; (Asia Pacific Forum of NHRIs)
- Provide speaking time for NHRIs right after the statement from the concerned State during the interactive dialogue, (Asia Pacific Forum of NHRIs)
- Improve the interactive dialogue by a revision of the clustering of issues and use the modalities of the Third Committee interactive dialogue; (FEF)
- Institutionalize the follow up to the Special Procedures recommendations; (FEF)
- Strengthen and highlight the prevention role of the Special Procedures ;(FEF)
- OHCHR to convene seminars on “best practices”, “good practices” that coincide with international human rights obligations; (Indian Council of South America)
- Create an atmosphere that will allow for SPs to positively identify the root causes of serious human rights violations: that particular States commit the violations, the underlying cause being, to suppress movements of peoples to free themselves from the joke of colonialism or violations of the right to people to self-determination; (Indian Council of South America)

#### **D. Cooperation with special procedures and follow-up**

- The HRC should adequately address cases of reprisals as a consequence of cooperation with UN mechanism. A fund should be created to support persons who are at risk of reprisal as a consequence of such cooperation; (ICC)

- The HRC should dedicate more time as its sessions to examine follow up to SPs recommendations: NHRIS should be able to provide the HRC regular information on the implementation of SPs recommendations; (ICC)
- Where a SP addresses a country situation at the HRC, either through the presentation of a country-specific report or address of a country situation in the thematic report, the NHRI from that State should have the opportunity to speak immediately after the State concerned in order to directly contribute to the interactive dialogue; (ICC)
- Establish a mechanism to monitor States' compliance with their obligations to cooperate with the SPs; (The French National Consultative Commission on Human Rights)
- Require all states to present a written response to special procedures' country mission reports concerning them in the form of a distinct document from the report, responding to all recommendations in the report and indicating steps taken or intended to be taken to give effect to them. States could work together with the mandate holders to prioritize the implementation of recommendations; (Amnesty International)
- Present both the special procedure's country mission report and the state's written response in a stand-alone interactive dialogue; (Amnesty International)
- Strengthen States cooperation with SPs and to make the HRC to discuss the status of States cooperation with SPs under agenda item 5; (Human Rights Watch)
- Consider a standing invitation to be effective when Governments would respond to a request for a visit within six months and actually schedule the visit within two years from the request; (Human Rights Watch)
- All present and future members of the Council should express standing invitations to all special procedures; (CIVICUS)
- States should respond in a timely fashion to all recommendations of special procedures, in particular to urgent appeals; (CIVICUS)
- Special procedures should use country visits to engage not only with governments and civil society of the particular country but with larger civil society from the region, in particular civil society from the neighbouring countries; (CIVICUS)
- Use special procedures more fully:
  - in the UPR, when finalizing the review summary reports, helping to cluster recommendations,
  - in helping to implement recommendations,
  - in thematic panel discussions,
  - in stand-alone country or regional dialogues,
  - in special sessions;
- Ensure explicit support to the special procedures and protect them from unreasoned open challenges to their mandates from members of the Council or other UN member states. States should accept that special procedures mandates are not established without a reason. Ensure that once a mandate is established both the party under review and the party that reviews work together in the interest of human rights and of the victims; (CIVICUS)
- Have States candidate to the HRC membership committed to a Declaration of Commitment; (Canadian HIV/AIDS Legal Network)

- Address under item 5 the status of cooperation (of a State) with Special Procedures (FEF)
- Replace the current clustered interactive dialogues with thematic procedures under Item 3 by individual and interactive dialogues; (ISHR)
- Fix the programme of work of the interactive dialogues with the programme of work of the Council (ISHR)
- Consider the Special Procedures reports on country visits separately from their annual reports and debated along thematic or regional lines; (ISHR)
- Provide speaking time for NHRIs of the country concerned immediately after the State concerned to comments on the visit report; (ISHR)
- Enable country visits reports to be brought up to the Council as soon as possible to strengthen Council's; (ISHR)
- All people, including Indigenous People, must be able to dialogue with SPs and States so that States do not water down and negotiate away the international obligations stemming from the right to self-determination, a base problem that does not allow for SPs to give holistic conclusions and recommendations; (Indian Council of South America)
- Adopt a monitoring system to ensure that standing invitations are effectively implemented (Asia Pacific Forum of NHRIs/APF)
- Require an explicit commitment to full cooperation with the Special procedures for an election to the Council (ISHR)
- Issue standing invitations from all States to all special procedures; (ISHR)
- Define what cooperation means in substantive terms and regularly assess the level of State cooperation with Special procedures to be discussed under Item 5; (ISHR)
- Give fuller attention and follow up to the reports and recommendations of the Special Procedures; (ISHR)
- Consider the Special Procedures reports on country visits separately from their annual brought up to the Council as soon as possible to strengthen Council's; (ISHR)
- Improve the follow up to individual communications and consider a joint communication report at every session as the subject of a separate interactive dialogue with mandate holders; (ISHR)
- Improve the expert support given to mandate holders by encouraging collaboration with other UN bodies ( North South XXI)

## **E. Funding/resources**

- Better equip the mandate holders to fulfil their mandates by making fewer earmarks, higher transparency and more freedom to use their funds part of an established mandate; (CIVICUS)
- Increase substantially the budget and the equipment of staff (FEF)
- Improve the expert support given to mandate holders by encouraging collaboration with other UN bodies; ( North South XXI)

- Ensure full transparency on the allocation of resources devoted to each mandate , mainly from regular budget and only seek voluntary contributions as a last resort; (North South XXI)

## **F. Other issues**

- Providing the opportunity for special procedures to alert the Council to emerging crises to allow it to respond to prevent human rights violations and to call a special session of the Council to discuss urgent situations; (ISHR)

## **III. Advisory Committee and Complaint Procedure**

### **A. Advisory Committee**

#### **1. General**

- Preserve individual and collective independence of members, which should continue to work as a collective organ of general competence (Commission Nationale Consultative des Droits de l’Homme de France).

#### **2. Functions**

- Re-establish the right of the Advisory Committee to create Working Groups, as well as its own power of initiative to the Council, in order to perform as a true “laboratory of ideas” (laboratoire d’idees) (Commission Nationale Consultative des Droits de l’Homme de France);
- Human Rights Council to seize the Advisory Committee of all projects concerning the elaboration of norms for study and advice and allow treaty organs and thematic procedures to consult the Advisory Committee (Commission Nationale Consultative des Droits de l’Homme de France).

#### **3. Composition and selection of members of the Advisory Committee**

- Develop an appointment process similar to that used for Special Procedures, with clear criteria for selection. (International Service for Human Rights; Canadian HIV/AIDS Legal Network);
- Reinforce the independent experts’ capacities by ensuring election of candidates which are not only competent and independent but equally available to participate effectively in the work of the Advisory Committee (Commission Nationale Consultative des Droits de l’Homme de France).

#### **4. Methods of work**

- Encourage the Advisory Committee to continue engaging with national human rights institutions. (International Coordinating Committee of National Human Rights Institutions);
- The Secretariat to disseminate well in advance of Advisory Committee sessions the relevant documentation and programme of work of sessions in all UN languages. (International Coordinating Committee of National Human Rights Institutions);

- Increase the duration of the sessions of the Advisory Committee (Commission Nationale Consultative des Droits de l'Homme de France);
- Ensure that Advisory Committee's documents are treated as UN documents and translate them in all official languages (Commission Nationale Consultative des Droits de l'Homme de France)
- Consider ameliorating the relationship between the Advisory Committee, thematic procedures and treaty organs by inviting the President of the Advisory Committee to the annual meetings of thematic procedures and of treaty bodies (Commission Nationale Consultative des Droits de l'Homme de France);
- Expand the number of meetings of the Advisory Committee (AC) to one week before the Human Rights Council meetings in June and September and for two weeks before the March Session of the Council (North South XXI);
- Ensure adequate support to the Advisory Committee by the Secretariat or through supplementary funding by the Council (North South XXI).

#### **5. Relationship with the Human Rights Council**

- The Council to give more attention to the work of the Advisory Committee (International Service for Human Rights);
- Recommendations of the Advisory Committee to be debated by the Council and a formal and substantive response to be provided by the Advisory Committee (International Service for Human Rights);
- Hold an annual interactive dialogue between the Council and the Chairperson of the Advisory Committee (International Service for Human Rights);
- Encourage the interaction of the Advisory Committee with the Human Rights Council (Commission Nationale Consultative des Droits de l'Homme de France);
- Consider enabling the Chair of the Advisory Committee to present a report to the Council after each session of the Committee, followed by a full interactive dialogue (Canadian HIV/AIDS Legal Network);
- Consider allowing greater involvement of Advisory Committee members in Council panels, debates and discussions (Canadian HIV/AIDS Legal Network);
- Council to provide a clear and substantive response in a timely manner to the Advisory Committee when it identifies research proposals to be undertaken by the Advisory Committee, in accordance with paragraph 77 of the institution building text (Canadian HIV/AIDS Legal Network);
- Consider the possibility for the Advisory Committee to be unambiguously requested to provide specific inputs on targeted issues to the Human Rights Council, which might include requests to provide specific research inputs to the Council (North South XXI).

### **B. Complaint Procedure**

#### **1. General**

- Improve the Complaint procedure to make it a "credit avenue" for victims. (International Service for Human Rights);

- Avoid limiting the new single “working group on complaints” in its recommendations to the current measures it is mandated to take under paragraph 109, resolution 5/1 (International Service for Human Rights);
- Ensure that the process is, as much as possible, transparent and public (North South XXI).

## **2. Scope and architecture of the Complaint Procedure**

- Simplify and strengthen the Complaint procedure by abolishing the Working Group on Situations (International Service for Human Rights);
- Transfer the tasks of the current Working Group on Situations to the Working Group on Communications to function as a single working group on complaints (International Service for Human Rights).

## **3. Modalities**

- Consider allowing the President [of the Council] to update the Council at every session under item 5 on the status of the work of the new working group on complaints, including the number of cases before it and their status (International Service for Human Rights);
- Enhance ability of the Working Group on Communications to interact directly with States and victims as a mediator in resolving consistent patterns of gross and reliably attested violations of human rights, that have been found substantiated, before they are sent to the Council’s Working Group on Situations (North South XXI).

# **IV. Agenda and Framework for a Programme of Work**

## **A. Agenda**

- Reaffirm the right to mention situations of human rights violations in countries under each agenda item (CNCDH);
- Allow placing additional items on the agenda or the call for a special session in urgent situations, by a number (to be determined) of special procedure mandate holders or the Coordinating Committee (CNCDH);
- The Council to discuss follow-up to instances of reprisals at each of its sessions (International Service for Human Rights);
- The annual debate on the Secretary-General’s report to take place under the agenda item 5 on human rights bodies and mechanisms since reprisals undermine the effectiveness of those mechanisms. The debate on the report should explore how the Council can enhance its response to these alleged human rights violations (International Service for Human Rights);
- Address in regional segments the general debate on situations under agenda item 4 of the Council agenda (Friedrich Ebert Stiftung)
- Open all agenda items to address country-related situations of human rights violations (Friedrich Ebert Stiftung)
- Eliminate agenda item 7 (Coordinating Board of Jewish Organizations)

- Eliminate agenda item 7, thereby allowing all human rights violations around the globe to be treated in the same manner without singling out one particular country among the UN's 192 member States (Coordinating Board of Jewish Organizations);
- Maintain agenda item 7 (North-South XXI);
- Enhance item 3 by adding the following sub-items: "the seminal human right of self-determination", "human rights in situations of occupation resulting from the illegal use of force", "the mainstreaming of human rights in the United Nations" and "climate change and human rights" (North-South XXI)

## **B. Programme of work**

- PoW and reports to be made publicly available well in advance of Council sessions (International Coordinating Committee of National Human Rights Institutions);
- Make the PoW for each session available at least six weeks before the start of the session (International Service for Human Rights);
- Have the PoW published latest six weeks before the Council session starts (Friedrich Ebert Stiftung);
- Fix dates for dialogues with Special Procedures, like debates on the outcome of the UPR WG (Friedrich Ebert Stiftung);
- Individual presentation and discussion of country reports of the High Commissioner and reports of the Special Procedures (Friedrich Ebert Stiftung);
- Consider further the idea of the hosting of 'mini sessions' throughout the year. Ensure that the Council's programme of work accommodates the contribution of national level actors (Asia Pacific Forum for NHRIs);
- Make the Council's programme of work more predictable (Asia Pacific Forum for NHRIs)

## **C. Calendar of sessions**

- Hold two annual sessions of four weeks (North-South XXI);
- Host a yearly session outside Geneva at one of the UN's regional centres (Asia Pacific Forum for NHRIs);

## **V. Methods of Work and Rules of Procedure**

### **A. Debates, dialogues and panels**

- Do not cluster interactive dialogues with special procedures (CNCDH);
- Regularly invite NHRI representatives to speak on Council panels and to contribute to other experts meetings and events organized by the Council and OHCHR (International Coordinating Committee of National Human Rights Institutions);
- Include civil society representatives on all panels as a matter of course (International Service for Human Rights);
- Broader participation of NGOs in the interactive dialogues (Friedrich Ebert Stiftung);

## B. Work formats and arrangements

- Ensure the Council is equipped to respond to emergency situations, the President of the Council could prepare a list of highly qualified and experienced experts that are prepared to undertake fact-finding missions on short notice. This list should include NHRI representatives (International Coordinating Committee of National Human Rights Institutions);
- HC to be able to draw to the Council's attention – during and in between regular sessions – situations, issues and cases that require its immediate attention (International Service for Human Rights);
- In responding to urgent situations, the Council should consider inviting the relevant Special Representative of the Secretary-General, head of relevant UN peace keeping missions or the Assistant Secretary-General of the Department of Peacekeeping Operations to sessions on situations of human rights violations, particularly if they threaten international or regional peace and security (International Service for Human Rights);
- Use of different formats or a combination of formats for addressing situations, like sending letters of inquiry, holding briefing sessions and hearings with victims of a particular situation, additionally to adopting resolutions or establishing technical cooperation (Friedrich Ebert Stiftung);
- Establish a format that includes follow-up of current and past recommendations of Special Procedures mandate holders and the consideration of situations involving failure or denial of cooperation by Governments (Friedrich Ebert Stiftung);
- Allow other actors than States, e.g. the High Commissioner for Human Rights, the Secretary-General, a group of special procedures mandate holders, to put situations on the agenda. For example, a group of five special procedures mandate holders may put forward an issue for discussion by a joint request which would automatically trigger a formal discussion of the situation (Friedrich Ebert Stiftung);
- Allow a formal request from a NHRI to act as a 'trigger' for action by the Council is deserving of further discussion (Asia Pacific Forum for NHRIs).
- Make available to all stakeholders a clear yearly calendar of the Council, including a list of resolutions with the plans for holding negotiations (Human Rights Watch);
- Create independent trigger mechanisms for the consideration of situations in the Council (Human Rights Watch);
- Require States mentioned in the report of the Secretary-General to report to the Council on a regular basis on measures taken to investigate allegations and hold perpetrators to account (International Service for Human Rights);

## C. Special sessions

- Extend the (5 days) timeframe for the convening of a special session to facilitate the participation of all (Human Rights Watch)

#### **D. Resolutions and other outcomes**

- Make available a yearly calendar of resolutions to all delegations and stakeholders to make the negotiation of resolutions more predictable (International Coordinating Committee of National Human Rights Institutions);
- Make the calendar of resolutions more predictable (Asia Pacific Forum for NHRIs);
- Request delegations to circulate resolutions at least 2 weeks ahead of a session (Human Rights Watch);
- Hold at least two informal meetings on a resolution (North-South XXI);

#### **E. Reports and documentation**

- Broadly disseminate in all UN languages reports and other relevant information (International Coordinating Committee of National Human Rights Institutions);
- Make documentation publicly available well in advance of sessions (Asia Pacific Forum for NHRIs);
- Ensure that documents are made available in a timely manner through monthly consultations on the matter between the Bureau and the Secretariat (North-South XXI);

#### **F. Presidency and Bureau**

- Have dispatched from UN New York office a legal advisor for the HRC Presidency to improve the coherence and continuity of the technical functioning of the Council (Friedrich Ebert Stiftung);

#### **G. Accessibility and Stakeholder participation**

- Support proposals from the International Disability Alliance to ensure the Council's work and functioning is entirely accessible to persons with disabilities (International Coordinating Committee of National Human Rights Institutions)
- Ensure accessibility is a principle of the Council (International Coordinating Committee of National Human Rights Institutions)
- Create a multi-stakeholder task force on accessibility (International Coordinating Committee of National Human Rights Institutions)
- Create an accessibility plan (International Coordinating Committee of National Human Rights Institutions)
- Make the Council's programme of work and calendar of resolutions more predictable, and, make documentation publicly available well in advance of sessions (Asia Pacific Forum for NHRIs)
- Add accessibility as a principle of the Council's work, and use the CRPD as an example to amend the IB text (European Disability Forum)
- Create a multilateral task force on accessibility, consisting of UNOG, Council member states, organizations of persons with disabilities, and other stakeholders, to come up with an accessibility plan that will ensure full accessibility within a few

years' time, and allocate resources to this every year as well as consult persons with disabilities on the priorities (European Disability Forum);

- OHCHR, UNOG and missions to the UN should conduct awareness raising, comprising of information materials and trainings, for persons working in and around the council, including the staff working for and at the Council, security people, cafeteria staff, the Council secretariat and the Civil Society Unit (European Disability Forum).
- Establish a fund to assist small delegations to fully participate in the work of the HRC, including through appropriate training for diplomats in Geneva and in capitals (CNCDH);
- Establish a fund for the participation of NHRIs in the work of the HRC (CNCDH);
- 'A' status accredited NHRIs, as well as NGOs in consultative status with the UN Economic and Social Council, to submit video statements in accessible format as oral interventions at Council sessions (International Coordinating Committee of National Human Rights Institutions)
- Establish a fund to support the participation of representatives from the least developed countries and small and vulnerable economies, NHRIs, and civil society organisations at Council sessions and at meetings of its mechanisms (International Coordinating Committee of National Human Rights Institutions)
- Allow NGOs and NHRIs to participate in the Council's debates without being physically present at its sessions. This could be achieved by the use of live or pre-recorded video messages (International Service for Human Rights)
- Strengthen NHRIs and local NGOs as a link between the Council and the grass-roots level e.g. in terms of financially supporting their attendance in Geneva-including their participation at the Advisory Committee (Friedrich Ebert Stiftung)
- Strengthen participation of women's organizations and those promoting sexuality rights (ACPD);
- NGOs who sign up on the list of speakers and cannot intervene, should have their contributions placed on the Extranet (ACPD);
- NGOs who sign up on the list of speakers and cannot intervene, should have their contributions placed on the Extranet (ACPD);
- Establish a fund to support the participation of LDCs, NHRIs, experts and civil society representatives at meetings of the Council and its mechanisms (Asia Pacific Forum for NHRIs);
- Create a fund to support persons at risk of reprisal as a consequence of having cooperated with the UN's human rights mechanisms (Asia Pacific Forum for NHRIs);
- Create a Fund to facilitate the participation of small and developing delegations (Human Rights Watch);
- Ensure transparent and equitable participation of accredited NGOs through consultations between the Secretariat and the NGO Access Committee (North-South XXI);

## **H. Visibility**

- Review and regularly update in all languages the webpage; the totality of the documentation and information to be posted according to a comprehensible typology (CNCDH);
- Disseminate Special Procedures press conferences by internet through webcast (CNCDH);
- Webcast Council sessions in all six UN languages (International Coordinating Committee of National Human Rights Institutions);

## **I. Relation with the General Assembly**

- The Council should consider inviting the President of the General Assembly for important debates to allow for synergies with the Council's parent body (International Service for Human Rights);
- Fund the Council's work and activities out of the UN general budget (International Coordinating Committee of National Human Rights Institutions);

## **J. Cross-cutting issues**

- In line with its mandate to mainstream human rights into the work of UN agencies and programmes, the Council should improve its engagement with the UN agencies, particularly those with a clear protection mandate (International Service for Human Rights);
- Include gender analysis in all resolutions and reports and in follow-up (ACPD);
- Include a gender perspective when appointing mandate-holders (ACPD);
- Ensure the implementation of the principles of cooperation and genuine dialogue, contained in 60/251, by establishing criteria to guide actions on situations of violations distinguishing States committed to engage with the UN human rights system from those who are not (Human Rights Watch)
- Establish a fund at the Council for the protection of human rights defenders who suffer reprisals (Friedrich Ebert Stiftung);

## Part II: No title

- Strengthen A-status national human rights institutions at the HRC in accordance with their independence and unique position (ICC);
- Ensure broader coverage to lessen selectivity in the HRC's engagement (HRW);
- Improve the accessibility of the HRC to people with disability (Euro disability forum);
- Set up a task force to ensure full accessibility of disabled persons as well as an accessibility plan (Euro disability forum);
- Ensure regular and appropriate follow-up instances of reprisals against human rights defenders and those who cooperate with human rights mechanisms (ISHR);
- Reconsider the idea to have the HRC as a principal organ of the General Assembly (CIVICUS);
- Establish regular speaking procedures, frequent consultations and clear communication channels for civil society participation and secure their input in the HRC's work (CIVICUS);
- Address the issue of non-cooperation from States with the HRC (Forum Asia);
- Hold short sessions outside Geneva (North-South XXI);
- The objective of the review are its effectiveness in response to crisis and to address rights violations and denials, It has to be accessible to persons and ground for victims of HR violations and HR defenders in country (ICC);
- The review to be transparent and inclusive and the compilation of proposals to be a living document and include all recommendations (ISHR);
- The Council to seek tangible solutions for effective coordination and mainstreaming of HR with the UN system as well as for the cooperation with regional mechanisms (Forum Asia);
- The review should be guided by GA res. 60/251 (North South XXI);

## **Part: No title**

- Set a standard for membership of the HRC which could include measures such as the outcome of UPR binding recommendations and pledges of candidates, and inclusion of NGOs' evaluation of candidates' human rights standards (CIVICUS);
- Elected member of the HRC to enter a declaration of commitments to human rights (Canadian HIV/AIDS Legal Network);

## Annex

### Written submissions<sup>1</sup>

#### Non-governmental organizations

- Amnesty International
- World Alliance for Citizen Participation (CIVICUS)
- Cercle de Recherche sur les Droits et les Devoirs de la Personne Humaine (CRED)
- Fédération internationale de l'Action des chrétiens pour l'abolition de la Torture (FIACAT)
- Human Rights Law Resource Centre (HRLRC)
- Human Rights Watch
- International Disability Alliance (IDA)
- Joint NGO submission<sup>2</sup>
- North South XXI
- UPR-Info
- Joint NGO submission (UPR)<sup>3</sup>

#### National Human Rights Institutions

- Asia Pacific Forum of NHRIs
- Commission Nationale Consultative des Droits de l'Homme de France (F, E)

<sup>1</sup> in alphabetical order

<sup>2</sup> African Centre for Democracy and Human Rights Studies, ARC International, Asian Forum for Human Rights and Development (FORUM - ASIA), Asian Legal Resource Centre, Cairo Institute of Human Rights Studies, Canadian HIV/AIDS Legal Network, Centro de Estudios Legales y Sociales (CELS), Commonwealth Human Rights Initiative, Conectas Direitos Humanos, Democracy Coalition project, East and Horn of Africa Human Rights Defenders Project, Human Rights Watch, International Federation for Human Rights (FIDH), International Service for Human Rights (ISHR), Open Society Foundations, West African Human Rights Defenders Network

<sup>3</sup> Action Canada for Population and Development, The African Women Millennium Initiative in Zambia, Amnesty International, Arc International, Asian Forum for Human Rights and Development, Baha'i International, Cairo Institute of Human Rights Studies, Canadian HIV/AIDS Legal Network, Center for the Development of Democracy and Human Rights, CODAP - Youth Resource Center on Human Rights, CIFEDHOP, Coalition pour l'Examen Périodique de la Côte d'Ivoire, Commonwealth Human Rights Initiative, Conectas Direitos Humanos, CRIN, Democracy Coalition Project, Edmund Rice International, International Federation for Human Rights, FIACAT, Forum Human Rights Germany, Foundation for Marist Solidarity International, Four Freedoms Forum, Geneva for Human Rights, Franciscans International, Human Rights House Foundation, Human Rights Law Resource Centre, Human Rights Watch, International Service for Human Rights, NGO Group for the CRC, North-South XXI, OceaniaHR, Open Society Foundations, Save the Children, Unrepresented Nations and Peoples Organization, UPR Info, Vivat International and World Vision International

- International Coordinating Committee of NHRIs (E, F, S)

### **OHCHR and Human Rights mechanisms**

- Human Rights Council Advisory Committee
  - Special Procedures mandate-holders
  - Office of the High Commissioner for Human Rights
-