HUMAN RIGHTS COUNCIL REVIEW
ICC PROPOSALS FOR THE OUTCOME DOCUMENT

February 2011

The International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), as the global network of national human rights institutions (NHRIs), views the Human Rights Council (Council) review process as an important opportunity to make the Council more effective, and to assist the Council in enhancing its use of the unique expertise that NHRIs bring to its work.

The ICC introduced a number of concrete proposals at the first session of the open-ended intergovernmental working group on the review of the work and functioning of the Council in October 2010. The ICC promoted these in subsequent informal consultations led by the Facilitators, at the Ambassadorial retreat in Bangkok in December 2010 and at the first meeting of the second session of the open-ended intergovernmental working group in February 2011.

These proposals were supported by States from all regions and are reflected in the Compilation of States Proposals resulting from the first session of the working group on the Council review. Some are also reflected in the Facilitators outcome reports and in the Compilation of Contributions resulting from the consultations led by the Facilitators.

In this paper the ICC offers eight (8) concrete proposals for wording for the final outcome document on the Council review process. In keeping with the Council’s established practices and unless otherwise indicated, the ICC proposals relate to national human rights institutions accredited in compliance with the Paris Principles (A status accreditation).

GENERAL SECTION OF THE OUTCOME DOCUMENT

PROPOSAL 1

General Assembly resolution 60/251 calls on the Human Rights Council to work in close cooperation with national human rights institutions and ensure their most effective contributions to its work.¹ The Secretary General and the General Assembly have since then continuously acknowledged the important role that NHRIs accredited in compliance with the Paris Principles have at the Human Rights Council, including for the UPR in both preparation and follow-up and with the Special Procedures.²

Building on agreed language from General Assembly and Council resolutions, the ICC offers the following wording for inclusion in the general section of the Council outcome document:

1. The Human Rights Council recognizes the important and unique role played by national human rights institutions accredited in compliance with the Paris Principles at the Human Rights Council, including for the UPR in both preparation and follow-up, and with the special procedures, and calls on the Human Rights Council to work in close cooperation with national human rights institutions and ensure their most effective contributions to its work.

¹ See GA resolution A/RES/60/251 in OP 5h and OP 11.
² See the most recent reports of the Secretary General on national human rights institutions A/HRC/7/69 (para. 56) and A/HRC/10/54 (para. 67), which welcome that “NHRIs accredited by the ICC as being in compliance with the Paris Principles, the ICC itself, as well as regional coordinating bodies of NHRIs, may participate and address the Council in an independent capacity and under all agenda items”. The General Assembly, in its resolutions on national human rights institutions adopted by consensus, has endorsed the Secretary General’s reports and recognized the important role played by national human rights institutions accredited in compliance with the Paris Principles at the Human Rights Council, including the UPR and the Special Procedures (resolutions A/RES/63/172 (PP 13 and OP 10) and A/RES/64/161 (PP 11 and OP 9).
PROPOSAL 2

The allocation of a separate section for NHRIIs accredited in compliance with the Paris Principles would enable NHRIIs to report on the State’s progress and their own work in partnership with the State in implementing UPR outcomes. The ICC supports that a separate section be allocated to NHRIIs accredited in compliance with the Paris Principles, in the understanding that all other NHRIIs, in conformity with the current practices, continue to be entitled to contribute to the UPR stakeholders’ report in the section provide for civil society.

The ICC proposes the following wording:

2. In the OHCHR summary on information provided by other relevant stakeholders a separate section should be included for the national human rights institution of the country under review that is accredited in compliance with the Paris Principles.

Proposal 3

Allocating speaking time to Paris Principles compliant NHRIIs during the review of their country at the Working Group on the UPR would allow the inclusion of an additional and independent national-level perspective. The proposed allocated speaking time for NHRIIs could be accommodated in the extra time that will be allocated to country reviews.

The ICC offers the following wording:

3. National human rights institutions accredited in compliance with Paris Principles, where appropriate, will be given an opportunity to participate in the review by the Working Group, including to present their contribution to the UPR.

Proposal 4

Enabling Paris Principles compliant national human rights institutions to take the floor immediately after their State during the Council’s discussion on the UPR report on their country would ensure that NHRIIS are active participants in, and can thereby inform, the
Council’s debate. Presently, Paris Principles compliant national human rights institutions take the floor at the end of the interactive dialogue.

The ICC offers the following wording:

4. National human rights institutions accredited in compliance with the Paris Principles, where appropriate, will be given the opportunity to express their views on the outcome of the review immediately after the State under Review.
SPECIAL PROCEDURES

Proposal 5

Enabling Paris Principles compliant NHRIs to speak immediately after their country during the relevant Special Procedures interactive dialogues will ensure that NHRIs can early on inform debate and decision-making. It would also maximize the Council’s use of NHRI expertise. Presently, Paris Principles compliant NHRIs address Special Procedures country mission reports at the end of the interactive dialogue.

The ICC offers the following wording:

5. Where a Special Procedures mandate holder addresses a country situation at the Council, the national human rights institution accredited in compliance with the Paris Principles of that country will be given the opportunity to speak immediately after the country concerned.

Proposal 6

National human rights institutions presently endorse candidates for Special Procedures. This should be recognized.

The ICC offers the following wording:

6. The following entities may endorse candidates as special procedures mandate holders: (a) Governments; (b) Regional Groups (…); (d) national human rights institutions and non-governmental organizations (…).
WORKING METHODS

Proposal 7

The Council has an obligation to facilitate the contributions of national level actors to its work. The introduction of video technology would help facilitate broad NHRI and civil society contributions to the Council. It would also facilitate the contributions of States that do not have permanent missions in Geneva and ease the financial burden on less developed countries.

The ICC supports the following wording:

7. The use of IT solutions, such as videoconferencing or video messaging, is encouraged in order to enhance access and participation by non-resident state delegations, specialized agencies, other intergovernmental organizations and national human rights institutions accredited in compliance with the Paris Principles, as well as non-governmental organizations, in accordance with the HRC rules of procedure.

Proposal 8

The ICC welcomes the establishment of a fund, which would support the participation of States that do not have permanent missions in Geneva and ease the financial burden on less developed countries. The ICC recommends that the fund equally support the participation of NHRI(s), especially those from less developed countries.

The ICC offers the following wording:

8. A fund will be established to support the participation of representatives for the least developed countries as well as national human rights institutions at the Council.