

NON-PAPER

**Compilation of recent documents in relation to the
enhancement of the working methods of
the Commission on Human Rights
(1999 – 2005)**

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Other relevant documents are:

- E/CN.4/1999/104, entitled “Report of the Bureau of the 54th session of the Commission on Human Rights submitted pursuant to Commission decision 1998/112 (the so-called “Selebi report”);
- E/CN.4/2000/112, entitled “Report of the inter-sessional open-ended Working Group on Enhancing the Effectiveness of the Mechanisms of the Commission on Human Rights”;
- ECOSOC resolution 1979/36 entitled “Further promotion and encouragement of human rights and fundamental freedoms”;
- ECOSOC resolution 1990/48 entitled “Enlargement of the Commission on Human Rights and the further promotion of human rights and fundamental freedoms”;
- ECOSOC decision 1993/286 entitled “Procedure for special sessions of the Commission on Human Rights”.

* See also document E/CN.4/2003/11 which contains the inputs received from regional groups and NGOs and thus serves as background material for E/CN.4/2003/118 and Corr.1

A. Chairperson's statement of 29 April 1999 on "Enhancing the effectiveness of the mechanisms of the Commission on Human Rights"

...

552. At the same meeting, the Chairperson, on behalf of the Commission, made the following statement concerning the **review of mechanisms of the Commission**:

"All participants in the Commission on Human Rights are conscious of the need to enhance the effectiveness of Commission mechanisms and are committed to making substantial and early progress in this regard. They acknowledge the importance of considering the issues involved in a comprehensive and integrated manner but also see benefit in incremental steps intended to advance the overall process.

"In this spirit, the Commission, at its fifty-fifth session, carefully considered the report on review of mechanisms submitted by the Bureau of the fifty-fourth session in accordance with the mandate contained in decision 1998/112 adopted by the Commission on 24 April 1998, following a statement by the Chairman. The Commission expresses its appreciation of the extensive report prepared by the Bureau after wide-ranging consultations. This report has moved the discussion on review of mechanisms forward significantly and the Commission is determined to maintain the impetus and proceed in a result oriented manner.

"Post-session work"

"Given the scope of the issues involved and the limited time available at the fifty-fifth session, the Commission decides to establish an inter-sessional open-ended working group under this item on enhancing the effectiveness of the mechanisms of the Commission to continue the comprehensive examination of the Bureau report as well as other contributions in this connection. So that work can get under way expeditiously, it is envisaged that the chair of the Working Group will be designated within a month of the conclusion of the fifty-fifth session. Regional coordinators are requested to consult in this regard as a matter of priority; these consultations should include the possibility of appointing one or more vice chairs of the Working Group.

"The Working Group will have a total of up to 15 meeting days at its disposal during the coming year. An early meeting should be convened to allow for the appointment of a chair as well as a decision on an appropriate rhythm of meetings. The Commission envisages that, given the time allocated during the coming year and the amount of preparatory work already done, the Working Group should be able to complete its work in advance of the fifty-sixth session of the Commission. The chair of the Working Group is requested to present a full report to the Commission at its fifty-sixth session, including recommendations for endorsement by the Commission.

"The Commission carefully considered the decision making basis on which the inter-sessional Working Group should operate. The value of a consensual approach was fully recognized; there were concerns, however, that a consensus requirement might impede progress in areas where a broad and representative majority wished to move forward. It was agreed that, as soon as the broadest possible agreement is reached on particular issues, all

participants in the Working Group will demonstrate a flexible and constructive approach in order to facilitate a consensual outcome. With this understanding, it was agreed that the Working Group should direct its efforts towards the formulation of recommendations on a basis of consensus. In reporting to the fifty-sixth session, the chair of the Working Group is invited to indicate how this approach to decision making has operated in practice.

“Decisions at the fifty-fifth session of the Commission/Guidance to the Working Group

“While providing for comprehensive and detailed post-session work, the Commission considered whether there were aspects of the Bureau report on which decisions might be taken at the fifty-fifth session. Additionally, because of the time frame within which the Working Group will operate, the Commission was anxious to give clear guidance with regard to issues on which the Working Group should concentrate. The outcome of the Commission consideration of each section of the Bureau report is summarized below.[†]

(a) Special procedure mandates

“The Commission agreed on the following steps to be implemented immediately:

“(i) To ensure prompt implementation of special procedure mandates, the Commission shall propose to the Economic and Social Council to include in its organizational session in May consideration of any proposals regarding special procedure mandates adopted at the annual session of the Commission on Human Rights. (recommendation 4);

“(ii) To help maintain appropriate detachment and objectivity on the part of individual officeholders, and to ensure a regular infusion of new expertise and perspectives, any individual’s tenure in a given mandate, whether thematic or country specific, will be no more than six years. As a transitional measure, officeholders who have served more than three years when their current mandates expire will be limited to at most three years of further renewals in these posts. Reassignment of individuals to other mandates will be considered only in exceptional circumstances (recommendation 6);

“(iii) To seek to address current difficulties regarding documentation, the special procedures should continue to submit their reports whenever possible by mid-December; unedited advance copies should be made available to all interested parties by the Office of the United Nations High Commissioner for Human Rights; all of the special rapporteurs, representatives, experts and working groups should include an executive summary of no more than three or four pages; these summaries should be given highest priority in translation and processing so as to have them available as far in advance as possible of the Commission sessions. Any written update to the reports should be kept as brief as possible (recommendation 8 (a)-(e));

“As regards responsibility for appointments to special procedure posts and duration of mandates of mechanisms, the Commission considers current practice broadly satisfactory but is prepared to consider any recommendations from the inter-sessional Working Group. (recommendations 3 and 5);

[†] For ease of reference, the Bureau recommendation which addresses the relevant issue is indicated in each case; citation does not imply acceptance of the recommendation.

“Taking account of the above, the Commission requests the Working Group to focus in particular on the following areas in preparing recommendations for action at the fiftysixth session:

“(i) How to rationalize and strengthen the Commission’s network of thematic special procedures (recommendation 1);

“(ii) How to support the mechanisms in responding urgently and effectively when allegations or concerns of serious human rights violations, requiring immediate clarification and/or relief measures, are brought to their attention (recommendations 2 and 8 (f));

“(iii) How to make consideration of reports of the special mechanisms at the Commission sessions more meaningful. Issues arising in this context include (a) a more focused and systematic dialogue on observations and recommendations,(b) discussion of follow-up of current and past recommendations, and (c) consideration of situations involving failure or denial of cooperation by Governments (recommendations 7 and 9);

“(iv) How to ensure that, between annual sessions of the Commission, there is effective ongoing follow-up on the recommendations of special procedures and related conclusions of the previous Commission session (recommendation 10).

“(b) Procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII)

“The Commission agrees that the purposes for which the procedure in accordance with Economic and Social Council resolution 1503 of 27 May 1970 was designed to serve remain valid but that the present procedure requires significant overhaul. Next year, marking the thirtieth anniversary of the establishment of the current procedure, would be an appropriate occasion to implement change. The intersessional Working Group is therefore requested to prepare recommendations on the 1503 procedure for decision at the fifty-sixth session, taking account of the detailed suggestions contained in the Bureau report (recommendation 11);

“(c) Sub-Commission on Prevention of Discrimination and Protection of Minorities

“While fully valuing the distinctive role of and contribution of the Sub-Commission over its more than 50-year history, the Commission considers that it too is in need of thorough review. Symbolizing the intention to proceed to change, and also so as to reflect better the scope of the Sub-Commission, the Commission agrees to recommend to the Economic and Social Council an immediate change of title to ‘Sub-Commission on the Promotion and Protection of Human Rights’.

“The Commission requests the Working Group to draw up recommendations for change for submission to the fifty-sixth session, taking account of recommendation 12 of the Bureau report. In drawing up its recommendations, the working group should focus on the role and mandate of the Sub-Commission (bearing in mind the need to avoid duplication with the Commission and the central importance of the Sub-Commission’s original role as a source of research, studies and expert advice), its composition (size, independence and expertise of membership, geographical balance) and questions of effectiveness and efficiency, including the duration of meetings.

“(d) Standard setting

“The Commission notes that recommendation 13 of the Bureau report identifies a number of important issues including (a) laying the groundwork for standard setting working groups; (b) establishing time frames; (c) method of decision making;(d) role of chairs of such working groups. The Commission requests the Working Group to study these issues further and to prepare a recommendation for consideration at the fifty-sixth session.

“Conclusion

“The Commission once again underlines the importance it attaches to the strengthening of mechanisms, its strong desire that the Working Group should proceed in an expeditious and constructive manner, and its intention to mark next year’s session with the adoption of a coherent and substantial set of measures aimed at enhancing the effectiveness of the Commission.”

...

B. Decision 1999/256 of the Economic and Social Council

Rationalization of the work of the Commission on Human Rights

At its 42th plenary meeting, on 27 July 1999, the Economic and Social Council, taking note of the statement agreed on by consensus by the Commission on Human Rights, made by the Chairperson of the Commission on 28 April 1999, endorses the Commission's decisions contained therein:

- (a) To establish an inter-sessional open-ended working group, under the agenda item entitled "Rationalization of the work of the Commission", on enhancing the effectiveness of the mechanisms of the Commission to continue the comprehensive examination of the report submitted by the Bureau as well as other contributions in this connection;
- (b) To authorize the working group to meet for a total of up to 15 working days, prior to the fifty-sixth session of the Commission;
- (c) To request the Chairperson of the working group to present a report to the fifty-sixth session of the Commission, including recommendations for endorsement by the Commission.

The Council approves the recommendations of the Commission that:

- (a) The Council include in its resumed organizational session consideration of any proposals regarding special procedures or mandates adopted at the annual session of the Commission;
- (b) The title of the Sub-Commission on Prevention of Discrimination and Protection of Minorities be immediately changed to "Sub-Commission on the Promotion and Protection of Human Rights".

C. Decision 2000/109 of the Commission on Human Rights

Enhancing the effectiveness of the mechanisms of the Commission on Human Rights

At its 67th meeting, on 26 April 2000, the Commission on Human Rights decided, without a vote:

(a) To approve and implement comprehensively and in its entirety the report of the Inter-sessional open-ended working group on enhancing the effectiveness of the mechanisms of the Commission (E/CN.4/2000/112) (see annex below) adopted by consensus by the Working Group on 11 February 2000;

(b) Recalling the Chairperson's statement of 22 March 2000, to emphasize the importance and relevance to its work of all aspects of the report, including the general approach outlined and the specific considerations set out in the individual chapters;

(c) To facilitate the implementation of the report of the Working Group in its entirety, to transmit to the Economic and Social Council the following specific draft resolution and draft decisions which require the approval of the Council.

[For the text, see chap. I, sect. A, draft resolution 4, and sect. B, draft decision 46.]

ANNEX

Report of the Inter-sessional open-ended working group on enhancing the effectiveness of the mechanisms of the Commission on Human Rights

Introduction

1. The Working Group met for a total of 15 days (28 September-1 October 1999, 6-10 December 1999, 18-19 January 2000, 7-11 February 2000). The purpose of the Group, as made clear in its title, was to enhance the effectiveness of the mechanisms of the Commission on Human Rights. The basis for its work was the statement by the Chairperson of the fifty-fifth session of the Commission approved by consensus by the Commission on 29 April 1999. The present report to the Commission was adopted by the Working Group on the basis of consensus, in accordance with the approach outlined in the Chairperson's statement.

2. The Working Group had before it the report of the Bureau of the fifty-fourth session of the Commission (E/CN.4/1999/104) and a range of other inputs. The documents tabled during the Working Group meetings are listed in the annex.

3. The Working Group expresses its appreciation to the representative of the Sub-Commission on the Promotion and Protection of Human Rights and to the representatives of the special rapporteurs, special representatives and independent experts for their participation in the relevant parts of the discussion.

CHAPTER ONE

General approach

4. The Working Group wishes to outline some features which characterized its deliberations:

- (i) A coherent approach. In keeping with its mandate, the Working Group sought to proceed in a manner which was focused and result-oriented, while at the same time maintaining the

necessary coherence and comprehensiveness. It gave particular attention to the specific areas identified in the Chairperson's statement of 29 April and this report contains a series of recommendations in these areas. The Working Group, however, was conscious throughout that the United Nations machinery for protecting and promoting human rights is extensive and complex and that none of the component parts functions in isolation from each other. It therefore situates its report in this wider context.

- (ii) Conceptual consistency. The Group also sought to ensure that its recommendations to the Commission would be underpinned with a conceptual consistency.
 - In addition to recommendations on specific mandates, it proposes some general criteria which would help to guide decision-making on the rationalization of current and the establishment of future mandates.
 - In a variety of instances (elections to the Sub-Commission; continuance both of special procedures working groups and Sub-Commission working groups rather than replacement by special rapporteurs), it has favoured the maintenance of approaches which were felt to be more democratic and representative than the proposed alternatives.
 - It also has sought to adopt a consistent approach in seeking to balance the benefits of continuity with the benefits of renewal: following the decision of the Commission at its fifty-fifth session to introduce time limits for Special Rapporteurs, the Working Group recommends time limits for membership of special procedures working groups.
- (iii) Balance. The balance to be struck between civil and political rights and economic, social and cultural rights was a recurring theme in the Group's work. The Group was agreed that, while a mathematical approach was inappropriate, it was reasonable to expect that the accepted equal importance of both sets of rights should find a broad reflection in the United Nations human rights machinery. This underlying consideration conditions a number of the comments and recommendations made in the report.

The Commission's network of special procedures

5. The Group agreed that the network of thematic special procedures is in need of rationalization and strengthening and that this requires a multi-pronged approach. Its recommendations on rationalization are contained in paragraphs 12 to 22 below. Other issues of relevance considered by the Group include selection of the mandate holders, quality of support to the mandates from the Office of the High Commissioner for Human Rights and coherence in the work of the Rapporteurs. Its recommendations in these areas are set out in the following paragraphs.

Selection of mandate holders

6. To assist in the selection of the most suitable individuals to hold mandates, a list of possible candidates should be maintained by the Office of the High Commissioner for Human Rights. The list should comprise the names and curricula vitae of highly qualified individuals who would be suitable and willing to serve as rapporteurs in particular areas. The list should be constantly updated and every effort made to ensure that it is representative of different geographical areas and different legal systems, as well as having a gender balance. To ensure as extensive a list as possible, contributions should be encouraged from States and from all appropriate sources including non-governmental organizations in consultative status with the Economic and Social Council; the Secretariat is also encouraged to contribute names of suitable persons. The list should be posted on the Web site of the Office of the High Commissioner for Human Rights (OHCHR), as well as being available at the Office.

7. Selection of mandate holders will continue to be the responsibility of the Chairperson following formal consultation with the Bureau and the regional groups through the regional coordinators. In appointing mandate holders, the professional and personal qualities of the individual - expertise and experience in the area of the mandate, integrity, independence and impartiality - will be of paramount importance. Due regard should also be had to an overall geographical and gender balance among the mandate holders, as well as to ensuring familiarity with different legal systems. The Chairpersons would give priority consideration to suitable names on the list;

however, this should not exclude - exceptionally, if the requirements of a particular post justify it - consideration of additional nominations put forward for a specific vacancy. An individual should not hold more than one mandate at a given time.

Support to mandate holders

8. It is acknowledged that the level of support available to the mechanisms is not commensurate with their activities and the importance of their responsibilities. The Working Group considers the financial situation of OHCHR needs to be significantly improved through increased contributions from the United Nations regular budget, so as to ensure collective responsibility and an adequate allocation of resources to all mandates. In this respect, it reaffirms that the procedure set out in General Assembly resolution 41/213 regarding the financing of mandated activities and programmes should be applied. The Working Group notes that improved provision from the regular budget can be importantly supplemented by increased voluntary funding.

9. The Group also underlines the importance of a balanced allocation of resources at OHCHR, consistent with the High Commissioner's emphasis on the equal priority to be accorded to civil and political rights and economic, social and cultural rights. It notes the High Commissioner's call for voluntary contributions to be unearmarked as far as possible so as to offer improved flexibility in resource allocation within the Office. It welcomes and encourages regular briefings by the Office on resource availability and allocation.

Coherence in the work of rapporteurs

10. The Working Group underlines the independence and individual responsibility of each mandate holder. However, some organizational aspects of their work will continue to benefit from collective consideration at the annual meeting of special rapporteurs and other special procedures. The Group encourages the mandate holders to develop fully the potential of this forum.

11. The Working Group notes the work currently under way in the General Assembly concerning a possible code of conduct for experts on mission and United Nations officials other than Secretariat staff. The Group encourages the special rapporteurs to continue to follow this exercise closely and requests that they report, through the Chairperson of their annual meeting, to the Commission at its fifty-seventh session.

Rationalization of mandates: general criteria

12. The Working Group was conscious of the competing considerations involved in approaching the question of rationalization of mandates. The Commission clearly must be responsive to human rights imperatives; where human rights violations exist, mechanisms focus attention and have the potential to bring about important improvement. At the same time, the increasing number of mandates can create difficulties in terms of overlap and inadequate support services, as well as straining the capacity of States to absorb the output.

13. The Working Group considered that certain general criteria should guide decision-making on rationalization of mandates. It sees these general criteria as providing useful points of reference rather than being applied with automaticity; the criteria also need to be considered in relation to one another rather than in isolation. It recommends that the criteria to apply at times of creating, merging or terminating mandates would include:

- (i) Mandates should always offer a clear prospect of an increased level of human rights protection and promotion;
- (ii) The balance of thematic mandates should broadly reflect the accepted equal importance of civil and political rights and economic, social and cultural rights;
- (iii) Every effort should be made to avoid unnecessary duplication;
- (iv) In creating or reviewing mandates, efforts should be made to identify whether the structure of the mechanism (expert, rapporteur or working group) is the most effective in terms of increasing human rights protection;
- (v) Any consideration of merging mandates should have regard to the content and predominant functions of each mandate, as well as to the workload of individual mandate holders.

The Group is agreed that an objective and thorough review of all mandates should be conducted periodically by the Commission. A key question in the review should be the continued need for a mandate in terms of continued human rights violations in the thematic area concerned or continued situations of human rights violations in the country concerned.

Rationalization of existing mandates

Recommendations on specific proposals in the report of the Bureau of the fifty-fourth session of the Commission:

(vi) Merge the mandate of the independent expert on structural adjustment and the Special Rapporteur on foreign debt;

14. The Working Group noted the fact that the independent expert on structural adjustment and the Special Rapporteur on foreign debt had worked very closely together and had submitted a joint report to the Commission at its fifty-sixth session. The synergies between the mandates are considerable and there are good grounds to believe that a merger would strengthen the coverage of the range of issues involved. Accordingly, and taking account of the resignation of the Special Rapporteur on foreign debt, the Working Group recommends that the independent expert be given both mandates and retitled the independent expert on structural adjustment and foreign debt.

(vii) Convert the mandate of the Special Rapporteur on the adverse effects of the illicit movement of toxic waste into that of special rapporteur on human rights and the environment;

15. The Working Group noted the proposal to convert the mandate of the Special Rapporteur on toxic waste into that of Special Rapporteur on human rights and the environment. This mandate was created in 1995, renewed in 1998 and is due for further renewal in 2001. The Working Group recommends that the Commission be prepared to consider a broadening of the mandate at that time. The subject matter of an extended mandate would, however, need to be more precisely defined than "human rights and the environment".

(viii) Transform the Working Group on Arbitrary Detention into a special rapporteur on arbitrary detention;

Transform the Working Group on Enforced and Involuntary Disappearances into a special rapporteur on disappearances;

16. The Working Group considers that there is benefit in having these issues dealt with by working groups (each comprising five experts from different regions) rather than by individual rapporteurs. It therefore recommends that the Working Groups continue.

17. The Group is conscious of the expertise, dedication and worthwhile contribution made by the members of the two groups. It considers, however, that turnover in membership of these groups is important for ensuring renewal and enabling over time a wide variety of experts to make their contributions.

18. It notes that the Working Group on Enforced and Involuntary Disappearances was created in 1980. Three of the five members have served continuously since that date, the two others joining in 1988 and 1993 respectively. The Working Group on Arbitrary Detention was created in 1991 and all five members have served since that date.

19. The Working Group recommends that the same time limits - two terms of three years - should apply for membership of special procedures working groups as for rapporteurs.

20. It recognizes that in order to provide continuity transitional measures will be necessary in the case of the two working groups. It recommends that the turnover in both groups should be accomplished in incremental steps over a three-year transition period. A replacement of two members in year one, two in year two and one in year three would provide for continuity during the transitional period.

- (ix) **Terminate the mandate of the Special Rapporteur on the use of mercenaries and recommend that this matter henceforth be considered directly in the General Assembly (Sixth Committee);**

21. The Group is not in a position to make a recommendation on this issue. It notes that the mandate is due for renewal in 2001 and recommends that all options - continuation, adjustment, termination - be further examined to enable a considered decision to be taken at that time.

- (x) **Terminate the mandate of the Sub-Commission's Working Group on Contemporary Forms of Slavery and transfer those responsibilities which are not addressed by existing mechanisms to a new special rapporteur on contemporary forms of slavery.**

22. The Group recommends the retention of this Working Group; however, it also recommends that steps be taken immediately to make the Working Group more focused and more effective. The agenda should be streamlined to remove duplication with items dealt with by rapporteurs. Taking account of a more focused agenda, meetings of the Working Group should be reduced to five days from the present eight days. Steps should also be taken to encourage wider attendance and wider circulation of reports.

CHAPTER TWO

How to support the mechanisms in responding urgently and effectively when allegations or concerns of serious human rights violations, requiring immediate clarification and/or relief measures, are brought to their attention

How to make consideration of reports of the special mechanisms at the Commission sessions more meaningful

How to ensure that, between annual sessions of the Commission, there is effective ongoing follow-up on the recommendations of special procedures and related conclusions of the Commission at its previous session

23. The Working Group decided, because of the relationship between the above three issues, to convey its recommendations in a single chapter.

24. The Working Group is agreed that the special mechanisms are crucial to the functioning of the Commission on Human Rights. It is therefore essential that they are properly supported, that they work effectively and that appropriate weight is given to their recommendations.

25. The Working Group noted that a majority of Governments extend cooperation to the mechanisms in all activities necessary to the fulfillment of their mandates. Refusal of cooperation occurs only in a minority of cases. These refusals, however, must be a cause of serious concern. In such cases, steps to encourage a more cooperative response are critically important and should be carefully considered by the Commission. A clear statement by the Government concerned of its reasons for lack of cooperation will facilitate efforts to overcome the problem.

Urgent responses

26. The Working Group considers that the human rights machinery of the United Nations is particularly tested at a time when there are allegations of an urgent situation of serious human rights violations requiring immediate attention in any part of the world. It notes that a special session of the Commission on Human Rights, convened in accordance with the relevant rules of procedure, is one possible response. Separate from intergovernmental responses, one or more of the thematic or country-specific rapporteurs concerned may request an immediate visit. Such requests, precisely because they arise in such difficult circumstances, should always be approached with great seriousness by the rapporteurs and equally treated with great seriousness by the Governments concerned.

27. A very large number of urgent appeals is issued each year by thematic and country-specific rapporteurs. The purpose of these appeals is to strengthen human rights protection in situations giving rise to

immediate concern. The Working Group underlines that the quality and credibility of the urgent appeal process is crucial to its effectiveness and notes the steps planned by OHCHR in this regard. It emphasizes that rapporteurs should coordinate closely with the Office to ensure that (i) facts providing the basis for the urgent appeal are clearly set out (ii) there is exchange of information to ensure that rapporteurs do not issue parallel appeals without full knowledge of any other appeal being made to the Government concerned.

28. For their part, Governments to which urgent appeals are addressed should understand the gravity of the concern that underlies these appeals and should respond as quickly as possible. The Working Group recommends that the special procedures should be supported in instances where difficulty is being experienced in securing governmental responses to urgent appeals. It encourages the High Commissioner for Human Rights to continue in these instances to assist in seeking to promote the establishment of fruitful dialogue and cooperation between the Government and the special procedure concerned.

How to make consideration of reports of the special mechanisms at the Commission sessions more meaningful

29. The Working Group considers that the level of attention which the reports of the special mechanisms currently receive at Commission sessions is inadequate. The steps decided on at the fifty-fifth session of the Commission in relation to documentation (including executive summaries of reports and advance availability of unedited reports) should help delegations to better prepare for the discussion at Commission sessions.

30. The Working Group considers that some further steps can help to improve the quality of dialogue on the rapporteurs' reports at the Commission sessions. A more meaningful discussion is likely if Governments which have received visits from rapporteurs are in a position to comment in detail on the reports and if the debate at the Commission has a more interactive character than at present. It therefore recommends as follows:

- (xi) There should be a consistent practice among country-specific rapporteurs and thematic rapporteurs who are including country-specific sections in their report, of making the texts of their reports available to the representatives of countries visited sufficiently in advance to allow a reasonable opportunity for comment. Comments by the Governments concerned should be made available as an official document, either as an annex to the report or, if this is not feasible for practical reasons, as a separate document to be circulated at the same time as the report.

The definition of a "reasonable opportunity" to comment needs to be approached in a spirit of mutual understanding. Rapporteurs should understand that preparation of comments by Governments can often require inter-departmental consultation and therefore be time consuming. Governments for their part should understand that rapporteurs are often working to tight deadlines with limited support. A "reasonable opportunity" should normally be interpreted as a minimum of six weeks (with reports being made available, in unedited form if necessary, if possible in the relevant official language); if such an interval has not been possible, there should be a good reason, which the rapporteur should explain at the Commission.

- (xii) The Working Group considers that there would be important benefits in having more interactive debate on the reports of rapporteurs. It recommends that time be made available for such debate in the course of the Commission session, immediately following presentation of the report by the mandate holder.

Discussion of follow-up of current and past recommendations and consideration of situations involving failure or denial by Governments

31. The Working Group agrees that cooperation between the Governments and the rapporteurs should be seen as a process; for the rapporteurs and for the Commission itself, knowledge about the extent of follow-up of earlier recommendations is essential to considering how the process is to be developed. The Working Group discussed how a clearer picture might emerge in this regard.

32. The Working Group considers that steps agreed at the fifty-fifth session of the Commission and recommendations contained elsewhere in the present report would lead to a stronger sense of where progress has

been made and where problems persist. The executive summaries of reports should help to focus discussion. Rapporteurs should structure their executive summaries so that salient points are identified; comments (positive or negative) on follow-up and comments about the degree of cooperation by Governments are likely to be among the issues to which attention is directed. If there is standard formatting of executive summaries, a section on follow-up is likely to become part of the standard format. In addition, with more systematic and interactive dialogue at Commission sessions, consideration of follow-up or failures will inevitably receive attention as part of that dialogue.

How to ensure that, between annual sessions of the Commission, there is effective ongoing attention to the recommendations of the special procedures and related conclusions of the Commission at its previous session

33. The cycle of meetings (the Commission session in spring; the United Nations General Assembly in autumn) is such that the Third Committee of the General Assembly is well placed to consider developments in the interim since the Commission session. Given the significant overlap both in agenda and in attendance between the Commission and the Third Committee, the Working Group considers that there is scope for a more dynamic sense of connection between the two. In particular, the Group recognizes the rationale for some form of enhanced preparation in Geneva so as to ensure that all delegations have relevant information available to them in their preparations for the Third Committee.

34. The Working Group therefore recommends that the Chairperson of the Commission should convene a one-day informal meeting of the Commission in late September each year specifically to facilitate exchange of information in advance of the General Assembly. The meeting, which would not have a formal outcome, would have an agenda comprising those issues which had been dealt with at the previous Commission session and which were also on the provisional agenda for the Third Committee. Each item would be focused on briefly, with information from the Secretariat on any developments since the Commission session, and an opportunity for comment by government representatives, including any indication of intentions for tabling resolutions in the Third Committee.

CHAPTER THREE

1503 procedure

35. The Working Group is convinced of the value of the 1503 procedure as a channel for individuals and groups to bring their concerns about alleged human rights violations directly to attention. It considers that the objectivity, impartiality and confidentiality of the process must be maintained in any reform. It believes, however, that the system can be made considerably more efficient without sacrifice of these essential characteristics. It submits recommendations both on the phase preceding the Commission deliberations and the deliberations at the Commission itself.

Phase preceding Commission deliberations

36. The Working Group recommends that the present three stages preceding the Commission deliberations should become two stages. It believes that this would continue to provide the careful filtering necessary, but would reduce the overly long delays in the present process. The two stages would comprise (i) the Working Group on Communications and (ii) the Working Group on Situations.

37. The Working Group on Communications (WGC) would comprise five independent experts, members of the Sub-Commission on the Protection and Promotion of Human Rights, geographically representative of the five regional groups. All members of the Sub-Commission would be eligible for membership, with an appropriate rotation of membership encouraged.

38. The WGC would meet annually immediately following the Sub-Commission, examine the communication received and any government responses, and prepare its report, including recommendations as to which situations should be referred to the Working Group on Situations.

39. To assist the efficiency of the process, the secretariat would screen out manifestly unfounded communications with the approval of the WGC Chair; monthly confidential summaries would be sent to all WGC members through secure means.

40. The Working Group on Situations (WGS) would comprise, as at present, five members nominated by the regional groups, with due attention being paid to rotation in membership. The WGS would meet at least one month prior to the Commission, so as to enable the secretariat to make confidential papers available at least one week in advance of the session. The Working Group on Situations would examine the report of the Working Group on Communications, determine whether or not to refer a situation before it to the Commission, and prepare a report identifying the main issues of concern. In referring a situation to the Commission, the WGS should normally present a draft resolution or decision on the situation.

Proceedings at the Commission

41. The Working Group considers that the consideration of 1503 situations at the Commission should be made more meaningful. It recommends two closed sessions to consider the recommendations of the Working Group on Situations.

At the first session, each country concerned would be invited to make opening presentations. A discussion would then follow between members of the Commission and the country concerned, based on the contents of confidential files and the report of the WGS.

In the interim between the first and second sessions, any member or members of the Commission could submit an alternative or an amendment to any texts forwarded by the WGS. Any such draft texts would be circulated confidentially by the Secretariat in accordance with the rules of procedure in advance of the second meeting.

At the second session, members of the Commission would discuss and take action on the draft resolutions or decisions. The Chairperson of the Commission would subsequently announce in public session which countries had been examined under the 1503 procedure, as well as the names of countries no longer being dealt with under the procedure. The 1503 dossiers would remain confidential, except where the Government concerned had indicated a wish that they become public.

CHAPTER FOUR

Sub-Commission on the Promotion and Protection of Human Rights

42. The Working Group recognizes that the Sub-Commission has made an extremely valuable contribution to the human rights work of the United Nations over the past 53 years. As a body of independent experts, its analysis and perspectives add an important dimension to the work of the Commission. The Working Group considers, however, that there is need for clarification and adjustment of the mandate of the Sub-Commission.

43. The concern to safeguard the independence of the Sub-Commission was a predominant theme in the discussions of the Working Group. The Group emphasizes that the independence of the membership is a defining characteristic of the Sub-Commission; to the extent that there is any perception that its independence is eroded, the credibility of the Sub-Commission and hence the influence that it can bring to bear on human rights issues is weakened.

Membership issues

(i) Election of members

44. The Working Group recommends that the Sub-Commission members continue to be elected according to the procedures currently in place. It considers that election of the membership is more transparent and democratic than appointment.

(ii) Safeguarding independence

45. Because of the complexities of the issue, the Working Group stops short of defining the categories of employment which would exclude candidates from eligibility for election to membership of the Sub-Commission. However, it emphasizes that persons putting their candidacies forward for membership, and

Governments in electing the membership, should be conscious of the strong concern to ensure that the body is independent and is seen to be so.

46. Members of the Sub-Commission should maintain the highest integrity and impartiality and avoid acts which would affect confidence in their independence.

(iii) Duration of membership

47. In paragraph 4 above, the Working Group emphasizes the need for a balanced accommodation of the benefits of continuity and the importance of renewal. As with the principle of independence discussed above, the Working Group emphasizes that this should be borne in mind by persons putting their candidacies forward for membership and by Governments in electing the membership.

(iv) Size of membership

48. The Working Group considered the question of the optimum size of the Sub-Commission. To ensure effectiveness, numbers should be kept to the minimum necessary. However, the Sub-Commission should have sufficient numbers to ensure it is both geographically representative and representative of different legal systems;

there must also be a sufficient pool of experts to staff the working groups of the Sub-Commission. Having weighed the various considerations, the Working Group recommends that the Sub-Commission remain at its present size of 26 members.

Mandate

(i) Oversight by the Commission

49. The Working Group considered that the role of the Commission in its oversight and determination of priorities of the Sub-Commission should be strengthened. In assigning projects, the Commission should ensure that it gives clear direction to the Sub-Commission, taking care to avoid duplication with work being carried out by other competent bodies and mechanisms. The Commission, at its fifty-sixth session, should undertake an initial review of the tasks currently being performed by the Sub-Commission; thorough reviews should subsequently be carried out by the Commission periodically.

50. The principal attention of the Sub-Commission should be given to the elaboration of studies and research and to providing expert advice at the request of the Commission. The Commission, in considering the assignment of work, should take into account relevant proposals from the Sub-Commission. The Sub-Commission should retain some right of initiative in carrying out research and studies. However, such work at its own initiative should comprise a modest percentage of the Sub-Commission's work and should also take full account of the need to avoid duplication with work being undertaken by other competent bodies.

(ii) Country situations/thematic resolutions with a country focus

51. The Working Group also discussed the question of consideration of country situations by the Sub-Commission. It is conscious that resolutions on country situations risk duplication with the work of the Commission and creating a perception of politicization of independent experts. At the same time, it accepts that there could be a loss in human rights terms if the Sub-Commission were unable to give any consideration to specific country situations.

52. The Working Group therefore recommends that the Sub-Commission should continue to be able to debate country situations not being dealt with in the Commission. It should also be allowed to discuss urgent matters involving serious violations of human rights in any country. However, the Sub-Commission should not adopt country-specific resolutions; its discussions would be reflected in the summary records of the debate, which should continue to be forwarded to the Commission.

53. The Working Group is conscious of the important range of issues which have been the subject of thematic resolutions adopted by the Sub-Commission. However, consistent with the independent expert

character of the Sub-Commission as a think-tank, the Working Group recommends that it refrain from negotiating and adopting thematic resolutions which contain references to specific countries.

(iii) Standard setting

54. The Working Group envisages a potential role for the Sub-Commission in standard setting, as set out in paragraph 58 below.

(iv) 1503 procedure

55. As is clear from the recommendations in Chapter Three of this report, the Working Group recommends that the Sub-Commission as a whole cease to have a role in the 1503 procedure.

Duration of annual session

56. Taking account *inter alia* of the changes in the mandate of the Sub-Commission, the Working Group recommends that the annual session of the Sub-Commission should be of three weeks' duration.

CHAPTER FIVE

Standard setting

57. The Working Group considers that standard-setting will continue to be one of the central functions of the Commission on Human Rights. It recommends that the sequence of steps involved in formulating and adopting new standards should be as follows.

(i) Advance preparation

58. Before referring any matter to a working group the Commission should, where the necessary groundwork has not otherwise been undertaken, consider requesting the Sub-Commission to undertake a study on the question at hand and to prepare a draft text which should include a comprehensive analysis, with substantive comments, of the instrument envisaged. Among the issues to be addressed in any such study, and in the Commission's deliberations on whether to proceed, careful consideration should be given to the purposes of any drafting exercise and to the guidelines set out in General Assembly resolution 41/120.

(ii) Conduct of working groups

59. With the authorization of the working group concerned, all chairpersons should have standing authority to have informal contacts and consultations between meetings with a view to advancing progress in respect of the working group's mandate. If the working group considers it appropriate, and in consultation with OHCHR, chairpersons should be provided with the necessary financial resources to undertake these tasks. Chairpersons receiving such assistance should strive to conduct the informal consultations in the most cost-effective manner. Delegations should be kept informed of the progress of these consultations, including a briefing at the start of each session of the working group.

(iii) Time limits for standard setting

60. In creating any standard-setting working group, the Commission should consider a specific time-frame within which the group would be called upon to complete its task. This could vary, depending on the complexity of the issue and the nature of the instrument. However, in most instances, the established time-frame should not in principle exceed five years. If, by the end of this time-frame, the working group has not been able to achieve the desired result, the Commission should consider the following options:

Extending the mandate;

Providing for a period of reflection (such as one or two years); during this period, chairpersons should continue to consult widely and where possible provide the Commission with papers on an envisaged outcome;

Examining the working methods of the particular working group (taking into account the format of the report, annexes to the report, chairperson's perception paper, etc.).

CHAPTER SIX

Working methods of the Commission

61. Comments and recommendations in earlier sections of this report have related to various aspects of the working methods of the Commission. The Working Group acknowledges the role of the Bureau in considering organizational and administrative aspects of the Commission's work, particularly the question of time management at annual sessions. It encourages the Bureau to continue to explore proposals for improvement in these areas, to be brought before the Commission for approval as appropriate.

62. The Working Group recommends that the question of agenda reform should be kept under review. A new agenda was in place for the fifty-fifth session of the Commission; the Working Group considers that a review of the experience with the new agenda - including the scope for possible further reclustered items - would be timely at the latest after the fifty-seventh session.

63. The Working Group considered the questions of documentation at the annual session and the methodology for holding consultations on resolutions. In both of these areas, the Working Group is conscious of a certain tension. If the work of the session is to be serious, well-prepared, and provide all delegations with an opportunity for full participation, documentation needs to be available well in advance and its bulk should not overwhelm the absorption capacity of delegations. Equally, to ensure the most relevant and meaningful outcomes, the process of advance consultation on resolutions should offer scope for involvement by all interested delegations. On the other hand, the Working Group wishes to avoid any straitjacketing of procedures which might result in urgent situations of serious human rights abuse not receiving the attention they warrant at the Commission. It also acknowledges that any recommendation for changes in the approach to consultations must take realistic account of the pressures of working within the time constraints of the annual session.

Documentation

64. On documentation, the Working Group underlines the importance of compliance with the six-week rule for the availability of reports and to General Assembly resolution 53/208, which specifies the length of reports. In any situation where there has not been compliance with these provisions, there should be good reason, which should be explained to the Commission. The Working Group also refers to paragraph 30 above concerning the inclusion of government comments in country-specific reports by rapporteurs.

Consultations on resolutions

65. The Working Group is conscious that, while resolutions are a key outcome of Commission sessions, a disciplined approach is required if each text is to receive the attention it deserves in terms of preparation and follow-up. This discipline is required in relation both to numbers and length of resolutions. As to numbers, the Working Group recommends that biennialization be considered of as many thematic resolutions as possible. All resolutions should be kept under periodic review, with a view to termination of a resolution if the circumstances giving rise to it no longer apply. As to length, the Working Group notes that if texts are to be accessible and meaningful, they need to be drafted as clearly and succinctly as possible.

66. The Working Group also recommends that every effort be made to give as much advance notice as possible of the tabling of resolutions. As a matter of general practice, (i) an indication of thematic resolutions to be tabled should be made available in advance of the Commission and (ii) in the case of draft resolutions on the human rights situation in specific countries, the delegations concerned should be informed no later than the first week of the session. It is understood that, where resolutions are being tabled principally in response to developments which have arisen in the course of the session, such advance notice will not be feasible. However, in these situations, delegations initiating texts should still give as much advance notice as possible and should explain, in introducing the texts at the Commission, the particular circumstances which led to the tabling of texts on short notice.

67. As regards informal consultations on texts, the Working Group recommends that increased efforts be made to avoid parallel consultations on different texts. The secretariat should be informed of scheduled consultations; delegations planning to convene consultations should check the secretariat list and make the most committed efforts to avoid overlap. Announcements of consultations should be made in plenary, making clear whether they are intended for potential co-sponsors or are open to all.

Annual theme

68. The Working Group favours the continuation of the recent practice of choosing a particular theme for one day of special dialogue at the session. It recommends that the theme be chosen in Bureau discussions by the Chairperson, in consultation with all the regional groups; the choice should take into account the annual theme decided on by the General Assembly for its activities.

Office of the High Commissioner for Human Rights

69. A number of the recommendations in this report refer directly to or have implications for the Office of the High Commissioner for Human Rights. Attention is specifically drawn to paragraph 8 above relating to the provision of support to mandate holders. The Working Group is conscious that the effectiveness of OHCHR is a crucial element in the overall effort to enhance the effectiveness of the Commission and its mechanisms. It recognizes that, in turn, the effectiveness of the Office depends on the availability of adequate resources, human and financial, and the optimum use of these resources.

70. The Working Group, recognizing that dramatic increases in tasks facing the Office over recent years have not been accompanied by a proportionate increase in resources, repeats the need for significant improvement in this regard. It also considers it important that the distribution of available resources within the Office should be balanced; that best United Nations practice should be followed in the recruitment of staff; and that the professionalism and impartiality of the staff should be of the highest standard if the Office is to achieve its full potential in strengthening human rights protection worldwide.

Consideration of this report by the Commission

71. The Working Group recommends that this report be considered at the earliest appropriate time at the fifty-sixth session of the Commission and, if acceptable, approved in its entirety through a single decision.

Annex

DOCUMENTS AVAILABLE OR TABLED DURING THE THREE SESSIONS OF THE WORKING GROUP ON ENHANCING THE EFFECTIVENESS OF THE MECHANISMS OF THE COMMISSION ON HUMAN RIGHTS

First session, 28 September-1 October 1999

Rationalization of the work of the Commission

E/CN.4/1999/104 and Corr.1

E/CN.4/1999/WG.19/2 (former E/CN.4/1999/120)

E/CN.4/1999/WG.19/3 (former E/CN.4/1999/124)

Special procedures

E/CN.4/2000/5. Report of the meeting of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory services programme (Geneva, 31 May-3 June 1999)

(No symbol) Report on capacity-building to strengthen the special procedures system of the United Nations human rights programme, prepared by Ms. Mona Rishmawi and Mr. Thomas Hammarberg

Sub-Commission on the Promotion and Protection of Human Rights

E/CN.4/Sub.2/1998/38. Enhancing the effectiveness of the Sub-Commission

E/CN.4/Sub.2/1999/47. Common position of the Sub-Commission on future tasks, length of session, working methods, composition and election of members

E/CN.4/Sub.2/1999/SR.22, para. 44. Summary record of the statement made by Mr. Marc Bossuyt concerning the methods of work of the Sub-Commission

1503 procedure

Annex 1 to document E/CN.4/Sub.2/1999/47. Summary of informal discussion by the Working Group on Communications on the recommendation concerning the 1503 procedure contained in the report of the Bureau of the fifty-fourth session of the Commission on Human Rights

Background note on the 1503 procedure prepared by the secretariat

Note for the file prepared by the secretariat on the “interpretation to be given to paragraph 10 of Economic and Social Council resolution 1503 (XLVIII)”

Relevant resolutions

General Assembly

Resolution 53/208, “Pattern of conferences” (concerning documentation and simultaneous distribution)

A/54/6. Proposed programme budget for the biennium 2000-2001, section 22, Human rights

Resolution 41/213, “Review of the efficiency of the administrative and financial functioning of the United Nations”

Aide-mémoire of the Chair dated 4 November 1999

Second session, 6-10 December 1999

Three “non papers” dealing respectively with the 1503 procedure, the Sub-Commission and standard-setting had been distributed during the open-ended consultations of 25 November 1999 by the delegations of Brazil, Canada, Chile, Japan, Finland, Latvia, New Zealand, Norway, South Africa, Spain, the United Kingdom and the United States.

A number of papers were submitted by the Like-Minded Group (LMG) before and during the session:

Proposals by the LMG on enhancing the mechanisms, 26 November 1999;

Proposals by the LMG on methods of work of CHR, 6 December 1999;

Proposal by the LMG on the rationalization and strengthening of the Commission network of thematic procedures, 7 December 1999.

The delegation of Cuba submitted a proposal at the outset of the session on new composition of the Commission. The delegation of Malaysia circulated preliminary comments on the issue of cooperation, to be read in conjunction with the LMG paper of 26 November 1999.

Aide-mémoire of the Chair dated 7 January 2000

Third session, 7-11 February 2000

Draft report of the Chair dated 24 January 2000 and in-session amendments

Revised draft report dated 10 February 2000

Two letters, dated 2 and 10 February 2000, from the Permanent Representative of Malaysia

Letter, dated 4 February 2000, from the Chairperson of the Commission on Human Rights addressed to the Permanent Representative of Malaysia

Letter, dated 10 February 2000, from Mr. Asbjørn Eide concerning the draft report

D. Decision 2000/284 of the Economic and Social Council

Enhancing the effectiveness of the mechanisms of the Commission on Human Rights

At its 45th plenary meeting, on 28 July 2000, the Economic and Social Council, taking note of Commission on Human Rights decision 2000/109 of 26 April 2000, by which the Commission decided to approve and implement comprehensively and in its entirety the report of the Inter-sessional open-ended working group on enhancing the effectiveness of the mechanisms of the Commission (E/CN.4/2000/112), endorses the following specific decisions of the Commission:

(a) To merge the mandates of the independent expert on structural adjustment and the Special Rapporteur on the effects of foreign debt on the full enjoyment of economic, social and cultural rights, thus creating a post of independent expert on structural adjustment and foreign debt;

(b) To establish a time-limit of two terms of three years for membership of special procedures working groups, as well as for Special Rapporteurs, whose position in relation to time-limits is covered by the Chairperson's statement of 29 April 1999. In the case of the Working Group on Arbitrary Detention and the Working Group on Enforced or Involuntary Disappearances, as a transitional measure, turnover of membership in both groups shall be accomplished in incremental steps over a three-year period. In order to provide the appropriate continuity during this transitional period, two members shall be replaced in year one, two in year two, and one in year three;

(c) To reduce the duration of the annual meeting of the Working Group on Contemporary Forms of Slavery of the Sub-Commission on the Promotion and Protection of Human Rights to five working days from the present eight days;

(d) To request the Chairperson of the Commission to convene a one-day informal meeting of the Commission in late September each year to facilitate exchange of information in advance of the General Assembly. Such a meeting shall be convened for the first time in September 2000;

(e) That the annual session of the Sub-Commission on the Promotion and Protection of Human Rights shall, from this year, be of three weeks' duration;

(f) That chairpersons of standard-setting working groups shall, if the working group considers it appropriate and in consultation with the Office of the United Nations High Commissioner for Human Rights, be provided with the necessary financial assistance to undertake informal consultations during the inter-sessional period with a view to advancing progress in respect of the working group's mandate.

E. Document E/CN.4/2001/CRP.1

ORGANIZATION OF THE WORK OF THE SESSION

**Main rules and practices followed by the Commission on Human Rights
in the organization of its work and the conduct of business**

Note by the secretariat

1. This information note is an updated version of the document prepared by the secretariat of the Commission on Human Rights in 1998 (E/CN.4/1998/CRP.4). It includes all the main rulings of the Chairpersons of the Commission and recommendations of its Bureau endorsed by the plenary of the Commission, relating to the organization of work and the conduct of business, as well as the pertinent rules and practices followed by the Secretariat. Bearing in mind the rules of procedure of the functional commissions of the Economic and Social Council (E/5975/Rev.1), which remain applicable in all circumstances, and without prejudice to any decisions which the Commission on Human Rights may adopt under the present agenda item at its fifty-seventh session, the main rules and practices followed by the Commission in the organization of work and the conduct of business at its previous sessions are as follows.

I. RULES AND PRACTICES RELATING TO THE GENERAL DEBATE

Speaking time and other arrangements

2. Members of the Commission: one statement of 10 minutes or two statements of 5 minutes per item.
3. All observers (Governments, intergovernmental organizations, specialized agencies and non-governmental organizations (NGOs)): one statement of five minutes per item.
4. Under the agenda item concerning civil and political rights (usually item 11), two additional minutes may be given, at the discretion of the Chair, for oral statements by States members of the Commission and all observers, including NGOs.
5. Each NGO is entitled to not more than six statements per session.

Joint statements

6. Joint statements by States and NGOs will be encouraged and more time, within reasonable limits, will be given to such statements. Governmental speakers making joint statements should provide the Chair with an indication of the time required for their statement. If following a joint statement by States that has exceeded 10 minutes individual States that participated in the joint statement wish to take the floor again under the same item, they may do so on the condition that the State(s) concerned speak for half the time normally allotted.

7. With regard to joint statements by NGOs, the following timing shall apply:

1 or 2 NGOs:	5 minutes
3 to 5 NGOs:	7 minutes
6 to 10 NGOs:	10 minutes
More than 10 NGOs:	12 minutes

8. NGOs making joint statements may request to speak prior to NGOs speaking individually. In view of the limitation of six statements per NGO per session, participation by an NGO in a joint statement would count as one third of a normal statement.

9. When an NGO which had participated in a joint statement opts, in addition, to speak individually under the same agenda item, this would count as one third of a normal statement within the limit of six to which each NGO is entitled, and such statement should not exceed 2½ minutes (i.e. one half of the time normally allotted).

10. All NGOs participating in joint statements should be duly accredited as participants at the session concerned.

Other rules that apply to NGO statements

11. All NGO representatives shall start their oral statements by saying “I speak on behalf of ...” and give the name(s) of their respective NGOs. The speaker takes the floor as a representative of the NGO that accredited him or her. That NGO takes full responsibility for the contents of the statement. All NGOs are encouraged to make available written copies of oral statements to conference room officers for précis-writers, interpreters and press officers. Whenever written copies of NGO statements clearly identify the speaker representing the NGO, the Chair will assume that that person will actually deliver the statement.

“Concerned” countries

12. Members of the Commission and observer States that are the subject of specific Commission reports or which are considered as concerned countries by the Bureau*: five additional minutes are added to their normal speaking time under the relevant item. In practical terms, this means that concerned members of the Commission will be allowed to speak for a total of 15 minutes and observers for 10 minutes; their total speaking time may be divided between two separate statements, if they so wish. It has been the usual practice to allow concerned countries to take the floor immediately after the special rapporteur/representative/ expert presents his or her report.

Special procedures

13. Special rapporteurs/representatives/independent experts/chairpersons of working groups are entitled to an introductory (initial) statement of 10 minutes, plus 2 additional minutes for each mission undertaken by thematic rapporteurs, and concluding remarks of 5 minutes, if requested.

* A tentative list of “concerned” countries by agenda item will be prepared by the secretariat for consideration by the Bureau.

14. All special rapporteurs/representatives/independent experts/chairpersons of working groups are requested to be present in the conference room when their reports are being discussed and should, to the extent possible, be present throughout consideration of the relevant agenda item(s).

15. Question-and-answer sessions or briefings may be organized for special rapporteurs/representatives/independent experts/chairpersons of working groups (to be held parallel to the plenary or during the lunch hours). These meetings are designed to allow for a fuller discussion between special procedures, States and NGOs.

16. The Chairperson of the fiftieth session of the Commission in his statement made on 8 March 1994 noted that it is “the duty of the Commission on Human Rights to ensure that, while respecting the right to freedom of expression and the right to disagree, the character and integrity of its Special Rapporteurs are not called into question” (E/CN.4/1994/SR.61, para. 107).

Dignitaries

17. Guest speakers (dignitaries) should limit their statements to 15 minutes. Guest speakers or dignitaries are usually government representatives of ministerial or higher rank or heads of intergovernmental organizations and specialized agencies who make policy statements on behalf of their Governments or organizations*. They normally address the Commission from the podium. If speakers at ministerial level intend to participate in the Commission’s discussion on a particular agenda item, they may - if they so wish - also speak from the seat of their country delegation.

Rights of reply

18. Rights of reply will be limited to two replies, three minutes for the first and two minutes for the second. All rights of reply will be exercised at the end of the day (6.00 p.m.) or at the end of the general debate on any particular item.

National institutions

19. National commissions (institutions) on human rights or coordinating committees of such commissions may only take the floor under the relevant agenda item (currently: item 18 (b)) and make one statement of up to seven minutes from special seats reserved for them.

Introduction of draft resolutions

20. Introduction of draft consensus resolutions by one of the co-sponsors (if requested): up to three minutes. For the introduction of other draft resolutions: up to five minutes.

II. LIST OF SPEAKERS

* An understanding was reached in the Commission on the following: statements by guest speakers are part of the general debate of the Commission. The only difference from other statements is that guest speakers are not bound by the item(s) under consideration (or even by the agenda of the Commission). In practice, this means that guest speakers may address any human rights issue. Since their statements are part of the general debate, the same procedural rules apply, including the possibility for any State to disagree with the statement. The normal channels for such disagreement are (a) to express it in the course of the general debate (as a regular statement); or (b) to exercise the right of reply at the end of the meeting. Rule 42 of the rules of procedure prohibits speaking on the substance of the matter in raising a point of order. Consequently, the Chair would not admit the use of “points of order” to express disagreement with or provide any arguments in favour or against questions of substance raised by guest speakers. (See also paragraph 31 below.)

21. The list of speakers is opened at the beginning of the session for all participants for inscription under all agenda items.

22. Speakers are inscribed on three separate lists: for members, for observers and for NGOs, and always speak in this order.

23. If the list of speakers has not been exhausted during a particular meeting, the remaining speakers will be given the floor, in the same order, as the first speakers at the next meeting, unless the Bureau decides otherwise.

24. Delegations which inscribe on the list of speakers are expected to take the floor when their turn comes. Changing one's place in the list of speakers is only possible through a mutually agreed change ("switch") with another interested delegation belonging to the same category of participants, i.e. members, observer Governments, or NGOs.

25. NGOs which inscribe on the list of speakers and whose representatives are absent when their turn comes to take the floor will not be allowed to take the floor under the concerned agenda item.

26. The closure of the list of speakers on any particular item(s) is announced by the Chair in good time.

III. DRAFT RESOLUTIONS

27. Draft resolutions and decisions should be submitted, with due respect for editorial and other requirements, at least three working days before the date on which they are scheduled to be put to a vote. Delegations are reminded that all draft resolutions and decisions or amendments thereto should be printed in double space and accompanied by a diskette, with the name and the contact number of the main sponsor indicated.

28. The deadline for submission of draft resolutions is set by the Chair in consultation with the Bureau and announced in good time. Only in very exceptional cases will deadlines for resolutions be extended.

IV. QUORUM

29. The Commission normally dispenses with the requirement of a quorum except for the meetings at which a vote is taken.

V. POINTS OF ORDER

30. The Commission shall continue to apply the ruling made by the Chairperson of its fifty-fifth session according to which the observer for Palestine was given the right to raise points of order "relating to the Palestinian and Middle East issues", provided that the right to raise such a point of order shall not include the right to challenge a decision by the presiding officer.

31. The right to raise points of order was also extended to representatives of States Members of the United Nations not members of the Commission on Human Rights but participating in its work in an observer capacity.

32. The Commission shall also continue to apply the ruling made by the Chairperson of its fifty-fourth session according to which the recourse to points of order as a means of interrupting guest speakers would not be allowed (see also the note to paragraph 17 above).

VI. AGENDA ITEM 4

33. Agenda item 4, entitled "Report of the United Nations High Commissioner for Human Rights and follow-up to the World Conference on Human Rights", shall remain open throughout the session of the Commission in order to allow the High Commissioner to make statements or to present reports during the course of the session.

34. The Bureau of the Commission will be informed in advance of the High Commissioner's intentions and the timing of her statements. After the High Commissioner's presentation, comments/statements by concerned or interested countries may be made.

VII. ACTION ON DRAFT PROPOSALS EMANATING FROM THE SUB-COMMISSION

35. All draft proposals emanating from the Sub-Commission on the Promotion and Protection of Human Rights shall be considered under the relevant agenda items of the Commission.

VIII. WRITTEN STATEMENTS BY NGOS

36. All such statements submitted in sufficient time before the session shall be circulated in the three working languages. Those statements which were not submitted on time may initially be circulated in their original language(s) only; they will be translated into the other working languages as soon as technically feasible.

IX. DISTRIBUTION OF STATEMENTS

37. In the interest of keeping the noise level down and to facilitate a calm session, all delegations wishing to do so shall distribute copies of their statements immediately outside the conference room or place them on the tables in the back of the conference room. Government delegations may, if they so wish, have copies of their statements circulated by the secretariat. In this case, delegations should find out from the secretariat the minimum number of copies required to this end (normally: 250 copies).

X. MEETINGS OF THE BUREAU

38. The Bureau of the Commission normally meets on Tuesdays and Fridays at 8.00 a.m. and whenever necessary.

XI. Announcements by the Secretariat

39. Delegations show transparency by requesting the secretariat to announce the holding of consultations on draft resolutions or decisions. To promote openness and transparency even further, the secretariat always announces the names of the country or countries

organizing such consultations and posts the announcements on notice boards inside and outside the conference room.

XII. TRANSPARENCY AND CONSULTATIONS

40. It has become a practice of the Commission that delegates consult as widely as possible and in as transparent a manner as possible on draft resolutions to ensure that all delegations have ample opportunity to make an input when the Commission takes action on a particular resolution.

XIII. ACCREDITATION

41. With regard to national institutions for the promotion and protection of human rights, the practice of the Commission has been that the representatives of such institutions were accredited by the secretariat as observers for the entire session of the Commission or less, on the basis of letters received from their respective institutions. However, such representatives could only take the floor under agenda item 18 (b). Furthermore, the representatives of such institutions were given the floor irrespective of whether their particular institutions had been accredited by the Credentials Committee of the International Coordinating Committee on National Institutions as having fulfilled the elements spelled out in the Paris Principles, confirmed by General Assembly resolution 43/134. (See also paragraph 19 above.)

42. With regard to accreditation of NGOs, the practice has been that, pursuant to ECOSOC resolution 1996/31, it is up to the NGOs themselves to designate authorized representatives to participate as observers in public meetings of the Commission on Human Rights. The legitimacy of duly accredited NGO representatives is therefore not challenged by the Commission as such, and their status in and relationship with the organization they represent are not questioned. It is the responsibility of the secretariat to ensure that NGOs are duly accredited in accordance with existing rules and procedures. Whenever any Government participating in the work of the Commission requests the secretariat to verify or confirm the accreditation of any particular NGO representative(s), immediate action is taken in this regard and the results of the verification are publicly reported by the secretariat to the plenary of the Commission or brought to the attention of the Expanded Bureau of the Commission.

43. There has been a long-standing practice in the Commission of so-called “multiple representation” when several NGOs were represented in the Commission by the same person. There is nothing in ECOSOC resolution 1996/31 incompatible with one person representing two or more NGOs, as long as it is clear on behalf of which NGO or NGOs that person acts and speaks in each instance.

XIV. SEATING AND OTHER ARRANGEMENTS FOR NGOS IN THE CONFERENCE ROOM

44. In view of the limited number of conference-table seats available for NGOs in the conference room, NGO representatives are asked not to occupy more than one seat per organization. They are also requested to remove their documents and personal effects from their place each evening. Several seats in the conference room are reserved for the exclusive use of disabled persons.

45. To take the floor, NGO speakers should use the conference-table seats reserved primarily for that purpose.

46. NGOs are not permitted to distribute documents, pamphlets or any other material in the conference room. The monitoring of this rule is normally ensured by the conference room officer who notifies the secretariat in case of violations. All serious cases of violations are brought to the attention of the Bureau of the Commission.

47. Any materials that NGOs intend to put in the “pigeon holes” reserved for States members of the Commission have first to be checked and authorized by the secretariat.

XV. PARALLEL MEETINGS ORGANIZED BY NGOS

48. NGO representatives duly accredited to the session of the Commission who wish to reserve a conference room for the holding of meetings focused on items dealt with by the Commission should apply to the secretariat of the Commission. The request should give the subject of the meeting, the time, and the name of the person responsible for the organization and conduct of the meeting. These meetings are announced on a notice board outside the conference room.

49. Persons not accredited to the Commission who are invited to take part in parallel meetings should go, with their passport, to the “Pregny” gate of the Palais des Nations where they will be issued with a “Visitor” badge. A list of such persons should be drawn up by the responsible organization and sent to the secretariat, if possible 48 hours prior to the date of the meeting.

XVI. OHCHR WEB SITE

50. Delegations wishing to place on the OHCHR Web site (www.unhchr.ch) statements made by guest speakers (dignitaries) should provide the secretariat of the Commission with an electronic version of the statement(s) in English, French or Spanish. Format required: Word Perfect or Microsoft Word, either on Windows-formatted diskettes or (preferably) by e-mail to: webadmin.hchr@unog.ch.

51. The Web pages of the Commission on Human Rights will include the provisional and annotated agendas, the timetable for the consideration of agenda items, the orders of the day, a full list of documents submitted to the Commission, a list of resolutions and decisions as soon as they are adopted, as well as press releases and statements through the News Room. The Order of the Day of the Commission, which gives the programme of work, the relevant documentation and the list of speakers for the next day, is available on the Web site every day, normally late in the evening.

52. Also put on the Web site is the updated list of pre-session and in-session documents of the Commission showing the availability of each. Efforts are made by the secretariat to ensure that the resolutions and decisions of the Commission are also available on the Web site soon after their adoption. The documents, resolutions and decisions are made available in English, French and Spanish, whereas press releases are issued in English and French only.

53. The Commission’s meeting will be broadcast live on the Internet in English and French (audio only). In order to listen to the debate, for instance from a remote personal

computer, some technical preparations may have to be undertaken. For this reason, prior to the opening of the Commission, the latest technical information in this regard will be posted on the Commission home page on the Web site.

- F. **Agreed provisions[‡] in document E/CN.4/2002/16 on “Main rules and practices followed by the Commission on Human Rights in the organization of its work and the conduct of business”**

ORGANIZATION OF THE WORK OF THE SESSION

Main rules and practices followed by the Commission on Human Rights in the organization of its work and the conduct of business

Note by the secretariat

1. This information note is an updated version of the document prepared by the secretariat of the Commission on Human Rights in 2001 (E/CN.4/2001/CRP.1), which included all the main rulings of the Chairpersons of the Commission and recommendations of its Bureau endorsed by the plenary of the Commission, relating to the organization of work and the conduct of business, as well as the pertinent rules and practices followed by the secretariat.
2. At its fifty-seventh session, the Commission revised a number of paragraphs of CRP.1 and added additional language to some of its provisions. The Commission also decided that consultations should continue with regard to paragraph 23 of CRP.1 (see paragraph 26 below), as well as on the additional paragraphs proposed by one regional group.
3. At the request of the Bureau of the Commission, the secretariat has included in the present document new paragraphs describing the procedure followed by the Commission in taking action on draft proposals. Also added are new provisions relating to the presence of accredited correspondents and photographers in the conference room.
4. Bearing in mind the rules of procedure of the functional commissions of the Economic and Social Council (E/5975/Rev.1), which remain applicable in all circumstances, and without prejudice to any decisions which the Commission on Human Rights may adopt under the present agenda item at its fifty-eighth session, the main rules and practices followed by the Commission in the organization of work and the conduct of business are as follows.

I. RULES AND PRACTICES RELATING TO THE GENERAL DEBATE

Speaking time and other arrangements

5. Members of the Commission: one statement of 10 minutes or two statements of five minutes per item.
6. All observers (Governments, intergovernmental organizations, specialized agencies and non-governmental organizations (NGOs)): one statement of five minutes per item.

[‡] See para. 4.1 (b) of document E/CN.4/2003/118 which is reproduced below.

7. Under the agenda items concerning economic, social and cultural rights (item 10) and civil and political rights (item 11), two additional minutes may be given, at the discretion of the Chair, for oral statements by States members of the Commission and all observers, including NGOs.

8. Each NGO is entitled to not more than six statements per session.

Joint statements

9. Joint statements by States and by NGOs will be encouraged and more time, within reasonable limits, will be given to such statements. Governmental speakers making joint statements should provide the Chair with an indication of the time required for their statement. If following a joint statement by States that has exceeded 10 minutes individual States that participated in the joint statement wish to take the floor again under the same item, they may do so on the condition that the State(s) concerned speak for half the time normally allotted.

10. With regard to joint statements by NGOs, the following timing shall apply:

1 or 2 NGOs:	5 minutes
3 to 5 NGOs:	7 minutes
6 to 10 NGOs:	10 minutes
More than 10 NGOs:	12 minutes

11. NGOs making joint statements may request to speak prior to NGOs speaking individually. In view of the limitation of six statements per NGO per session, participation by an NGO in a joint statement would count as one third of a normal statement.

12. When an NGO which has participated in a joint statement opts, in addition, to speak individually under the same agenda item, this would count as one third of a normal statement within the limit of six to which each NGO is entitled, and the individual statement should not exceed 2½ minutes (i.e. one half of the time normally allotted).

13. All NGOs participating in joint statements should be duly accredited as participants at the session concerned.

Other rules that apply to NGO statements

14. All NGO representatives shall start their oral statements by saying “I speak on behalf of ...” and give the name(s) of their respective NGO(s). The speaker takes the floor as a representative of the NGO that accredited him or her. That NGO takes full responsibility for the contents of the statement. All NGOs are encouraged to make written copies of oral statements available to the conference room officers for the précis-writers, interpreters and press officers. Whenever written copies of NGO statements clearly identify the speaker representing the NGO, the Chair will assume that that person will actually deliver the statement.

“Concerned” countries

15. For members of the Commission and observer States that are the subject of specific Commission reports or are considered as concerned countries by the Bureau[§], five additional minutes are added to their normal speaking time under the relevant item. In practical terms, this means that concerned members of the Commission will be allowed to speak for a total of 15 minutes and concerned observers for 10 minutes; their total speaking time may be divided between two separate statements, if they so wish. It has been the usual practice to allow concerned countries to take the floor immediately after the special rapporteur/representative/expert presents his or her report. It has also been the practice of the Commission to allow concerned observer States to take the floor for a short statement at the end of the consideration of relevant draft resolutions/decisions or Chairperson's statements, before the Commission moves to a vote.

Special procedures

16. Special rapporteurs/representatives/independent experts/chairpersons of working groups are entitled to an introductory (initial) statement of 10 minutes, plus 2 additional minutes for each mission undertaken by thematic rapporteurs, and concluding remarks of 5 minutes, if requested.

17. All special rapporteurs/representatives/independent experts/chairpersons of working groups are requested to be present in the conference room when their reports are being discussed and should, to the extent possible, be present throughout the consideration of the relevant agenda item(s).

18. Question-and-answer sessions or briefings may be organized for special rapporteurs/representatives/independent experts/chairpersons of working groups (to be held parallel to the plenary or during the lunch hours, avoiding to the extent possible the proliferation of informal meetings and the holding of various meetings simultaneously). These meetings are designed to allow for a fuller discussion between special procedures, States and NGOs.

19. At each session, the Chairperson may, in cases where he deems it appropriate, call on the members of the Commission and all participants in its work to ensure that the work is carried out in an orderly manner and in conditions of mutual respect.

Dignitaries

20. Guest speakers (dignitaries) should limit their statements to 15 minutes, with the possibility for the Chairperson to allow, at his discretion, up to 5 additional minutes. Guest speakers or dignitaries are usually government representatives of ministerial or higher rank or heads of intergovernmental organizations and specialized agencies who make policy statements on behalf of their Governments or organizations^{**}. They normally address the

[§] A tentative list of "concerned" countries by agenda item will be prepared by the secretariat for consideration by the Bureau.

^{**} An understanding was reached in the Commission on the following: statements by guest speakers are part of the general debate of the Commission. The only difference from other statements is that guest speakers are not bound by the item(s) under consideration (or even by the agenda of the Commission). In practice, this means that guest speakers may address any human rights issue. Since their statements are part of the general debate, the same procedural rules apply, including the possibility for any State to disagree with the statement. The normal channels for such disagreement are (a) to express it in the course of the general debate (as a regular statement); or (b) to exercise the right of reply at the end of the meeting. Rule 42 of the rules of procedure prohibits speaking on the substance of the matter in raising a point of order. Consequently, the Chair would not admit the use of "points of order" to express disagreement with or provide any arguments in favour of or against questions of substance raised by guest speakers. (See also paragraph 35 below.)

Commission from the podium. If speakers at ministerial level intend to participate in the Commission's discussion on a particular agenda item, they may - if they so wish - also speak from the seat of their country delegation.

Rights of reply

21. Rights of reply will be limited to two replies, of three minutes for the first and two minutes for the second. All rights of reply will be exercised at the end of the meeting, at the end of the day (6 p.m.) or at the end of the general debate on any particular item.

National institutions

22. National human rights commissions (institutions) or coordinating committees of such commissions may only take the floor under the relevant agenda item (currently item 18 (b)) and make one statement of up to seven minutes from special seats reserved for them. Copies of oral statements made by representatives of national institutions may be circulated in the conference room during the consideration of agenda item 18 (b) and, if requested, information or reports received from national institutions on their regional meetings may be circulated as documents of the Commission.

Introduction of draft resolutions

23. The introduction of draft resolutions by one of the sponsors should be limited to up to five minutes.

II. LIST OF SPEAKERS

24. The list of speakers is opened at the beginning of the session for all participants for inscription under all agenda items.

25. ...

26. ...

27. Delegations which inscribe themselves on the list of speakers are expected to take the floor when their turn comes. Changing place on the list of speakers is only possible through a mutually agreed change ("switch") with another interested delegation belonging to the same category of participants, i.e. members, observer Governments or NGOs.

28. NGOs which are inscribed on the list of speakers and whose representatives are absent when their turn comes to take the floor will not be allowed to take the floor under the agenda item in question.

29. The closure of the list of speakers on any particular item(s) is announced by the Chair in good time.

III. DRAFT RESOLUTIONS

30. ...

31. The deadline for submission of draft resolutions is set by the Chair in consultation with the Bureau and announced in good time. Only in very exceptional cases will deadlines for the submission of draft resolutions be extended.

IV. QUORUM

32. ...

V. POINTS OF ORDER

33. The Commission shall continue to apply the ruling made by the Chairperson of its fifty-fifth session giving the observer for Palestine the right to raise points of order “relating to the Palestinian and Middle East issues”, provided that the right to raise such a point of order shall not include the right to challenge a decision by the presiding officer.

34. The right to raise points of order was also extended to representatives of States Members of the United Nations not members of the Commission on Human Rights but participating in its work in an observer capacity.

35. The Commission shall also continue to apply the ruling made by the Chairperson of its fifty-fourth session that recourse to points of order as a means of interrupting guest speakers would not be allowed (see also the note to paragraph 20 above).

VI. AGENDA ITEMS 3 AND 4

36. Agenda item 3, entitled “Organization of the work of the session”, shall remain open throughout the session of the Commission.

37. Agenda item 4, entitled “Report of the United Nations High Commissioner for Human Rights and follow-up to the World Conference on Human Rights”, shall remain open throughout the session of the Commission in order to allow the High Commissioner to make statements or to present reports during the course of the session.

38. ...

VII. ACTION ON DRAFT PROPOSALS EMANATING FROM THE SUB-COMMISSION

39. All draft proposals emanating from the Sub-Commission on the Promotion and Protection of Human Rights shall be considered under the relevant agenda items of the Commission.

VIII. VOTING PROCEDURE

40. The Commission takes up draft resolutions and decisions submitted under each agenda item, one by one, in accordance with the following standard procedures:

(a) Introduction of the draft resolution or decision by one of the sponsors (except for draft proposals coming from the Sub-Commission);

(b) Additional sponsors, if any, are announced by the Secretary. All other delegations wishing to sponsor a proposal should come to the secretariat at the podium to sign the document;

(c) The floor is then given to members of the Commission for general comments on the draft proposal. This may include the submission of amendments and other proposals and motions. At this stage, the floor may also be given to observer delegations which are directly implicated in the draft resolution/decision (“concerned” countries) (see also paragraph 15 above);

(d) If appropriate, the floor is then given to a representative of the secretariat to inform the Commission of the administrative and programme budget implications of the draft proposal;

(e) If requested, the Commission will then hear explanations of vote before the vote on the draft proposal by members of the Commission that are not sponsors of the draft proposal;

(f) The Commission then proceeds to take action on the draft proposal, which may be adopted without a vote, by a show of hands or by a roll-call vote;

(g) Explanations of vote after the vote by members of the Commission that are not sponsors of the draft proposal are normally heard on any resolutions/decisions adopted under a particular item after action has been taken on the last draft proposal under this item.

IX. WRITTEN STATEMENTS BY NGOS

41. ...

X. DISTRIBUTION OF STATEMENTS

42. All delegations wishing to do so shall distribute copies of their statements immediately outside the conference room or place them on the tables at the back of the conference room. Government delegations may, if they so wish, have copies of their statements circulated by the secretariat. In this case, delegations should find out from the secretariat the minimum number of copies required for this purpose (normally 250 copies).

XI. MEETINGS OF THE BUREAU

43. The Bureau of the Commission normally meets on Tuesdays and Fridays at 8 a.m. or whenever necessary.

XII. ANNOUNCEMENTS BY THE SECRETARIAT

44. Delegations show transparency by requesting the secretariat to announce the holding of consultations on draft resolutions or decisions. To promote openness and transparency even further, the secretariat always announces the names of the country or countries organizing such consultations and posts the announcements on notice boards inside and outside the conference room.

XIII. TRANSPARENCY AND CONSULTATIONS

45. It has become a practice of the Commission that delegates consult as widely as possible and in as transparent a manner as possible on draft resolutions, to ensure that all delegations have ample opportunity to make an input when the Commission takes action on a particular resolution.

XIV. ACCREDITATION

46. With regard to national institutions for the promotion and protection of human rights, the practice of the Commission has been that the representatives of such institutions were accredited by the secretariat as observers for the entire session of the Commission or some of it, on the basis of letters received from their respective institutions. However, such representatives could only take the floor under agenda item 18 (b). Furthermore, the representatives of such institutions were given the floor irrespective of whether their particular institutions had been accredited by the Credentials Committee of the International Coordinating Committee on National Institutions as having fulfilled the elements spelled out in the “Paris Principles”, confirmed by the General Assembly in its resolution 48/134 of 2 December 1993. (See also paragraph 22 above.)

47. ...

48.

XV. SEATING AND OTHER ARRANGEMENTS FOR NGOS IN THE CONFERENCE ROOM

49. In view of the limited number of conference-table seats available for NGOs in the conference room, NGO representatives are asked not to occupy more than one seat per organization. They are also requested to remove their documents and personal effects from their place each evening. Several seats in the conference room are reserved for the exclusive use of disabled persons.

50. To take the floor, NGO speakers should use the conference-table seats reserved primarily for that purpose.

51. NGOs are not permitted to distribute documents, pamphlets or any other material in the conference room. The monitoring of this rule is normally ensured by the conference room officer, who notifies the secretariat in case of violations. All serious cases of violations are brought to the attention of the Bureau of the Commission.

52. Any materials that NGOs intend to put in the “pigeon holes” reserved for States members of the Commission have first to be checked and authorized by the secretariat.

XVI. PARALLEL MEETINGS ORGANIZED BY NGOS

53. NGO representatives duly accredited to attend the session of the Commission who wish to reserve a conference room for the holding of meetings focused on items dealt with by the Commission should apply to the secretariat of the Commission. The request should give the subject of the meeting, the time, and the name of the person responsible for the organization and conduct of the meeting. These meetings are announced on a notice board outside the conference room.

54. ...

XVII. PARTICIPATION OF ACCREDITED MEDIA

55. Accredited media may attend public sessions of the Commission. There are reserved seats in the press gallery and an audio mult-box for radio correspondents.

56. Only photographers with media accreditation are allowed to take photos in the Commission. Because of space limitations, some events may be covered by a limited photo-pool constituted by the Information Service.

57. Accredited television crews may cover the Commission’s proceedings. They must be accompanied by a staff member of the Information Service. For logistical reasons, only two fixed cameras may be on the floor in the conference room at the same time. When necessary, pool coverage will be arranged by the Information Service.

XVIII. OHCHR WEB SITE

58. Delegations wishing to place on the OHCHR web site (www.unhchr.ch) statements made by guest speakers (dignitaries) should provide the secretariat of the Commission with an electronic version of the statement(s) in English, French or Spanish. The format required is Word Perfect or Microsoft Word on Windows-formatted diskettes.

59. The web pages of the Commission on Human Rights will include the provisional and annotated agendas, the timetable for the consideration of agenda items, the orders of the day, a full list of documents submitted to the Commission, a list of resolutions and decisions as soon as they are adopted, as well as press releases and statements through the News Room. The Order of the Day of the Commission, which gives the programme of work, the relevant documentation and the list of speakers for the next day, is available on the web site every day, normally late in the evening.

60. Also put on the web site is the updated list of pre-session and in-session documents of the Commission showing the availability of each. Efforts are made by the secretariat to ensure that the resolutions and decisions of the Commission are also available on the web site soon after their adoption. The documents, resolutions and decisions are made available in English, French and Spanish, whereas press releases are issued in English and French only.

61. The Commission's meetings will be broadcast live on the Internet in English, French and Spanish (audio only). In order to listen to the debate, for instance from a personal computer, some technical preparations may have to be undertaken. For this reason, prior to the opening of the Commission session, the latest technical information in this regard will be posted on the Commission home page on the web site.

H. Commission resolution 2002/91

Enhancement of the effectiveness of the working methods of the Commission

The Commission on Human Rights,

Recalling the report of its Intersessional open-ended working group on enhancing the effectiveness of the mechanisms of the Commission (E/CN.4/2000/112), approved by consensus by the working group and annexed to Commission decision 2000/109 of 26 April 2000, in which the Commission emphasized the importance and relevance to its work of all aspects of the report and hence the need to implement it comprehensively and in its entirety,

Bearing in mind the conclusions and recommendations on the improvement of the working methods of the Commission included in Chapter VI of the report of the working group, in particular, those relating to the question of agenda reform (para. 62) and the documentation to be submitted to its annual sessions (inter alia, para. 63),

Recalling Economic and Social Council resolution 2001/27 of 26 July 2001, entitled, "Implementation of General Assembly resolutions 50/227 and 52/12 B: improving the working methods of the functional commissions of the Economic and Social Council",

Considering that new and more complex situations have recently emerged, making it even more necessary to carry out an in-depth survey of the serious problems arising from the Commission's present methods of work,

Noting, in this context, that in recent years there has been a constant and significant increase in the number of reports and other documents submitted to the Commission annually which must be analysed, in addition to the more than one hundred draft resolutions, decisions and amendments thereto also brought to its attention for action at every session,

Noting also that, at the same time, it has been decided to reduce drastically the time actually available for the work of the Commission at the present session,

Conscious of the need to make more rational and efficient use of the time and resources available to the Commission and to the Office of the United Nations High Commissioner for Human Rights,

1. *Decides* to initiate at its fifty-ninth session, under the same agenda item, a thorough review of the issue of the enhancement of the effectiveness of the working methods of the Commission, in particular, those matters included in the non-exhaustive annex to the present resolution;

2. *Calls upon* the regional groups recognized in the Commission to take the steps they consider appropriate to initiate, as soon as possible, the analysis of the matters included in this non-exhaustive annex;

3. *Requests* the Office of the High Commissioner to solicit ideas and proposals on enhancing the effectiveness of the working methods of the Commission from Governments, the

expanded Bureau of the fifty-eighth session, regional groups and organizations and other participants at the Commission, including non-governmental organizations, with a view to submitting a comprehensive compilation of views to the Commission by 31 December 2002;

4. *Requests* the expanded Bureau of its fifty-ninth session to submit, at the initial stage of the fifty-ninth session, proposals on how to proceed to consider this question in 2003 under the same agenda item.

*58th meeting
26 April 2002*

[Adopted by a recorded vote of 36 votes to none, with 17 abstentions.]

I. Commission decision 2002/114

Expiration of office-holders' terms of appointment under special procedures

At its 57th meeting, held on 26 April 2002, the Commission on Human Rights decided, without a vote:

(a) That the six-year period of time referred to in subparagraph (a) (ii) (Special procedures mandates) of the Chairperson of the Commission's statement on enhancement of the effectiveness of the mechanism of the Commission, of 29 April 1999 (E/1999/23-E/CN.4/1999/167, chap. XX, para. 552), will not extend beyond the last day of the substantive session of the Council immediately following the relevant session of the Commission;

(b) That any reports on activities undertaken by the concerned individual office-holder between the date of submission of reports to the relevant session of the Commission and the last day of the substantive session of the Economic and Social Council will be circulated as official documents of the subsequent session of the Commission;

(c) That the Chairperson of the Commission, in consultation with the expanded Bureau, will endeavour to select and appoint office-holders as early as possible with a view to avoiding gaps between terms of office-holders.

J. Commission decision 2002/115

Intersessional activities of the Bureau

At its 58th meeting, on 26 April 2002, the Commission on Human Rights, noting the serious difficulties posed by the discontinuation of evening and night meetings during its fifty-eighth session owing to budgetary constraints and observing that it had made it extremely difficult for the Commission to devote sufficient time to an appropriate consideration of several of its agenda items and to involve all participants in the most meaningful way, decided, by a recorded vote of 41 votes to none, with 12 abstentions, to authorize its Bureau, working together with the regional coordinators, after the conclusion of the fifty-eighth session and in full consultation with all regional groups, to consider steps which could be recommended to the expanded Bureau of the fifty-ninth session as soon as it is established, regarding the organization of work during that session, in close coordination with the Bureau of the Economic and Social Council and the Office of the United Nations High Commissioner for Human Rights, as well as other concerned bodies of the United Nations Secretariat.

K. Document E/CN.4/2003/118

ORGANIZATION OF THE WORK OF THE SESSION

Enhancement of the working methods of the Commission

Reform of the working methods of the Commission on Human Rights with a view to strengthening the promotion and protection roles of the Commission: report containing a set of recommendations addressed by the Expanded Bureau of the fifty-eighth session to the Expanded Bureau of the fifty-ninth session of the Commission on Human Rights, submitted pursuant to Commission decision 2002/115

Note by the secretariat

The secretariat of the Commission on Human Rights has the honour to transmit to the Commission a report of the Expanded Bureau of the fifty-eighth session containing a set of recommendations addressed to the Expanded Bureau of the fifty-ninth session.

Introduction

In Commission on Human Rights resolution 2002/91, the Commission on Human Rights requested the Expanded Bureau of its fifty-eighth session to submit at the fifty-ninth session ideas and proposals on how to proceed to consider the question of enhancing the effectiveness of the working methods of the Commission. Commission decision 2002/115 authorized the Expanded Bureau to consider steps which could be recommended to the Expanded Bureau of the fifty-ninth session regarding the organization of work during the fifty-ninth session. The following recommendations have been made with a view to respond to these requests. They are based on the various consultations held since the closure of the fifty-eighth session as well as on specific contributions made by Governments, regional groups and other participants at the Commission concerning the working methods and organization of work of the Commission.

RECOMMENDATIONS BY THE EXPANDED BUREAU

A. Preliminary observations concerning the scope of the reform process

1. It is generally considered that the work on the issue of reform of the working methods of the Commission as described in resolution 2002/91 should be done against the background of previous similar efforts which were initiated under the chairpersonship of Ambassador Selebi (South Africa) and conducted through the Chairpersonships of Ambassador Anderson (Ireland) and Ambassador Simkhada (Nepal). Particular reference is made to the Report of the intersessional open-ended working group on enhancing the effectiveness of the mechanisms of the Commission on Human Rights (E/CN.4/2000/112) which was approved by consensus by the Commission in its decision 2000/109.

2. Activities in the area of reform of working methods should thus aim at facilitating the implementation of the consensual recommendations and conclusions contained in that report.

3. Any decision on working methods should be adopted by consensus.

B. Suggestions concerning the various elements in the non-exhaustive annex to resolution 2002/91

1. Duration of the annual session of the Commission:

(a) The current six-week timeframe is the basis of a solid consensus;

(b) This is generally accompanied by references to the need to adopt appropriate steps to ensure an efficient use of the available time during each session. It is largely felt that the recourse to additional meetings should in principle be kept to a minimum. Those additional meetings should in principle not take place after 9.00 p.m in order to reduce the burden on smaller delegations. Exception to this principle will be made in extraordinary circumstances only. The importance of meetings starting on time is also strongly reaffirmed.

2. Periodicity of the consideration of items and sub-items of the agenda:

(a) Biennialization of items. It would appear that a consensual recommendation could be reached that would preclude for the time being the possibility of bi- or triennialization of the consideration of agenda items. The current agenda of the Commission was only recently restructured; accordingly, the obvious consensus would be to keep it as is. Nevertheless, this issue should remain under the Commission's consideration;

(b) Bi- or triennialization of the presentation of certain resolutions. Some suggestions are made regarding the possibility of altering the current practice of the Commission of adopting a large number of resolutions during each of its sessions. It is recommended that the Commission should encourage the voluntary biennial or triennial presentation of a significant number of thematic resolutions. No alternative texts should be introduced during off-years for such bi- or triennialized resolutions. As a consequence of this measure, the corresponding documents and reports prepared by the Secretary-General and OHCHR would likewise be prepared on a two- or three-year basis. In future, the Commission should further explore ways of biennial or triennial consideration of thematic resolutions.

3. Documentation to be considered annually by the Commission:

(a) United Nations rules and regulations. There is an emerging consensus on the strict respect of the relevant United Nations rules, regulations and practices concerning the processing of documents, including the six-week rule. This should, however, take into account existing limitations and difficulties which the Secretariat is facing in processing documents. The Expanded Bureau should meet regularly with the relevant United Nations services to identify such difficulties and to seek remedies for them;

(b) Reports of special rapporteurs. The importance of governments' responses to the reports of special rapporteurs being included, as appropriate, in annexes or addenda to the reports is emphasized;

(c) Compendium. The idea of a compendium of executive summaries of all available reports is largely accepted and could be implemented immediately. Such summaries must be prepared by the authors of the reports;

(d) Statistics. The practice of disseminating information on statistics relating to the previous session is widely endorsed;

(e) OHCHR web site. The current practice of posting advance versions of documents on the OHCHR web site is widely praised and it is suggested that this should continue in the spirit of transparency and sharing of information on a wide basis;

(f) CD-ROM. The compilation of the “blue book” and other important documents onto a CD-ROM with a search facility to increase access to and usability of the Commission’s documentation was considered useful;

(g) Letters from Governments. When the written contributions of Governments cannot be circulated in six languages because they are submitted without sufficient time for processing, they could, to the extent possible, be circulated in three languages and at least one week before the relevant topic is discussed;

(h) Contributions of NGOs. In application of Economic and Social Council resolution 1996/31, the secretariat is requested to ensure that written contributions of NGOs submitted on time are edited and published in the three working languages and circulated at least one week before the relevant item is discussed;

(i) Database. In order to facilitate easy access to the reports of the special rapporteurs, including recommendations and dialogues with Governments, a public database on the OHCHR web site should be established with a search facility;

(j) UN TV. When the proceedings of the Commission are transmitted live by United Nations Television, the signal should be made available to all interested television channels anywhere in the world, whether institutional or private. Video and audio tapes should also be made available upon request for copying purposes. The Secretariat should envisage expanding live coverage of the proceedings.

4.1 Organization of work during the annual session:

(a) First day. The afternoon meeting of the first day of the annual session should not be devoted to the Bureau meeting, which should be held in advance;

(b) Rules and practices. The fifty-ninth session should organize its work and debates on the basis of the provisions of document E/CN.4/2001/CRP.1 which were agreed upon at the fifty-seventh session. Those provisions should be made available on the web and consolidated into a new document to be prepared by the secretariat for the consideration of the next Bureau. Outstanding paragraphs relevant to the organization of work in document E/CN.4/2002/16 (paras. 25, 26, 30, 32, 38, 41, 47, 48 and 54) should be finalized. New working methods as agreed upon in the course of the current process should then be included in a revised document. In general, any changes to this document should be proposed well in advance of each session and considered as a priority by any Bureau after its designation in January and be adopted by consensus by the Commission;

(c) Speaking-time limits:

Joint statements. As a time-saving measure, joint statements by groups of States and NGOs should be encouraged;

Closing of the list of speakers. There would appear to be consensus on closing the list of speakers at the latest at the beginning of the consideration of the item in order to enable the secretariat to evaluate how much time would be necessary for each agenda item. The secretariat will apply methods of inscription on the list of speakers which will enable full participation of all duly accredited participants;

Adoption of resolutions. In general, it is also widely suggested that time limits should be introduced regarding all aspects of the work of the Commission, including those relating to the adoption of the resolutions such as the introduction and explanation of votes, in compliance with the rules of procedures of the functional commissions of the Economic and Social Council;

Cuts. Should cuts be made in the lengths of speaking times, this should be done with reference to the decision taken at the fifty-eighth session to consider across-the-board cuts. Accordingly, any new restrictions on the use of the time available in the Commission should be applied across the board;

Time management. There should be improved compliance with the agreed timetable. Speaking times should be respected. The Chair has a key role to play in ensuring that the agreed rules regarding time management are respected. Limits on the rights of reply available to delegations should be respected;

(d) Special procedures:

Presentation of reports. It should be ensured that special procedures receive space and time commensurate with their pivotal role in the United Nations human rights system. To encourage interactive dialogue with special procedures and revitalize their role, a segment will be created, at the beginning of each relevant agenda item, for the presentation and discussion of their reports. Immediately after each special procedures presentation there would be an opportunity for questions and comments from States;

Time limits. Each special procedure would have 10 minutes and, in the case of thematic rapporteurs, an additional 2 minutes for each country mission report. Concerned countries that are the subject of a mission will be given space and time in accordance with the current practice. The special procedures would reply to or comment on the statements made during the discussion of their report. Rights of reply would be permitted during the dialogue in accordance with the current practice of the Commission;

(e) Non-governmental organizations. In order to enhance the role played by NGOs in the work of the Commission, the applicable rules and regulations regarding the accreditation of NGOs and their participation in the Commission should be respected;

(f) National institutions. Reference is made to the need to find appropriate time allocations for national human rights institutions in accordance with paragraph 19 of

document E/CN.4/2001/CRP.1, which was agreed upon at the fifty-seventh session of the Commission;

(g) United Nations specialized agencies. Exchange of information between the Commission and the specialized agencies and other United Nations bodies should be encouraged;

(h) Format of resolutions. The format of resolutions is also the subject of a number of suggestions which may be the basis of an emerging consensus. In particular, a number of references are made to the need to encourage countries to make efforts to streamline resolutions;

(i) Intergovernmental consultations. Similarly, the underlying elements of transparency and increased coordination envisaged in the reform of the mechanisms referred to in the introductory paragraph are widely reaffirmed. This includes:

a. Increased efforts should be made to avoid holding several parallel consultations on different resolutions, taking realistic account of the pressures of working within the time constraints of the annual session;

b. Delegations should, in principle, share information on the preparation of new proposals on both country and thematic resolutions by the end of the first week of the session;

c. Draft resolutions should be widely circulated as soon as feasible before the start of the debate on the respective agenda item;

d. Consultations on drafts should be initiated at an early stage in the session;

e. The Commission is encouraged to look into additional ways to increase transparency during consultations, including on positions in respect to action;

f. Regional groups, member States and observers will have priority as regards the reservation of rooms. The secretariat will keep some rooms available for last-minute reservations by regional groups, member States and observers;

(j) Electronic voting system. In this context, the usefulness of the electronic voting system which was introduced at the fifty-eighth session is underlined, as is the importance of using it at future sessions, including special sessions. In this regard:

a. The secretariat will continue providing an electronic voting system during all sessions, including extraordinary sessions, for any request for a roll-call or recorded vote, unless otherwise specified, it being noted that this procedure is not a substitute for the voting methods provided for rules 59 and 66 of the rules of procedures of the functional commissions of the Economic and Social Council;

b. To improve transparency, the electronic voting system should include a reasonable, specific and standard time for confirmation of the vote before voting closes;

c. Nevertheless, should a situation arise where a delegate would ask for the floor after the voting and state that the vote as recorded does not reflect what he/she had intended, this

would be noted by the Chairperson and duly reflected in the official records of the meeting. However, the vote would not be carried out again and the official records of the vote would remain as they appeared on the screen, unless the Commission decides to reconsider the proposal in accordance with rule 55 of the rules of procedures. A footnote would be inserted in the report of the session after the name of the member State concerned indicating that the delegation had intended to vote differently.

4.2 Role of the Expanded Bureau:

(a) It seems to be generally agreed that the Expanded Bureau has a particular role to play in terms of the organization of work of the Commission and in helping to resolve procedural issues. It goes without saying that the Expanded Bureau plays a fundamental role in the formal consultations that the Chairperson conducts before the selection of mandate-holders. Recommendations of the Expanded Bureau concerning the organization of work and procedural issues of the Commission are subject to the approval of the Commission;

(b) The Expanded Bureau meets between sessions in order to deal with organizational and administrative matters, including issues relating to procedures and nominations. The Expanded Bureau will continue to meet, as appropriate, with the Bureau of the Economic and Social Council, the bureaus of other functional commissions, the annual meetings of chairpersons of treaty bodies and of the special procedures, the Sub-Commission and its Bureau, specialized agencies and NGOs, as well as any others participating in the Commission's work;

(c) Any invitation to persons other than dignitaries should be processed through the Expanded Bureau and approved in the plenary;

(d) At the Expanded Bureau brainstorming meeting, as well as in a number of contributions, reference was made to the importance of continuity between the Bureaus. A consensual recommendation could be made to organize a substantive "handover" meeting between the Bureaus as well as for the outgoing Bureau to prepare a stock-taking paper which would be handed over to the incoming Bureau;

(e) As a way to contribute further to transparency, it is suggested that summaries of the Expanded Bureau meetings be posted on the web. Also, the draft agendas, as well as relevant draft proposals, should be circulated to members of the Expanded Bureau sufficiently in advance of any given meeting to permit appropriate consultations within the regional groups.

5. Arrangements for the holding of the special debate:

There is a trend towards the discontinuation of the special debate. There is, however, a need for a thorough evaluation of its usefulness, including, if appropriate, the elaboration of clear modalities for the special debate, before taking a final decision in consultation with the regional groups.

6. Arrangements for the participation of dignitaries in the annual session:

(a) There appears to be an emerging consensus around the proposal for a high-level segment which would take place during the first week of the annual session;

- (b) This emerging consensus would seem to include the following elements:
- (i) The meeting could take place in Salle des Assemblées;
 - (ii) A higher level of protocol would be provided to dignitaries than is currently the case;
 - (iii) Every dignitary willing to participate should be allowed to do so;
 - (iv) Questions relating to the status of a dignitary would be clarified by the Expanded Bureau and decided by the Commission;
 - (v) For planning purposes, participants at the high-level segment would be encouraged to register as soon as possible;
 - (vi) The present rules and procedures relating to the participation of dignitaries, such as those on speaking time, free choice of subject, right of reply and arranging the sequence of the speakers in accordance with the interests of the dignitaries and their availability, should be applied;
 - (vii) No parallel activities should be programmed during the high-level segment meetings;
 - (viii) Participation of dignitaries outside the high-level segment should be an exception. Certain measures (following the standard practice of the Economic and Social Council, including addressing the Commission from the delegation's seat, rather than the podium (with the exception of heads of State)), should be considered, so as to concentrate dignitaries' interventions, to the extent possible, in the segment. However, speaking-time limits and choice of subject should follow the same rule as in the high-level segment.

7. Establishment and programming of intersessional working groups:

There seems to be a general agreement that a schedule of meetings should be developed for the intersessional period in consultation with working group Chairs and the Expanded Bureau. In order not to penalize small delegations, it is generally considered that this time frame should take advantage of all available dates but avoid (i) overlapping and (ii) the four weeks immediately prior to the Commission session. Where possible, there should be at least one week between one working group and the next one.

8. Organization and programming of parallel events, activities and meetings during the annual sessions:

The usefulness of parallel events, activities and meetings is generally affirmed and encouraged, as is the need for the existing rules and practices to be enforced. These include the following:

- (xiii) All NGOs in consultative status accredited to the Commission should have the right to organize parallel events and should receive adequate space and support;
- (xiv) Identity badges and passes for persons invited to attend parallel events, activities and meetings should be limited in duration;
- (xv) Where possible, not more than one activity (e.g. seminars, briefings, press conferences, etc.) should be programmed to run in parallel with the plenary and notice of their being held should be given orally in the plenary and posted outside the conference room not less than three days beforehand. Organizers should be encouraged to hold these activities after 6.00 p.m.;
- (xvi) In order to ensure transparency and visibility, a schedule of parallel events, activities and meetings should be kept and updated by the secretariat;
- (xvii) Delegations should have access to a list of persons not accredited to the Commission who are invited to participate in parallel events.

9. Related issues:

(a) Dates of the Sub-Commission session. The need to narrow the gap between the end of the Sub-Commission's session and the session of the Commission has often been mentioned. Accordingly, during the closed meeting of the Sub-Commission with the Expanded Bureau of the Commission held on 29 July 2002, the possibility of moving the dates of the Sub-Commission's session was mentioned. Different views have been expressed regarding this possibility and further discussions are requested;

(b) Special procedures. With a view to strengthening the protection role of the Commission, the special procedures activity, including their dialogue with Governments, should be better utilized by the Commission. The special procedures have been among those that suffered most from the restrictions imposed during the last annual session. This situation cannot be repeated. The incoming Bureau may wish to look into ways and means of strengthening the special procedures system.

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ORGANIZATION OF THE WORK OF THE SESSION

Enhancement of the working methods of the Commission

Reform of the working methods of the Commission on Human Rights with a view to strengthening the promotion and protection roles of the Commission: report containing a set of recommendations addressed by the Expanded Bureau of the fifty-eighth session to the Expanded Bureau of the fifty-ninth session of the Commission on Human Rights, submitted pursuant to Commission decision 2002/115

Note by the secretariat

Corrigendum

Paragraph 6(b)(viii), fifth line

For State read State/Government

L. Commission decision 2003/101

Enhancement of the working methods of the Commission

At its 2nd meeting, on 17 March 2003, the Commission on Human Rights, taking note of the recommendations addressed by the Expanded Bureau of the fifty-eighth session to the Expanded Bureau of the fifty-ninth session pursuant to Commission decision 2002/115 and resolution 2002/91 of 26 April 2002 (E/CN.4/2003/118 and Corr.1), decided, without a vote, to endorse those recommendations and take them into account in the organization of its work and the conduct of business.

Commission decision 2003/116

Intersessional activities of the Bureau

At its 62nd meeting, on 25 April 2003, the Commission on Human Rights decided, without a vote, to authorize its Bureau, working together with the regional coordinators, after the conclusion of the fifty-ninth session and in full consultation of all regional groups, to consider steps which could be recommended to the Expanded Bureau of the sixtieth session in order to improve further the organization of work of the Commission based, inter alia, on Commission decision 2003/101 of 17 March 2003 which endorsed the recommendations of the Expanded Bureau of the fifty-eighth session (E/CN.4/2002/118 and Corr.1).

M. Excerpts from the report of the 58th (2002), 59th (2003) and 60th (2004) sessions of the Commission on Human Rights with relevant paragraphs relating to organization of the work of each session

Document E/2002/23, paras. 13-14, 17-18

...

14. At its 16th meeting, on 26 March 2002, the Commission accepted the recommendation of its officers on measures to overcome difficulties posed by the discontinuation of evening and night meetings. The following steps would be taken:

(a) Agreed provisions in document E/CN.4/2002/16 would not be amended and the measures would only be enforced at the fifty-eighth session of the Commission;

(b) The Chairperson, on behalf of the Commission, would write a letter to the Secretary-General inviting him to minimize the impact on the session;

(c) Speaking time with respect to the list of speakers would be reduced by 30 per cent, concerned countries under an agenda item would retain the additional 5 minutes' speaking time and dignitaries would be requested to shorten the length of their statements;

(d) Negotiations to reach consensus on draft resolutions would be encouraged and an electronic system would be used for voting;

(e) The time for the introduction of draft resolutions and general statements in relation to voting would be restricted to 2 minutes for the introduction of a consensus draft resolution and 3 minutes for other draft resolutions; 3 minutes for general comments; 10 minutes for concerned countries before the vote; and 2 minutes for explanations of vote, to be exercised only once, before or after the vote;

(f) Chairperson's statements would not be read out in their entirety, only distributed and included in the summary records and the report;

(g) The election of members of the Sub-Commission on the Promotion and Protection of Human Rights would take place in plenary meeting at the same time as the general debate on the item;

(h) The Rapporteur of the Commission would, together with the secretariat, look into the procedure for the adoption of the report of the Commission in order to suggest appropriate measures.

...

17. At the 33rd meeting, on 10 April 2002, the Commission accepted the recommendation of its officers regarding additional measures to overcome the difficulties posed by the discontinuation of evening and night meetings. The additional measures would be:

(a) Some of the remaining agenda items would be considered concurrently as follows: 12 and 13; 14 and 15; and 16, 17, 18, 19 and 20;

(b) The right of reply would be exercised only once, at the end of an item or cluster of items;

(c) National institutions would be given the opportunity to speak under agenda item 18 for a combined time of one hour;

(d) The report would be adopted *ad referendum* on Friday, 26 April 2002, it being understood that efforts would be made to ensure that as many chapters of the report as possible would be made available at that time in all the languages.

18. At the 51st meeting, on 23 April 2002, the Commission accepted the recommendation of its officers regarding further measures to overcome the difficulties posed by the discontinuation of evening and night meetings. The further measures would be:

(a) The general debate on agenda items 14, 15, 16, 17, 18, 19 and 20 would be clustered;

(b) The Commission would either avoid introducing or significantly reduce the length of introductions of draft proposals that had been adopted without a vote at previous sessions and would avoid general comments on those drafts;

(c) General comments on other draft proposals would be limited to two delegations in favour and two delegations against;

(d) The Chairperson would apply strictly the speaking limits in the voting process, namely two minutes for introductory remarks, three minutes for general comments and two minutes for explanations of vote.

Document E/2003/23, paras. 16-18, 21, 31-35

...

16. Also at the same meeting, on the recommendation of its officers, the Commission decided to endorse the recommendations of the Expanded Bureau of the fifty-eighth session of the Commission (E/CN.4/2003/118 and Corr.1) and take them into account in the organization of its work and the conduct of business.

17. The decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2003/101.

18. Also at its 2nd meeting, the Commission accepted the recommendations of its officers that: (a) a high-level segment would be held from the afternoon of 17 March till the end of Thursday, 20 March 2003; (b) that an interactive dialogue would be held with representatives

of special procedures; (c) that the speaking-time limits for the fifty-ninth session of the Commission would be 7 minutes per statement per agenda item for Member States and 3½ minutes for all observers; (d) the list of speakers would be closed three working hours before opening the agenda item for discussion.

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21. At its 8th meeting, on 20 March 2003, the Commission accepted that the speaking limits for joint statements by non-governmental organizations would be allocated as follows: 1 to 2 non-governmental organizations: 3 minutes and 30 seconds; 3 to 5 non-governmental organizations: 4 minutes and 50 seconds; 6 to 10 non-governmental organizations: 7 minutes; more than 10 non-governmental organizations: 8 minutes and 20 seconds; that concerned countries would benefit from an additional 5 minutes to their normal speaking time. The Commission also accepted that introduction of reports by special procedures should be of 7 minutes' duration; that the national institutions would speak for 5 minutes under agenda item 18 (b); and that chairpersons of treaty bodies, if they so wish and are available, would be invited to address the Commission and speak for 7 minutes.

...

31. At its 28th meeting, on 3 April 2003, the Commission accepted the recommendation of its officers to hold four additional meetings, without additional financial implications, on 4, 7, 9 and 10 April. During these days, the Commission would meet from 9 a.m. to 12 noon, from 12 noon to 3 p.m. and from 3 p.m. to 6 p.m. In addition, the time limits for agenda items 10 and 11 would remain the same as other items without the additional 2 minutes.

32. At its 36th meeting, on 8 April 2003, the Commission accepted the recommendation of its officers that the time available under each remaining agenda item would be divided by the number of speakers, it being understood that members would speak for double the amount of observers.

33. At its 40th meeting, on 9 April 2003, the Commission also accepted the recommendation of its officers that for the remaining agenda items two rights of reply should be exercised per item, 3 minutes for the first and 2 minutes for the second. The timing of the rights of replies would be at the discretion of the countries concerned.

34. At its 45th meeting, on 11 April 2003, the Commission further accepted the recommendation of its officers that the general debate on the remaining items, i.e. 14 and 16-20, would be clustered together.

35. The 51st meeting, on 16 April 2003, was an additional meeting, without additional financial implications, in order to hear statements by national institutions.

Document E/2004/23, paras. 10-18, 25, 30, 32

...

12. At its 2nd meeting, on 15 March 2004, the Commission approved the timetable for the consideration of agenda items as proposed by its officers, with the understanding that it could be modified in accordance with decisions the Commission might adopt regarding the organization of its work.

13. At the same meeting, on the recommendation of its officers, the Commission decided to invite a number of experts, special rapporteurs, special representatives, chairpersons-rapporteurs of working groups, chairpersons of treaty bodies, if they so wished and were available, and other persons, to participate in the meetings at which their reports were to be considered.

14. The decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2004/101.

15. At the same meeting, the Chairperson of the fifty-ninth session, Ms. Najat Al-Hajjaji, made a statement.

16. The 5th meeting on 16 March 2004, and the 10th meeting on 18 March were additional meetings, without additional financial implications.

17. At its 12th meeting, on 19 March 2004, on the recommendation of its officers, the Commission endorsed the recommendation that document E/CN.4/2003/118 and Corr.1 and the agreed provisions of E/CN.4/2002/16 would continue to govern the organization of work and conduct of business of the sixtieth session.

18. At the same meeting, the Commission accepted the recommendations of its officers that:

(a) The speaking-time limits for the sixtieth session of the Commission would be 6 minutes per statement per agenda item for Member States and 3 minutes for all observers;

(b) The speaking time for joint statements by member or observer States should not exceed 15 minutes and if they did so, the individual States that participated in the joint statement could speak for only half the time allotted under the agenda item;

(c) The speaking-time limits for joint statements by non-governmental organizations would be as follows: 1 to 2 non-governmental organizations: 3 minutes; 3 to 5 non-governmental organizations: 4 minutes; 6 to 10 non-governmental organizations: 5 minutes; more than 10 non-governmental organizations: 6 minutes; concerned countries would have an additional 5 minutes added to their normal speaking time;

(d) Special procedures would have 7 minutes to introduce their reports, with 2 additional minutes for each mission report or complementary document; the interactive dialogue with special procedures should not exceed 40 minutes in total for each mandate;

(e) The Chairperson of the Sub-Commission on the Promotion and Protection of Human Rights would be allocated 15 minutes;

(f) The national institutions would speak for 7 minutes under agenda item 18 (b);

(g) Chairpersons of treaty bodies, if they so wished and were available, would be invited to address the Commission and speak for 7 minutes.

...

25. At the same meeting, the Commission accepted the recommendation of its officers that the special sitting be held at the 18th meeting (without additional financial implications) and that the speaking-time limits would be allocated as follows: (a) 10 minutes for the parties concerned: Israel and Palestine; (b) 150 minutes for member and observer States which would be distributed amongst the regional groups as follows: (i) Group of African States, 36 minutes; (ii) Group of Asian States, 29 minutes; (iii) Group of Latin American and Caribbean States, 26 minutes; (iv) Group of Western European and Other States, 24 minutes; (v) Group of Eastern European States, 12 minutes.

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30. The 19th and 30th meetings, on 24 and 31 March 2004, were additional meetings without financial implications.

...

32. The 43rd and 54th meetings, on 8 and 19 April 2004, were additional meetings without financial implications.

Document E/2005/23, paras. 14-20

14. At its 2nd meeting, on 14 March 2005, the Commission approved the timetable for the consideration of agenda items as proposed by its officers, with the understanding that it could be modified in accordance with decisions the Commission might adopt regarding the organization of its work.

15. At the same meeting, on the recommendation of its officers, the Commission decided to invite a number of experts, special rapporteurs, special representatives, chairpersons-rapporteurs of working groups, chairpersons of treaty bodies, if they so wished and were available, and other persons, to participate in the meetings at which their reports were to be considered.

16. The decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2005/101.

17. Also at the 2nd meeting, the Chairperson of the sixtieth session, Mr. Mike Smith, made a statement.

18. At the same meeting, the Commission accepted the recommendations of its officers that:

(a) The speaking-time limits for the sixty-first session of the Commission would be 6 minutes per statement per agenda item for member States and 3 minutes for all observers;

(b) The speaking time for joint statements by member or observer States should not exceed 15 minutes and if they did so, the individual States that participated in the joint statement could speak for only half the time allotted under the agenda item;

(c) The speaking-time limits for joint statements by non-governmental organizations would be as follows: 1 to 2 non-governmental organizations: 3 minutes; 3 to 5 non-governmental organizations: 4 minutes; 6 to 10 non-governmental organizations: 5 minutes; more than 10 non-governmental organizations: 6 minutes; concerned countries would have an additional 5 minutes added to their normal speaking time;

(d) Special procedures would have 7 minutes to introduce their reports, with 2 additional minutes for each mission report or complementary document; the interactive dialogue with special procedures should not exceed 40 minutes in total for each mandate;

(e) The Chairperson of the Sub-Commission on the Promotion and Protection of Human Rights would be allocated 15 minutes;

(f) The national institutions would speak for 7 minutes under agenda item 18 (b);

(g) Chairpersons of treaty bodies, if they so wished and were available, would be invited to address the Commission and speak for 7 minutes.

19. At the 24th meeting, on 29 March 2005, on the recommendation of its officers, the Commission decided exceptionally to enable a number of non-governmental organizations who could not speak under item 9 due to its opening earlier than scheduled, to speak for 5 minutes instead of 3 minutes under either agenda item 10 or 11.

20. The 5th meeting, on 15 March 2005, the 10th meeting on 17 March, the 19th meeting on 23 March, the 40th meeting, on 8 April, the 44th meeting, on 12 April, the 47th meeting on 13 April, the 56th meeting, on 19 April and the 61st meeting, on 21 April, were additional meetings, without additional financial implications.