

Review of the Human Rights Council

Roadmap on Process and Modalities

1. The review of the Human Rights Council as provided for in OP 16 of UNGA res 60/251 offers the Council an opportunity to evaluate its work and functioning, to identify gaps and shortcomings, and to consider options to address them. The review's goal is to make the Council more effective and more efficient in implementing the mandate we agreed upon together in UNGA res 60/251. The 2011 review is not about reinventing the Council, but it is part of an ongoing process, providing the opportunity to make a first comprehensive and thorough assessment of the Council's functioning and performance. There is no intention to reopen the Institution Building Package. The process should allow us to identify good practices, challenges and ways and means to remedy our gaps and shortcomings. The review process should not stop us from implementing our mandate and proceeding with our daily work. On the other hand, States can decide at any time to finetune the work and functioning of the Council.
2. The review process will be led by the HRC President, who may decide to call on the assistance of one or more facilitators on any part of the process at a moment of his choosing. The process will be a) transparent, b) state driven but all inclusive and c) constructive and consensual. During the meetings of the open-ended intergovernmental working group (OEWG), the same modalities as for the process leading to HRC resolution 5/1 will be applied. Parallel meetings should preferably be avoided, and restricted to two if necessary.
3. The first session of the OEWG (25-29 October) will be dedicated to an open and comprehensive evaluation of the work and functioning of the Human Rights Council, the identification of concrete gaps and shortcomings, as well as the introduction of possible ways to address them. Individual member States and observers, and regional and political groups are invited to put forward their analysis, input and concrete proposals through written contributions, preferably by 1 October. Different stakeholders (civil society, UN bodies, HRC Subsidiary bodies, treaty bodies) can offer their input and suggestions at the same occasion. These written contributions will be made available on the extranet, as well as the reports of the different preparatory initiatives.
4. During the OEWG meeting, individual States, Groups and stakeholders are invited to make presentations of their evaluation of the work and functioning of the Council. Concrete gaps and shortcomings to be addressed during the review should be identified, as well as options to remedy them. Clarifications on positions and views will be part of an interactive dialogue. Delegations may invite the President to call on specific expertise (special procedures, advisory committee, HRC Secretariat) to introduce the debate and assist in elements of the discussion.
5. The President, with the assistance of the Secretariat, will draw up a summary of the meeting, including a recollection of the views expressed and the proposals

put forward. He will work on a consensual basis and will seek for compromise between conflicting proposals. If needed, the President will organize additional intersessional informal consultations to finalize his summary report and the agenda for the second session.

6. During the second OEWG meeting (17-21 January), delegations will consider and negotiate concrete proposals and options to address specific gaps and shortcomings. The President, with the assistance of the Secretariat, will draw up a summary report of the discussions, including an Outcome Document containing proposals to further improve the work and functioning of the Council, as agreed by the working group. If necessary, the President can indicate the remaining issues of disagreement and his proposals for future compromise. The Outcome Document could take the form of a supplement to the Institution Building Package. If needed, the President will organize additional informal consultations to find consensus on the Outcome Document.

7. The Human Rights Council should adopt, preferably at its 16th session in March 2011, the Outcome Document with a procedural resolution and transmit it to the General Assembly, as provided for by OP16 of UNGA resolution 60/251.
