
The Human Rights Council (HRC) is one of the main human rights institutions, along with the Office of the High Commissioner for Human Rights and ten bodies that monitor implementation of human rights treaties:

Council on the Eliminations of Racial Discrimination
Council on Economic, Social and Cultural Rights
Human Rights Council
Council on the Elimination of Discrimination against Women
Council against Torture
Council on the Rights of the Child
Council on Migrant Workers
Sub-Council on Prevention of Torture
Council on the Rights of Persons with Disabilities
Council on Enforced Disappearances

All of these entities have their headquarters in Geneva.

In 2005, Secretary-General Kofi Annan presented a five-year progress report on the implementation of the Millennium Declaration of 2000 that had been requested of him by the UN General Assembly. His report, “In Larger Freedom: towards development, security and human rights for all” was given to the General Assembly six months before the World Summit meeting of 2005. In this report the Secretary-General noted that “the Commission [on Human Right]’s capacity to perform its tasks has been increasingly undermined by its declining credibility and professionalism”. Following the SG’s recommendation, Member States decided to “replace the Commission on Human Rights with a smaller standing Human Rights Council.”

The Human Rights Council (HRC) was officially created by resolution 60/251 of the United Nations General Assembly (GA) on 15 March 2006 as a subsidiary body of the GA to replace the defunct Commission on Human Rights that had been established in 1946.

In June 2007, the Human Rights Council adopted resolution 5/1, which provides the framework for how the Council and its subsidiary bodies will function, includes the Council’s agenda, programme of work and rules of procedure. In addition, it established a new mechanism called the Universal Periodic Review (UPR) that examines the human rights record of each UN member state according to a fixed and predictable schedule. The UPR is one of the most important innovations brought about by the creation of the Council.

The HRC is the main inter-governmental forum within the United Nations for questions relating to human rights. However, its resolutions and decisions are not legally binding. The HRC’s function is to ensure that human rights guaranteed by international law and the various instruments of the United Nations are effectively implemented around the world. Specifically, the HRC: monitors and addresses violations of human rights around the world in specific countries and on thematic issues (e.g., discrimination against women), adopts a position and makes recommendations; establishes international ‘standards’ on human rights; develops instruments which are legally binding (e.g., a protocol providing for a complaints procedure linked to the Convention on the Rights of the Child); promotes human rights by providing technical assistance to Member States.

There are three main differences between the HRC and other bodies that monitor the implementation of human rights treaties. First, the HRC monitors respect for human rights by all members of the United Nations and other bodies only monitor those states which are party to a specific human rights treaty. Second, the HRC protects all human rights, unlike the treaty bodies, which specialise in certain rights. And third, the HRC is composed of government representatives and other bodies are composed of independent experts.
Composition of the Council

The HRC consists of 47 member states, which are elected by the General Assembly. Seats are allocated in the following manner: 13 seats for African states, 13 for Asia-Pacific states, eight for Latin American and Caribbean states (GRULAC), seven for Western European and other states (WEOG) and six for Eastern European states. HRC members are elected by secret ballot by the members of the GA for a three-year term of office. After two consecutive terms, they are no longer eligible for immediate re-election (e.g., Russia and China left the HRC in 2013 for one year after serving two consecutive terms).

The GA may, by a two-thirds majority of the members present and voting, suspend a member of the Council if it has committed gross and systematic violations of human rights. This has only happened on one occasion to date — when Libya was suspended from 1 March to 19 November 2011 by consensus.

The Bureau of the Council consists of a president and four vice-presidents, each of whom represents one of the five UN regional groups. The presidency rotates each year between the five regional groups.

Civil society plays an important role in the HRC. NGOs with ECOSOC status are entitled to voice their opinions and make statements during formal meetings of the HRC.

Officials of the Council

The President of the Human Rights Council is normally elected, however, in order to prepare for this conference, the President was appointed in advance.

Stages of Human Rights Council Sessions

A. First formal meeting

The Council begins with a formal Plenary meeting that is divided into the following segments:

1. **Adoption of the Council’s Program of Work** by consensus.
2. **Update by the United Nations High Commissioner for Human Rights (to be confirmed)**
3. **Interactive Dialogue with the Special Rapporteur on Human Rights and Climate Change (to be confirmed):** this interactive discussion is aimed at encouraging a dialogue between delegations and the Special Rapporteur. Delegates are encouraged to make comments and ask questions. Countries that are mentioned in the Special Rapporteurs remarks are given the opportunity to speak first. They are referred to as the “concerned countries”.
4. **General Discussion of agenda item 3 on Human Rights and Climate Change:** this is when delegates can make general statements on the topic.

B. Informal consultations (where rules of procedure are suspended and where most of the time in the Council is spent) to:

1. **Allow different regional groups to each draft a resolution.** This replaces the use of working papers which is followed in some Model UN conferences. Before delegates will be split into different regional groups, the Council as a whole must agree on a common structure for the operative section of the resolution.
2. **Merge the different drafts.** The political groups must merge their different drafts into one resolution that is later reviewed paragraph by paragraph by the entire Council.
3. **Submit the draft** along with a list of sponsors. Once the one draft resolution is submitted, the two groups driving the negotiation process are the sponsors and non-sponsors.
4. **Review the draft resolution line by line** in a Formal Informal to create a compilation text that contains a complete list of amendments proposed by delegations that chose not to sponsor the resolution. These
amendments are neither friendly or unfriendly and are never voted on during informal consultations. Every time the wording of an entire paragraph has been agreed to by the Council it should be marked “Agreed ad ref” to indicate that the Council has temporarily agreed to the text in that paragraph until the entire negotiation process has been completed.

5. **Debate the amendments** proposed by the non-sponsors during the line by line review. This takes place in an Informal Informal meeting where sponsors and non-sponsors talk to each other with the goal of reaching consensus on the amendments that have been proposed. During these informal consultations, sponsors have the power to accept, reject or agree to an alternate wording of the amendments.

6. Delegates will be given a choice at different points during the line by line to temporarily suspend the line by line review to debate the amendments that have been proposed so far or continue on.

7. Before commencing the debate, delegates will also be given a choice to either have the Sponsor moderate the informal consultations on the amendments, do it by themselves or have one of the sponsors moderate the negotiations. It is up to the Council to decide.

8. If the Council decides to review the entire resolution without suspending the line by line at any point to engage in a debate on the amendments, then informal consultations would not begin until after the line by line review is completed.

9. If there are any amendments that are contentious during informal consultations and the Council is having difficulty reaching consensus, they should be “bracketed” or set aside for further discussion later on, so that the Council can first focus on those amendments that are easier to reach agreement on.

10. After going through all the amendments at least once, the Council should return to those amendments that have been “bracketed”. Facilitators should be present to help delegates reach agreement on these amendments.

11. After all amendments have been resolved, the Sponsor should scroll through the entire resolution paragraph by paragraph and ask the delegates to carefully read the text to make sure there are no further objections.

12. **Repeat #4 and #5** if new objections are raised until agreement has been reached on all of the new amendments and every paragraph is marked “Agreed ad ref”.

13. If consensus has been reached early and time still remains in the Council, it can go back and add more text or even another sub-topic, if there is enough time to do it. What new text is added must be reviewed and any amendments that are proposed to the new text must be debated in the manner set forth in this handbook.

### C. Second formal meeting to adopt resolution

The Council ends its proceedings with a second formal Plenary meeting that is divided into the following segments:

1. **Introduction of draft resolution** by main sponsors
2. **Introduction of amendments**: This usually happens when consensus is not reached but can happen even when consensus has been reached during informal consultations. After all amendments are introduced, the President gives the floor to the main sponsor to react to amendment on behalf of all sponsors before a vote is taken.

3. **General comments and observations on the resolution and amendments**: Once the co-sponsors of the resolution have had a chance to respond to an amendment, Council members are given an opportunity to make general comments on the resolution and amendments.

4. **Explanation of vote**: Council members are given an opportunity to explain their vote on an amendment before action is taken on it.

5. **Vote on amendment**: this occurs immediately after all explanations of vote have been made.

6. **Repeat #2-#4** for each amendment

7. **Conduct separate votes on paragraphs** (if requested): In addition to proposing amendments, Council members may request that one or more paragraphs in a resolution be put to a vote. Usually this request is made when a delegate takes the floor to make general comments on the amendments before they are voted on. Typically, a delegate who supports one or more amendments will say, “if any of these amendments fail, [name of
Council Member] calls for a vote on [insert PP(s) and OP(s)] in resolution L.*.” If a delegate is requesting separate votes on more than one paragraph that occur in a sequence (e.g., operative paragraphs 2-4), they should indicate whether they want a vote on all of the paragraphs as a block or a vote on each of them individually. It is also possible that delegates may put forth a motion divide the resolution into separate votes without proposing any amendments. When this occurs, the delegate making this motion would make the motion during general comments on the resolution.

8. **Explanation of vote** before voting on resolution as a whole. During the explanation of vote, Council members can indicate that they disassociate from parts of the text or even the whole text. Even when Council members

9. **Adopt resolution** with or without a vote (if no objections): Even if amendments are proposed during the final Plenary or separate votes on paragraphs are conducted, a resolution can still be adopted without a vote. This decision making process is unique because in other cases, like the GA, amendments are never proposed during the final formal meeting to take action if consensus has been reached during informal consultations.

**ILO Rules of Procedure**

**Plenary meetings**

1. No delegate shall address the Conference without having asked and obtained permission of the President.
2. Speakers shall be called upon in the order in which they have signified their desire to speak.
3. Delegates can exercise their right of reply if they feel that another member of the Council has made remarks they find offensive to their delegation.
4. Unlike other UN fora, like the General Assembly or ECOSOC, delegates do sometimes interrupt other delegates or even NGO representatives on a point of order in the middle of their statement. This typically happens when a thematic issue is being discussed and a speaker interjects a criticism of one of the Council members. The country being criticised usually is the one to raise a point of order to say that this is not the time to discuss the situation in any particular country and that comments should be limited to the thematic issues that are under discussion.
5. During the final formal meeting to take action on a resolution, Council members can introduce amendments and make motions to divide the proposal into separate votes even when consensus has been reached on the text during informal consultations.
6. Council members can disassociate their government from specific paragraphs or even the entire text without triggering a vote. In other words, a text can still be adopted without a vote even if a Council member or group of Council members decide to disassociate themselves from the entire resolution.

**Informal consultations**

1. All rules of procedure are suspended during informal consultations.

**Things to Know about the Rules of Procedure**

1. There are no moderated and unmoderated caucuses.
2. Passing notes during Formal Meetings is not allowed.
3. The presiding officer during meetings will never ask, “Are any points or motions on the floor?”
4. Parliamentary points (e.g., Points of Personal Privilege, Points of Information, and Points of Inquiry) and motions (e.g., Motion for Moderated or Unmoderated Caucuses, Motion to Set Agenda, Motions to Set Speaking Time, Motion to Move to Voting Procedures, etc.) are not in order during the conference. These are parliamentary rules of procedure and they are not used at the ILO because it is not a Parliament.
5. Delegates will not be allowed to yield their time to the Sponsor or another delegation.

© World Federation of United Nations Associations 2020
Terms used in a WIMUN simulation of the Human Rights Council

1. **Explanation of vote**: When a resolution is adopted by taking a vote, delegates can make statements explaining their vote after it has been adopted.

2. **Paragraphs and clauses**: Resolutions consist of paragraphs and sub-paragraphs, not clauses.

3. **Bureau**: The elected leaders that preside over formal meetings consisting of the President and Vice-Presidents of the Council.

Terms not used in in a WIMUN simulation of the Human Rights Council

1. **Dais**: This term is not used at the UN and is therefore not a part of the terminology used at a WIMUN conference. The proper term to use when referring to the officials presiding over a meeting is the Bureau.

2. **Honourable Delegates, Honorable President, or Honourable Sponsor**: These terms are used in a Parliament and since the UN is not a Parliament it is not appropriate to use them during the simulation of UN meetings. When making a statement during the General Debate, delegates should address their comments directly to the person presiding over the meeting (e.g., Mr./Madame President during Plenary meetings) and not to the delegates.

3. **House**: In some conferences, the person presiding over a meeting might say, “Will the House come to order” if the delegates are making too much noise. Again, since the UN is not a Parliament, it is inappropriate to refer to the Council as the “House” when addressing delegates.

4. **Director**: Most MUN conferences have a Director that oversees working papers and draft resolutions and acts as an expert on topics. The simulation of the Human Rights Council does not have Directors. There is a President who presides over Plenary meetings and a main sponsor who presides over informal consultations on a draft resolution and the UN Secretariat staff who assist in making sure that meetings run smoothly.

5. **Friendly and Unfriendly amendments**: These terms are not used at the UN and are not used when referring to amendments or sub-amendments that are proposed by delegates.

6. **Moderated and Unmoderated Caucuses**: These terms do not exist at the UN. Sometimes delegates may “caucus” informally to discuss amendments with the aim of reaching agreement on whether to accept, reject or agree to an alternate wording of the amendment but they are not referred to as moderated or unmoderated.

Human Rights Council Resolutions

HRC resolutions are texts authored— or ‘sponsored’— by the states. It is not necessary to be an HRC member in order to table a resolution. The majority of resolutions brought before the HRC are recurring resolutions. Consequently, a large part of the text is often repeated from one version to the next. Text that is carried over from a previous resolution is referred to as ‘agreed language’. It should be noted that some topics that are addressed by HRC resolutions are also addressed in resolutions of the Third Council of the General Assembly (e.g., children’s rights).

There are two types of HRC resolutions:

- Thematic resolutions cover a wide range of human rights subjects that include traditional subjects such as freedom of expression, prohibition of torture, right to food, etc. to more complex topics, such as respect for human rights and the battle against terrorism, human rights in extreme poverty, etc.

- Country resolutions of which there are two main categories:
  
  - Resolutions under item 4 (human rights situations that require the Council’s attention) that seek to propose measures aimed at addressing serious human rights violations in a particular country. These resolu-
tions can lead to the creation of a special rapporteur mandate or to the setting up of an inquiry Coun-
cil/fact-finding mission on the human rights situation in a particular country and are usually considered
hostile by the country concerned.
• Resolutions under item 10 (on Technical Assistance and Capacity Building) deal with providing technical
assistance to a state to help improve its human rights situation (in general or in a specific field). Less sensi-
tive than resolutions submitted under item 4, these are being used more and more often. Converting a res-
olution under item 4 into a resolution under item 10 is a tactic frequently adopted by the sponsoring
state(s) at the negotiation phase, especially in particularly sensitive cases. Resolutions under agenda item
10 tend to be better accepted by the states in question than mandates created under item 4. Because
country-specific resolutions under item 10 are negotiated and finalised with the agreement of the state
concerned, civil society sometimes views resolutions adopted under item 10 as too accommodating to a
particular state.

Resolutions of the HRC (and UN bodies in general) are divided into two parts:

• The preamble (preambular part and paragraphs, which are marked by the letters ‘PP’ during the negotiating
phase): the preamble sets out the HRC’s motive or reasons for taking action or formulating an opinion. It could be
said to serve as an introduction. When drafting a recurring resolution, reference is usually made in the preambular
part to the preceding resolutions (“Recalling all previous resolutions…”). It is very common for HRC resolutions to
start with the following paragraph: “Reaffirming the purposes and principles contained in the Charter of the
United Nations,” or “Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the
International Covenants on Human Rights and other relevant international human rights instruments,”

• The operative clauses (operative part and paragraphs, which are marked by the letters ‘OP’ during the negotiating
phase): define what action the HRC wishes to take or recommend that UN member states or UN bodies take one a
particular issue.

The first version (or ‘draft’) of a resolution is proposed by a single state or group of states (HRC members or non-
members) referred to as the sponsor or main co-sponsors.

Close to two-thirds of HRC resolutions are adopted by consensus, that is, without taking a vote.


Ask the Secretary of your Council for a list of terms commonly used in resolutions.

Adoption of a resolution

Formal adoption of a resolution by the HRC is reserved exclusively to the 47 Council members. States with HRC ob-
server status can submit a draft resolution and initiate the process of adoption by making a statement to the plenary
session, including observer states affected by the resolution in question. However, they are not entitled to vote or to
intervene during the adoption procedure which may involve voting on amendments or separate paragraphs or even
on the entire text of the resolution.

© World Federation of United Nations Associations 2020