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SIMULATION HANDBOOK

HUMAN RIGHTS COUNCIL (HRC)

Human Rights Council Simulation Handbook

The *Human Rights Council (HRC)* is the principal intergovernmental body within the United Nations system responsible for promoting and protecting human rights worldwide. However, its resolutions and decisions are not legally binding. Established by the UN General Assembly through *Resolution 60/251 on March 15, 2006*, the Council replaced the former *UN Commission on Human Rights* that had been established in 1946 to address human rights violations more effectively and to strengthen the UN's human rights machinery. One way it strengthened this machinery is by establishing 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. This process promotes accountability, transparency, and dialogue, offering countries the opportunity to share progress and challenges in human rights protection.

HOW THE HUMAN RIGHTS COUNCIL CAME TO BE

In 2005, Secretary-General Kofi Annan presented a five-year progress report on the implementation of the Millennium Declaration of 2000. His report, "In Larger Freedom: towards development, security and human rights for all" noted that "the Commission [on Human Rights]'s capacity to perform its tasks has been increasingly undermined by its declining credibility and professionalism." Following his recommendation, Member States decided to "replace the Commission on Human Rights with a smaller Human Rights Council" reducing the members of the Commission which were capped at 53 to a slimmer Council consisting of 47 members.

The Human Rights Council was designed with a smaller membership to improve its effectiveness by making it more focused and to address criticisms that the Commission often included states with poor human rights records. Reducing the number of members of the Council was part of an effort to have stricter membership criteria.

Subsidiary Bodies

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 Elimination 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*
- *SubCouncil 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.

Human Rights Council

Simulation Handbook (cont.)

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.

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.

Over the years, the Council has played a critical role in addressing pressing human rights issues, establishing *independent fact-finding missions, commissions of inquiry, and special procedures*, such as Special Rapporteurs, to monitor and report on specific themes or country situations.

Landmark moments include its focus on crises in countries like Myanmar, Syria, and Sudan, as well as thematic areas such as freedom of expression, gender equality, and the rights of vulnerable groups.

The *2011 adoption of the UN Guiding Principles on Business and Human Rights* marked another milestone, addressing corporate responsibility in human rights protection. Similarly, the Council's response to emerging challenges, such as climate change's impact on human rights, further underscores its evolving role.

With 47 member states, the Human Rights Council continues to serve as a platform for dialogue, cooperation, and action, advancing the shared goal of universal human rights.

Human Rights Council Simulation Handbook (cont.)

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. *Interactive Dialogue with the Special Rapporteur (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".
3. *General Discussion of agenda item 3 on Human Rights and the new and emerging digital technologies*: 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 by choosing 4 broad areas they will focus on in 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 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 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 after completing the line by line review of the preambular paragraphs to temporarily suspend the line by line review to debate the amendments that have been proposed so far or continue on.
7. 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.

Stages of Human Rights Council Sessions (cont.)

B. INFORMAL CONSULTATIONS (WHERE RULES OF PROCEDURE ARE SUSPENDED AND WHERE MOST OF THE TIME IN THE COUNCIL IS SPENT) TO: (CONT.)

8. After going through all the amendments at least once, the Council should return to those amendments that have been “bracketed”. Facilitators will be present to help delegates reach agreement on these amendments.
9. After all amendments have been resolved, the delegates are given one more opportunity to carefully read the text to make sure there are no further objections.
10. 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”.
11. If consensus has been reached early and time still remains in the Council, it can go back and add more text or even another broad depending on how much time remains. 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 the main sponsors. More than one of the main sponsors can introduce the resolution.
2. *Introduction of amendments*: The introduction of amendments during the final formal meeting generally happens when consensus is not reached. However, the rules of procedure in the Human Rights Council are quite unique in that they allow amendments to be introduced even when the delegates report that consensus has been reached on the text of the resolution. Any delegates who chose not to sponsor the resolution can introduce one or more amendments whether or not consensus has been reached.
3. *Sponsor options on how to respond to amendments*: After the amendments are introduced, the President gives the floor to one of the main sponsors to react to the amendments on behalf of all sponsors before a vote is taken. The sponsor who is given the floor can encourage the Council to vote against the amendment(s) or can use this opportunity to move the Adjournment of Debate (see rule 116 of the GA Rules of Procedure) which is also called a No-Action Motion. If this motion is adopted, it prevents the Council from voting on the amendments that have been proposed thereby stopping any proposed changes from being made. Before the motion can be adopted, the President must invite two delegates to speak in favor of the motion and two delegates to speak against the motion. If a simple majority votes in favor of the motion, no action is taken on the amendments that have been proposed.
4. *General comments and observations on the resolution and/or amendments*: After the resolution has been introduced, delegates are given the floor to comment on the resolution or amendments, if any are proposed.
5. *Vote on amendment*: After the last speaker has taken the floor to make general comments, the Secretary conducts a vote on each amendment that has been proposed unless a No-Action Motion has been put forth.

Stages of Human Rights Council Sessions (cont.)

C. SECOND FORMAL MEETING TO ADOPT RESOLUTION (CONT.)

6. *Conduct separate votes on individual paragraphs or groups of 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. This request is made when a delegate takes the floor to make general comments on the resolution and/or proposed amendments before they are voted on. Typically, a delegate who supports one or more amendments will say, "if any of these amendments fail, [insert name of country] 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. If no amendments are introduced during the final meeting, delegates can still request that the resolution be divided into separate votes. Any request for separate votes on specific paragraphs must be made when a delegate takes the floor to make general comments on the resolution.
 7. *Explanation of vote:* Whether or not a resolution is adopted by a vote or by consensus, delegates can take the floor to "explain their vote" before adopting their resolution as a whole. During the explanation of vote, if a delegate disagrees with what is written in one or more paragraphs, he/she can "disassociate" from these paragraphs which means that the government they are representing will not implement what is recommended in those paragraphs.
 8. *Adopting the resolution:* Even if amendments are proposed during the final formal meeting or separate votes are conducted on one or more paragraphs, 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. If consensus is not reached, a delegate can request that the resolution be put to vote. The resolution is adopted if a simple majority of delegates vote in favor of the resolutions. Those resolutions that focus on the human rights situation in specific countries usually have difficulty reaching consensus and typically are adopted by a vote. Those resolutions that are thematic in nature, like the resolution that will be drafted and adopted in your Human Rights Council on "*Human Rights and the new and emerging digital technologies*", are usually adopted by consensus, that is without voting.
 9. *Sponsoring the resolution:* Before a resolution is adopted by a vote or by consensus, delegates can either add their country as sponsor of the resolution or withdraw their country from the list of sponsors if changes have been made to the text of resolution during the final formal meeting that changes their country disagrees with.
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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.

Terms used in the HRC

1. **Explanation of vote:** Whether a resolution is adopted by taking a vote or by consensus, delegates can make statements explaining their vote after it has been adopted.
2. **Paragraphs:** Resolutions are divided into paragraphs not clauses.
3. **Bureau:** the elected leaders that preside over formal meetings are the President and Vice-Presidents of the Council.

Terms not used in the HRC

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:** 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 Committee 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 but are not limited to freedom of expression, rights of migrants, prohibition of torture, right to food, right to health, human rights defenders, racial justice, climate justice, discrimination against women and girls and much more.
- 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 resolutions can lead to the creation of a special rapporteur mandate or to the setting up of an inquiry Council/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 sensitive than resolutions submitted under item 4, these are being used more and more often. Converting a resolution 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.

Adoption of a Resolution

Formal adoption of a resolution by the HRC is reserved exclusively to the 47 Council members. States with HRC observer 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.

Drafting a HRC Resolution

Every resolution is divided into two sections that consist of preambular and the operative paragraphs. Preambular paragraphs begin with a word or phrase in the present participle (e.g., *Recalling*) and always ends with comma. Preambular paragraphs are not numbered.

Operative paragraphs begin with a word or phrase in the present tense (e.g., *Encourages*) and always end with a semi-colon except for the last operative paragraph that ends with a period.

The words or phrases used to begin a paragraph are always italicized and never underlined.

The preambular paragraphs set the stage and provide the context for understanding the actions that are recommended in the operative section.

The best way to learn about how to write a good resolution is to study and compare them. Here are some tips about what goes into a good resolution.

TYPE OF CONTENT TO INCLUDE IN THE PREAMBLE WITH EXAMPLES FOR EACH

When reading this section, please keep in mind that the aim is to give you an idea of the range of content that could be included in a resolution and does not mean that this content is always included in a resolution. It also aims to serve as a guideline on how to decide the order in which to include content when drafting a resolution or merging content from different resolutions on the same agenda item.

1. Resolutions always begin by identifying the UN body that adopting the resolution. In the case of resolutions adopted by the Human Rights Council, the first line is always:

The Human Rights Council,

2. The preamble of Human Rights Council resolution provides background information that serves to set up the actions that are recommended in the operative section.

3. The foundation of the resolution is typically set by first paragraph mentioning the UN Charter:

Guided by the purposes and principles of the Charter of the United Nations,

4. This is typically followed by mentioning other relevant human rights Declarations and international treaties that are critical to the protection of the rights being discussed:

Recalling the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic,

5. The preambular paragraphs are also where past resolutions that have been adopted by the Human Rights Council that on this same topic are recalled:

Recalling Human Rights Council resolutions 7/11 of 27 March 2008, 19/20 of 23 March 2012,

6. And if there are any UN studies or reports that are relevant to the topic that would be included in the preambular section as well:

Taking note of the study of the United Nations High Commissioner for Human Rights,

Drafting a HRC Resolution (cont.)

TYPE OF CONTENT TO INCLUDE IN THE PREAMBLE WITH EXAMPLES FOR EACH (CONT.)

6. It is also very common for the preambular paragraphs to recognize, reaffirm and acknowledge important elements of a topic:

Recognizing the importance of a conducive environment, at both the national and international levels, for the full enjoyment of human rights and fundamental freedoms,

Reaffirming the right of every citizen to have access,...to public service in their country as enshrined in article 21 of the Universal Declaration of Human Rights,

Acknowledging the fundamental importance of education and training for human rights and democracy in contributing to the promotion, protection and effective realization of all human rights,

7. Finally, the preambular paragraphs also serve to welcome actions that have been taken in support of the topic:

Welcoming the commitments made by all States in the 2005 World Summit to make the fight against corruption a priority at all levels,

8. If you are recalling one or more resolutions in the preamble of your resolution that the Human Rights Council has adopted, it must be written in the following manner:

Recalling Human Rights Council resolutions 24/2 of 26 September 2013, 27/4 of 25 September 2014,

You must indicate:

1. The session in which it was adopted (in the example above, the first resolution was adopted during the 24th session and the second resolution was adopted during the 27th session),
2. The order in which it was adopted (in the example above, the first resolution was the second resolution adopted during the 24th session and the second resolution was fourth resolution adopted during the 27th session), and
3. The date on which it was adopted (in the example above, the first resolution was adopted on 26 September 2013 and the second resolution was adopted during on 25 September 2014).

This information can be found at the top of each resolution:

Drafting a HRC Resolution (cont.)

Human Rights Council

Fifty-seventh session

9 September–11 October 2024

Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council on 10 October 2024

57/12. Local government and human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights and relevant international human rights instruments, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling also Human Rights Council resolutions 24/2 of 26 September 2013, 27/4 of 25 September 2014, 33/8 of 29 September 2016, 39/7 of 27 September 2018, 45/7 of 6 October 2020 and 51/12 of 6 October 2022 on local government and human rights, as well as all other relevant resolutions of the Council,

CONTENT TO BE INCLUDED IN OPERATIVE PARAGRAPHS WITH EXAMPLES

First and foremost, the operative paragraphs should focus on recommending actions that need to be taken to protect the human rights that are the subject of the resolution. For instance, in a recent resolution on terrorism and human rights, an operative paragraph focused on protecting a person's right to privacy:

1. *Urges* all States to respect and protect the right to privacy, including in the context of digital communication, calls upon States, while countering terrorism and violent extremism conducive to terrorism, to review their procedures, practices and legislation regarding the surveillance of communications, their interception and collection of personal data, including mass surveillance, interception and collection, with a view to upholding the right to privacy by ensuring the full and effective implementation of all their obligations under international human rights law;

In a different operative paragraph it focused on protecting the human rights of the terrorist suspects":

5. *Further calls* upon States to ensure that no transfer or return of suspects of terrorist activities or other national security offenses is carried out to countries where there are substantial grounds for believing that those suspects would be in danger of being subjected to torture;

A list of verbs used to begin preambular and operative paragraphs is provided on the webpage devoted to the simulation of the Human Rights Council.