

OPENING THE DOOR TO DAMAGING AMENDMENTS
FACT SHEET ON THE RISKS TO THE HUMAN RIGHTS COUNCIL NEGOTIATIONS
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The February 23, 2006 Human Rights Council (HRC) resolution, presented by the President of the General Assembly, favored the proposals of supporters of a strong Council – the United States, European countries and other allies. Yet, the current resolution was unilaterally rejected by the United States. Re-opening the text for further negotiations will risk weakening it, as spoiler states have signaled they will respond with their own amendments.

The following is a list of the amendments and provisions that countries would likely re-introduce if the current HRC text is reopened. Some of these proposals have majority support of the General Assembly and could pass if there were line-by-line negotiations as advocated by Ambassador Bolton.

- Membership of the current Commission on Human Rights would be transferred to the Human Rights Council, preserving the current seat of abusers on the Council.
- Special procedures that allow for special rapporteurs to monitor issues and situations would be eliminated until a review takes place.
- The HRC would be the same size as the current Commission (53 members) or higher.
- Members of the Council would be voted by simple majority from regional slates, not by individual and direct vote as stipulated in the current text.
- Country-specific resolutions -- which play the important role of naming and shaming governments -- would be eliminated or the bar to approve them would require a 2/3 vote of the Council.
- Special sessions of the Council would be called by a majority vote of members rather than the current lower bar of one-third. This would make it much more difficult to address urgent situations and would undermine the body's preventive capacity.
- An additional and separate *operative* paragraph on the right to development would be added.
- A separate *operative* paragraph on the defamation of religion in the media would be added that could undermine or conflict with freedoms of expression and speech.
- A *preambular* paragraph on foreign occupation and colonial domination could be added with a reference to respect for sovereignty and non-interference in internal affairs.
- The HRC would play an oversight role over the High Commissioner's budget, threatening the High Commissioner's autonomy, neutrality and effectiveness.
- Language would be deleted that would allow the HRC to make recommendations to UN officials and bodies on how best to promote and protect human rights.
- NGO participation would be governed by the rules of other General Assembly subsidiary bodies which would undermine their valuable contributions as witnesses, monitors and promoters of human rights.
- The HRC would meet only twice a year a total of 6 weeks which is the same length of the current annual session.
- The clause that allows for the suspension of states committing gross or systematic abusers would be deleted.
- Provisions that require states to consider states' human rights record prior to election and requirements for members to uphold their commitments to abide by human rights standards could be deleted.