

A NEW CHAPTER FOR HUMAN RIGHTS

A handbook on issues of transition
from the Commission on Human Rights
to the Human Rights Council

**FRIEDRICH
EBERT** 
STIFTUNG


International
Service for
Human Rights

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International Service for Human Rights (ISHR)

ISHR is primarily a servicing organisation that promotes the development, strengthening, effective use and implementation of international and regional law and mechanisms for the protection and promotion of human rights. Established in 1984 by members of a variety of NGOs in Geneva, ISHR has been providing analytical reports on the UN human rights mechanisms; training on how to use the international norms and procedures; strategic advice for effective lobbying; contributions to standard-setting; practical information and logistical support to enable human rights defenders from around the world to take full advantage of international human rights law and procedures. For further information on ISHR visit www.ishr.ch.

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FOREWORD

After 60 years the Commission on Human Rights is no more. There is a new international mechanism for the promotion and protection of human rights, the Human Rights Council (the Council).

For exactly 60 years, since 1946, the Commission on Human Rights (the Commission) was the principal human rights body within the United Nations system. It produced the enormous body of international human rights law and standards that now governs the conduct of States. It developed a system of independent experts to assist in the development of human rights norms and law and to advise, monitor, investigate, report, and make recommendations on the performance by States and others in terms of their implementation of human rights. It supported the important roles of human rights defenders and advocates in the work of promoting full respect for human rights. In the end, however, international politics and the competing interests of States undermined it and marginalised it. Nonetheless its achievements provide the basis on which its successor, the Human Rights Council, is being developed.

Under the Resolution passed almost unanimously by the United Nations General Assembly on 15 March 2006, the Commission was abolished on 16 June and three days later, on 19 June, the Council began its work. The Resolution recognises the achievements of the Commission, its mandates, mechanisms, functions and responsibilities, and carries them forward to the new Council. It also sets an ambitious program of work for the Council's first year, including:

- reviewing and maintaining a system of special procedures;
- reviewing, improving, and rationalising the existing mandates and mechanisms;
- establishing and implementing a new system of universal periodic review to which all States will be subjected;
- developing its program of work, its schedule of meetings, agenda, rules of procedure, and working methods; and

- continuing the important work of protecting and promoting human rights, especially where those rights are being violated or at risk.

All those committed to the promotion of human rights have a role to play in this decisive first year. While the 47 member States of the new Council will be the ultimate decision-makers, other States, international organisations, non-governmental organisations and national human rights institutions are essential participants too. Human rights victims and defenders in particular have experiences, knowledge, expertise, and perspectives that must be contributed to the Council and taken into account in the Council's work.

This handbook has been produced to support all those wanting to participate in the new Council. It is intended primarily for human rights defenders and advocates but will no doubt be of assistance to representatives of States and international officials too. It looks at what the Commission has passed on to the Council, what the Council needs to consider and do during its first year, and what choices lie before it. It also reviews the Commission in terms of its achievements and shortcomings with the aim of stimulating ideas and debate. We hope that the questions raised in each chapter will help explore opportunities and open up options so that the best possible approaches are adopted for the Council's work.

We present this handbook at a crucial time of transition to assist human rights defenders and advocates and others to play effective roles in shaping and defining the new Human Rights Council. We hope that it could also support and encourage representatives of States in their efforts to develop a strong and effective Human Rights Council.

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