

## United Nations Human Rights Council (UNHRC)

This year marks the 70th anniversary of the adoption of the Universal Declaration of Human Rights, which set out a universal core of human rights and fundamental freedoms for the first time. The Universal Declaration, together with other measures which followed, constitute the International Bill of Human Rights. In the 12 years of its existence, the United Nations Human Rights Council (UNHRC) has actively defended human rights worldwide. Its robust mandate and unique set of mechanisms, such as universal periodic review and special procedures, provide a system for prevention, technical assistance and capacity-building, as well as a mechanism to respond to cases of grave violations of human rights. The 12th anniversary of the United Nations Human Rights Council (UNHRC) will be celebrated during its 37th session, from 26 February to 23 March 2018.

### Mandate

Created on 15 March 2006, by the United Nations [General Assembly](#) (UNGA), under resolution [60/251](#), the UNHRC adopted its '[Institution-building package](#)' a year later, to guide its work and set up its procedures and mechanisms. It has a separate mandate from the [High Commissioner for Human Rights](#) (OHCHR) and is an intergovernmental body within the United Nations system, 'responsible for strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and making recommendations on them'. It has the ability to discuss all [thematic](#) human rights issues and situations that require its attention throughout the year. It meets at the UN office in Geneva. The UNHRC consists of [47 UN member states](#), elected by the UN General Assembly. Members of the Council serve for a period of three years and are not eligible for immediate re-election after serving two consecutive terms. Its current president, for the 12th cycle (1 January to 31 December 2018), is the Slovenian, [Vojislav Šuc](#).

### Structure

The [UN members](#) who occupy the UNHRC's 47 seats are elected by secret ballot, by an absolute majority of the [UNGA](#). Members of the UNHRC are elected to [staggered three-year terms](#). The seats are distributed among the [UN's regional groups](#) as follows: 13 for Africa, 13 for Asia-Pacific States, 6 for Eastern Europe, 8 for Latin America and the Caribbean (GRULAC), and 7 for the Western European and Others group (WEOG). The UNGA can suspend the rights and privileges of any Council member that has committed gross and systematic violations of human rights during its term of membership, through its Universal Periodic Review. The suspension process requires a two-thirds majority vote by the UNGA.

#### The UN Human Rights Council:

- Includes every UN member state that fulfils the eligibility criteria
- Elected by secret ballot, needs absolute majority in the General Assembly
- Each member serves a three-year term
- All UN members will regularly have their rights record reviewed
- Systematic violators of human rights can be suspended from the Council

### Functioning

The UNHRC serves as a forum for dialogue among states, with input from other [stakeholders](#). As a result of its discussions, the Council may issue resolutions calling on states to take specific actions or uphold certain principles, or it may create mechanisms to investigate or monitor questions of concern. An important mechanism which serves to assess the human rights situations in all United Nations Member States is the [Universal Periodic Review](#) (UPR). This is a cooperative procedure which has regularly reviewed the human rights records of all 193 UN member states. Currently, no other universal mechanism of this kind exists. The ultimate aim of the UPR is 'to improve the human rights situation in all countries and address human rights

*This is an updated version of an 'at a glance' note from February 2016.*

EPRS | European Parliamentary Research Service

Author: Joanna Apap, **Members' Research Service**

PE 573.970

**Disclaimer and Copyright:** This document is prepared for, and addressed to, the Members and staff of the European Parliament as background material to assist them in their parliamentary work. The content of the document is the sole responsibility of its author(s) and any opinions expressed herein should not be taken to represent an official position of the Parliament. Reproduction and translation for non-commercial purposes are authorised, provided the source is acknowledged and the European Parliament is given prior notice and sent a copy. © European Union, 2018.

[eprs@ep.europa.eu](mailto:eprs@ep.europa.eu) – <http://www.ep.rs.parl.union.eu> (intranet) – <http://www.europarl.europa.eu/thinktank> (internet) – <http://epthinktank.eu> (blog)



violations wherever they occur'. The third cycle of the UPR is currently underway. It started [in 2017 and will run until 2021](#).

The [Advisory Committee](#) serves as the Council's 'think-tank', providing it with expertise and advice on [thematic human rights issues](#) and on the [complaint procedure](#). The complaint procedure addresses communications submitted by individuals, groups, or non-governmental organisations which claim to be victims of human rights violations, or that have direct, reliable knowledge of such violations. Apart from the UPR, through which the UNHRC reviews each UN member state's overall human rights record, it also receives complaints alleging patterns of human rights violations worldwide. These complaints are considered by the [Working Group on Communications](#) and may be referred to the [Working Group on Situations](#). The complaints lodged can be about any human rights violation in any part of the world, as the UNHRC's remit, being a UN Charter-based body, is wider than that of the [UN treaty-based bodies](#). Charter-based bodies such as the [UNHRC](#), are 'sometimes the only mechanism that will alert the international community to certain human rights issues, as they can address situations in all parts of the world without the requirement for countries to have had ratified a human rights instrument' (according to the OHCHR). The Working Group on Situations reports substantiated claims of consistent patterns of gross violations to the Council and makes recommendations for action. The UNHRC also works with the UN [special procedures](#) established by the former Commission on Human Rights. These provide for special rapporteurs, special representatives, independent experts and working groups, which monitor, examine, advise and report publicly on thematic issues or human rights situations in specific countries. The OHCHR provides substantive support for the meetings of the UNHRC, and follow-up to its deliberations.

#### *Review mechanism of the UNHRC*

When creating the Human Rights Council in March 2006 (resolution [60/251](#)), the United Nations General Assembly decided that the Council would review its work and functioning five years after it came into existence. It also provided that the status of the Council be reviewed at the level of the General Assembly. In October 2009, at its 12th session, the Council established an open-ended intergovernmental working group on the review of the work and functioning of the Human Rights Council (under resolution 12/1). A number of [informal initiatives](#) were undertaken by member states and observers to discuss the scope of the review and reflect on various proposals. In addition, several rounds of informal consultations were convened by the Council's president to detail the process and [modalities of the review](#). In 2010, during the 15th session of the Council, the President presented an oral [progress report](#) and, in this context, informed the membership of the [joint understanding](#) reached with the President of the General Assembly on the coordination of the review processes of the Council and the General Assembly.

#### *Sessions*

The Council conducts its substantive work primarily in [regular sessions and special sessions](#). Regular sessions take place three times a year, usually in March, June, and September. The agenda and programme of work for each session are established with respect to any adopted Council resolutions and in consultation among Member States. Regular sessions include the presentation of human rights reports and interactive dialogues with special procedure mandate-holders or member states, panel discussions and debates on a wide range of human rights issues, and consideration of Universal Periodic Review reports. Special sessions of the Council address urgent human rights situations arising between regular sessions, and may be called at the request of any Council member state with the support of at least one third of the Council membership. With a more narrow remit than regular sessions, special sessions usually last a few days, with work programmes focused on discussion of the urgent human rights situation raised and deliberations around the concluding resolution to be adopted by the Council. To date there have been [27 special sessions](#).

#### **The European Parliament and the UN Human Rights Council**

The European Parliament's [Subcommittee on Human Rights](#) (DROI) organises two regular delegations to the UN each year. The first is normally to the spring session of the UNHRC in Geneva, and is preceded by the plenary voting a [resolution](#) (most recently in December 2017) detailing the current human rights priorities for the EP. An EP delegation will be attending the UNHRC's 37th session on 5 and 6 March 2018, and Parliament held a [debate](#) in plenary, on 28 February, on the EU's priorities for the UNHRC's 2018 sessions. A second delegation takes place to the autumn session of the United Nations General Assembly in New York. These delegations have been a successful tool for strengthening cooperation and communication with the UN and are also welcomed by EU Member States.