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Overview

The Human Rights Council (the Council) reconvened in plenary session to continue its panel discussion on integrating a gender perspective into the work of the Council. H.E. Ambassador Maria Nzomo of Kenya again moderated the discussion, which focused on how to integrate a gender perspective into the universal periodic review (UPR) mechanism, the work of the special procedures and the review of their mandates, and the Council's annual programme of work. Panellists included the Deputy High Commissioner for Human Rights, Ms Kyung-wan Kang, Mr Miloon Kothari, Special Rapporteur on adequate housing, and Ms Radhika Coomaraswamy, Special Representative of the Secretary General on children and armed conflict.

The afternoon session was devoted to the interactive dialogue with Ms Radhika Coomaraswamy, following the presentation of her report to the Council. The discussion centred on the plight of child soldiers, their reintegration into society and on measures the Council could take in that regard. Similar to the discussion on 'gender integration', Ms Coomaraswamy said the challenge for the Council was to help 'mainstream' the issue of children in armed conflict into its work. The question remains what concrete meaning the term 'mainstreaming' will be given in the future work of the Council.

The Council then decided on the order of review for countries to be reviewed under the UPR for the whole first cycle of review of four years starting in 2008. However, the exact order of review during each session of the UPR Working Group has only been determined for the first year.

Discussion on integrating a gender perspective into the work of the Council

The President began the day's discussion by stating that the long list of speakers on the topic of integration of a gender perspective into the work of the Council was an indication of the high level of interest in the topic and the success of the Council's efforts to address the issue. He handed over the discussion to H.E. Ambassador Maria Nzomo of Kenya to moderate the proceedings. All the panellists from yesterday, that is the Deputy High Commissioner for Human Rights, Ms Kyung-wan Kang, Mr Miloon Kothari, the Special Rapporteur on adequate housing and Ms Radhika Coomaraswamy, the Special Representative of the Secretary-General on children and armed conflict, were present, with the exception of Ms Charlotte Bunch, executive director of the Centre for Women's Global Leadership. Ambassador Nzomo opened the floor for the continuation of the general debate that had begun the previous day¹.

General debate

Many delegations warmly welcomed the presentations by the panellists, which were deemed 'informative and insightful'², 'comprehensive and valuable'³ and thought provoking⁴, among other things. States continued to call for practical solutions to gender integration and a targeted focus on implementation⁵. Several States continued to draw particular attention to their endorsement of the joint statement by Argentina on behalf of 57 States presented at the 4th session of the Council.⁶

Recognition of an **intersectional approach**⁷ to gender issues was emphasised by many speakers, stressing the importance of viewing gender oppression through the lens of multiple and intersecting forms of discrimination including racial discrimination and economic disempowerment. Ms Radhika Coomaraswamy affirmed the need for this approach to be central to the follow-up to the Durban conference. Mr Miloon Kothari also highlighted the need for looking at the implications of an intersectional approach in policy-making and legislative frameworks, and asked the Council to consider convening an expert seminar on this issue, which he said would greatly complement the work of special procedures.

The general debate that ensued centred around several thematic issues: integration of a gender perspective in the work of the Council, both in terms of a substantive focus as well as procedurally, through the special procedures, universal periodic review and the complaint procedure; issues affecting women and girls and reasons for inequality and discrimination; regional and national initiatives undertaken by States; gender mainstreaming throughout the UN system and the need for system-wide coherence and finally, proposals for methods to implement gender integration.

Integration of a gender perspective into the work of the Human Rights Council

The discussion of integrating a gender-perspective into the work of the Council comprised a combination of comments on proposals for how to do so within the substantive work of the Council, as well as procedurally,

¹ For more detailed information about the presentations of the panellists and the beginning of the general debate, please refer to the *Daily Update* of 20 September 2007, available at www.ishr.ch/hrm/council.

² Republic of Korea.

³ Thailand.

⁴ Bangladesh.

⁵ Thailand, Australia, Venezuela, India, Switzerland, Commission to Study the Organisation of Peace.

⁶ Venezuela, Switzerland.

⁷ Republic of Korea, South Africa, Nicaragua, Action Canada for Population and Development.

through its inherited and new mechanisms. It was argued that if the Council was an improvement on the former Commission on Human Rights (the Commission) then it should be able to play a meaningful role in including a gender perspective in its human rights work.⁸

Proposals relating to the universal periodic review (UPR)

Many States generally called for integration of a gender perspective through the UPR process⁹. Several States also put forward specific proposals such as:

- Integration of a gender perspective could be placed as a standing item on the list of issues that would be presented by the UPR rapporteurs to the UPR Working Group to structure the interactive dialogue with the concerned country.¹⁰
- The outcome document of the UPR process could have a separate item on proposals and follow-up to gender integration and other gender-specific issues.¹¹
- Advancement in gender issues through national policy could be assessed through the UPR.¹²
- States and other stakeholders could submit gender-specific information and information related to women in their report under the UPR.
- Switzerland suggested that the State under review could identify best practices and lessons learned in the implementation of national policies through a gender perspective.
- Ethiopia suggested that the general guidelines for submission of information to the UPR should provide the modalities on how information regarding gender could be submitted.

Proposals relating to the Special Procedures

Many speakers remarked on the importance of special procedures mandate holders in facilitating gender integration both substantively as well as procedurally. Some of the proposals put forward included:

- Given the intersectional and crosscutting nature of gender issues, coordination between existing special procedures could be improved and it was suggested that they could also work towards a thematic clustering of gender-related concerns.¹³
- All special procedures should consider gender-related issues,¹⁴ and this should not be the exclusive responsibility of gender-specific mandates such as the Special Rapporteur on violence against women.¹⁵
- The creation of new special procedures mandates to address the issue of gender integration could add ‘fresh impetus’ to such efforts.¹⁶
- Switzerland suggested that mandate holders should systematically take into account gender concerns during country visits and highlight this information in their reports. It also observed that the best way of doing this was to insist on meeting with the specific persons who could best provide this information.

Other proposals

The Office of the High Commissioner for Human Rights (OHCHR) could play a critical role by integrating a gender perspective throughout the work of all its field offices.¹⁷ Thailand asked the Deputy High

⁸ Republic of Korea.

⁹ Australia.

¹⁰ Republic of Korea.

¹¹ Republic of Korea.

¹² South Africa.

¹³ Republic of Korea.

¹⁴ Russian Federation, Action Canada for Population and Development, Ethiopia, India.

¹⁵ The Netherlands, Thailand.

¹⁶ Republic of Korea.

Commissioner if OHCHR had developed the means to gather information and statistics on how a gender-perspective had been integrated into the current work of special procedures mandate holders, and what challenges mandate holders faced in attempting to do so, as this would be useful in identifying existing gaps. It suggested that this could be done in the review and rationalisation of mandates.

Several States also mentioned the importance of gender remaining an issue on the agenda and programme of work of the Council to continue discussions on the issue.¹⁸ Brazil emphasised that gender should remain on the agenda of the Council and should be integrated into its working methods. It also specifically called for the integration of the issue of violence against women in all the human rights work of the Council.

National and regional initiatives

In order to facilitate the sharing of best practices, States and non-governmental organisations (NGOs) described existing initiatives for incorporating a gender perspective at the national and regional levels. States gave various examples of the encouragement of women's participation in policy-making at the national level,¹⁹ through the use of a quota system or affirmative action measures.²⁰ Other States described laws and national institutions that had been established to deal with gender equality and mainstreaming.²¹ Several States highlighted the role of education in promoting women's rights in their countries.²² Malaysia and India pointed out the importance of involving women in development. Australia mentioned that it had integrated gender considerations into all its policies and programs, with special mention of how it had integrated gender issues into all its foreign aid activities.

Several African States described initiatives at the regional level,²³ including the adoption of the Solemn Declaration on Gender Equality in Africa²⁴ examining gender integration in peace, security, health and education and the adoption and ratification of the Protocol to the African Charter on Rights of Women in Africa. These achievements were presented as a visible result of the commitment shown by African Heads of State and a mobilisation of African women's networks. In May 2005, the Non-Aligned Movement (NAM) also convened a conference on women's rights, which led to the establishment of the NAM institute for advancement of women in Kuala Lumpur.²⁵

Issues affecting women and girls globally

Speakers mentioned a variety of gender-related concerns, such as inequality and discrimination against women and girls. Attention was also drawn to the legitimisation of violence against women and gender-based violence²⁶, including domestic violence²⁷, torture²⁸, and rape of women as a tool of war²⁹. Women persecuted because of their sexual orientation³⁰ were also mentioned.

¹⁷ The Netherlands.

¹⁸ India, Egypt (on behalf of the African Group), Sri Lanka (on behalf of the Asian Group), Nicaragua.

¹⁹ Colombia, South Africa, Panama, India, Bangladesh.

²⁰ Bangladesh, South Africa, Panama.

²¹ Brazil, Venezuela, Malaysia.

²² Panama, Bangladesh.

²³ Senegal, Ethiopia, Femme Africa Solidarite.

²⁴ Adopted by member States of the African Union, July 2004.

²⁵ Statements were made on these initiatives by Senegal, Malaysia, Femme Africa Solidarité (NGO).

²⁶ Brazil, UNFPA.

²⁷ International Institute for Non-Aligned Studies, OMCT.

²⁸ OMCT.

²⁹ International Institute for Non-Aligned Studies.

³⁰ Action Canada for Population and Development.

Ms Coomaraswamy highlighted that women emphasised the adverse effects of violations of their economic, social and cultural rights. Several delegations also raised the feminisation of poverty, including unequal access to resources by women, economic disempowerment and marginalisation of women, and the differential impact of poverty on women and girls.³¹ Brazil mentioned, for example, the importance of recognising the economic value of unpaid domestic work of women. Several speakers mentioned access to education and using education as a tool to sensitise people to gender concerns.³² Healthcare³³ was noted as a key concern for many speakers, and the United Nations Population Fund (UNFPA) highlighted that reproductive health, maternal mortality, deaths from childbirth and gender-based violence were important issues affecting women.

The role of women in promoting and protecting human rights³⁴, and the violations, often unidentified, faced by women human rights defenders³⁵ were brought up as yet another thematic issue of concern. Women defending women's rights, sexual rights, and human rights in general, face gender specific forms of violence and it was reported that many were often killed in carrying out their work.³⁶

Gender mainstreaming in the UN system

Regarding the proposal made by the high-level panel of the Secretary General on improving the gender architecture of the United Nations (UN), the Russian Federation was of the view that, given the 'fragmented' and ineffective structures to address gender concerns at the UN, the Council should wait until the process in New York was completed. This was to avoid duplication, dispersal of resources and the confusion of priorities, according to the Russian Federation. It also endorsed the proposal for a single body to deal with gender issues and said that this was deserving of support from States, which was also mentioned by Australia, stating that gender mainstreaming was the responsibility of the entire UN system. Bangladesh, on the other hand, expressed scepticism about whether 'system-wide coherence' was more of a slogan than a plan of action with concrete results, as it felt that gender had been adequately integrated into many mechanisms in the UN with no palpable effect. Ms Coomaraswamy responded by saying that gender integration was a well-recognised and accepted concept, and that the Council should consider the issue in consultation with the processes currently underway in New York.

Panellists' remarks

Panellists provided their comments, answers to questions posed to them by speakers, and put forward proposals for the road ahead. Mr Kothari highlighted the gap between recognition of gender-related concerns and implementation of concrete measures to address them, and called for an 'honest assessment' by the Council to identify and address these institutional gaps. He suggested that using the UPR, States should identify the challenges that they face in implementing measures to address gender discrimination, inequality and other related concerns. In terms of concrete measures, Mr Kothari stated that the request by the former Commission on Human Rights for a separate report on women and housing helped him pay particularly close attention to the issues in his work, and suggested that the Council could make specific requests from the special procedures. Additionally, he stated that all States should be encouraged to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and emphasised that coordination and cross-fertilisation of work between special procedures and treaty bodies

³¹ Organisation Internationale de La Francophonie (OIF), Nicaragua.

³² Brazil (on behalf of GRULAC), International Institute for Non-Aligned Studies, Bangladesh, Commission to Study the Organisation of Peace, Colombia.

³³ Brazil (on behalf of GRULAC), Femme Africa Solidarite Network.

³⁴ Nicaragua.

³⁵ International Service for Human Rights (ISHR), Commission to study the Organisation of Peace.

³⁶ ISHR.

needed to be systematised. He went on to suggest that the Council should ask all special procedures mandate holders to carry out a self-assessment on the integration of a gender perspective in their annual and country mission reports. Regarding the role of the Coordinating Committee of Special Procedures, Mr Kothari stated that while it had not as yet closely examined the integration of a gender perspective into the work of the special procedures, this would be given due consideration at the Annual Meeting of Special Procedures in 2008. In particular, he said that the special procedures would welcome any opportunities to have a dialogue with the Council on how to follow-up on the recommendations resulting from the discussion. Mr Kothari also emphasised that the new Human Rights Council Advisory Committee that the special procedures were unable to carry out themselves. He welcomed the opening of the gender unit within OHCHR, on behalf of the special procedures. He finally highlighted that the biggest challenge he faced in his work in terms of addressing gender concerns, was how to close the gap between recognition of equal rights and implementation of concrete measures. He observed that the Council needed to move beyond rhetoric and towards practical measures.

The Deputy High Commissioner suggested that States could integrate a gender perspective into their reports under the UPR through close consultations with national institutions working on gender issues from the very beginning of the information gathering process. She also added, somewhat bewilderingly, that the UPR was a 'peer review' process and that implementation of gender integration came down to the political will of States to effectively review a member of the Council.

Ambassador Nzomo took the floor after the exhaustion of the speakers' list and briefly summaries the issues addressed during the general debate. She said that the debate had clarified what a 'gender perspective' was, and how gender mainstreaming should be understood. She stated that action should be taken to integrate a gender perspective into the work of the Council as it would have a significant impact on the lives of women and girls, and men and boys. She highlighted that it was only through a gender specific analysis that this could be achieved. The Vienna Declaration and Programme of Action had great significance for the full and equal enjoyment of rights and should be a priority for States and the United Nations. Special procedures should attach importance to the gender perspective. She highlighted that the work already done by various mechanisms had been discussed, including by several of the special procedures. She went on to state that the discussion had seen agreement that a two-track approach should be used, namely the integration of gender into the whole UN system, but also targeted action that focussed on women in particular. The mechanisms of the Council, namely the UPR, should be used as a follow-up mechanism, and the Council should monitor national level implementation through the review process. An annual discussion on gender and human rights should be organised by the Council. The Council should also devise strategies to ensure that equal rights are addressed by all mechanisms. The integration of a gender perspective and a gender balance should be ensured in all the Council's structures and mechanisms, including the Working Groups on communications and situations.

Special Representative of the Secretary-
General for children and armed conflict

Ms Radhika Coomaraswamy, Special Representative of the Secretary-General for children and armed conflict, presented her report, which was originally scheduled to be presented at the 4th session of the Council in March 2007.³⁷ In her oral statement, Ms Coomaraswamy urged the Council to join the General Assembly

³⁷ A/HRC/4/45, 9 February 2007. ISHR has produced unofficial summaries of special procedures reports, *Reports in Short*, which are available on our website www.ishr.ch/hrm/council/reports_in_short.

and the Security-Council in their efforts to protect children in times of war.³⁸ She highlighted four areas of concern: the recruitment and use of children as soldiers; grave sexual violence against children; the safety and access of humanitarian personnel; and rehabilitation and reintegration of children. A major theme of her presentation was a repeated call to end impunity for those involving children in armed conflict.

The Special Representative shared details of her visits to Sri Lanka, the Sudan, Burundi, the Democratic Republic of the Congo (DRC) and Israel and the occupied Palestinian territories.³⁹ Regarding all country situations she discussed, the Special Representative paid particular attention to the reintegration of child soldiers. She did not speak about her visits to Lebanon and Myanmar, but referred to the written version of her oral statement. Finally, she referred to the recommendations she made in her report, which included recommendations from a review of the Machel Study about the progress made in ten years in protecting war-affected children.⁴⁰ However, she reminded the Council that despite the progress achieved, new challenges had emerged and that the international community ‘must re-double its efforts’ to ensure every child is free from abuse and violence.

Interactive dialogue

The concerned countries were given the floor first, and all welcomed the report by Ms Coomaraswamy. Most of their interventions focused on deploring the use of child soldiers, and outlined the measures they had taken at national level to address the problem.

- The Democratic Republic of the Congo (DRC) expressed its gratitude to the international community for the assistance with its disarmament, demobilisation and reintegration (DDR) programme. It highlighted that many child soldiers had been released, but that the situation in the east of the country was still difficult.
- Myanmar said that the visit of the Special Representative had been fruitful, and pledged that it would continue to cooperate with the UN.
- Sri Lanka stressed that it had a ‘zero-tolerance’ approach to the issue of child soldiers. The delegation said that the rebel forces (LTTE) continued to recruit children despite a number of efforts taken to prevent it. It also announced that an investigation had been initiated to clarify allegations that the government had participated in recruitment of child soldiers.
- The Sudan reiterated its commitment to fully cooperate with all UN mechanisms, but stressed that the government had to be included in all monitoring efforts. It pointed out that the information contained in the presentation should have first been shared with the government, and the sources of the information should be mentioned in the report.

The report was generally welcomed. All States unequivocally condemned the continued use of child soldiers in a number of conflicts around the world. Specific comments included the following:

- Egypt, on behalf of the African Group, stressed that the recruitment and use of child soldiers should be considered a war crime.
- A number of States commented on the special emphasis the Special Representative had placed in her report on reintegration of children affected by armed conflict.⁴¹ Sri Lanka announced that it had created a national commission to that end. It stressed that reintegration and rehabilitation programmes had to

³⁸ Oral statements made at the Council are available on the OHCHR extranet, which can be accessed (fill out the form on the page to receive the user name and password) at www.ohchr.org/english/bodies/hrcouncil/form.htm.

³⁹ For her very detailed remarks about the States she mentioned please refer to Ms Coomaraswamy’s statement.

⁴⁰ A study by Graca Machel, “The Impact of Armed Conflict on Children” (A/51/306). See <http://www.un.org/children/conflict/english/home6.html> for more information. The Machel Review 1996-2000, A/55/749.

⁴¹ Egypt (on behalf of the African Group, Sri Lanka, Nepal, Australia, Sudan, Portugal (on behalf of the EU)).

include education and other activities, rather than focus merely on physical rehabilitation. Portugal, on behalf of the European Union (EU), raised the question of the reintegration of children born out of acts of sexual abuse during wartime.

- Several delegations discussed gender related concerns in their comments. Pakistan, on behalf of the Organisation of the Islamic Conference (OIC), urged that girl children be made a priority in the efforts of the international community to protect children against armed conflicts, as girl children were most vulnerable. Portugal (on behalf of the EU) asked the Special Representative how girls sexually abused in wartime could be best reintegrated, and how sexual abuse and exploitation could be better addressed.⁴² Australia called for aid to the women and children affected by the activities of the LTTE in the north and east of Sri Lanka.
- A few States mentioned the issue of impunity for the recruitment of child soldiers.⁴³ Portugal (on behalf of the EU) stressed the need for the international community to address the notion of impunity, and asked the Special Representative if any progress has been made. Liechtenstein supported the recommendation of the Special Representative that the Council should play a critical role in enforcing human rights standards to end impunity. In her responses, the Special Representative noted with great concern the extent of impunity in the eastern part of the DRC.
- A number of States raised the issue of monitoring the situation of children involved in armed conflict.⁴⁴ Sudan referred to Security Council *Resolution 1612*,⁴⁵ reasserting the importance of including governments in monitoring mechanisms. Japan stressed the challenge of ensuring that countries respect the monitoring mechanisms laid down in *Resolution 1612*. Slovenia asked the Special Representative if she had suggestions for how the UPR could be used to contribute to monitoring. The United Kingdom raised the issue of Child Protection Advisors and noted how efforts to include children in policies, activities, and programmes, throughout the different phases of peacekeeping and peace consolidation, had been key. Liechtenstein simply expressed the need for the Council to play a more active role in terms of monitoring situations.
- A number of delegations focused on the cooperation between the international community and national governments in addressing the issue of children in armed conflict.⁴⁶ Switzerland asked the Special Representative to expand on her recommendation for a deeper engagement with the OHCHR and encouraged her to continue to support OHCHR field offices.⁴⁷ Other comments highlighted the value of establishing a close working relationship with the Security Council Working Group on Children and Armed Conflict.⁴⁸ Japan cited the near universal ratification of the *Convention on the Rights of the Child* and urged countries that had not yet done so to adopt the *Optional Protocol on Children in Armed Conflict*.
- A number of States asked for specific suggestions from the Special Representative on measures the Council could take to strengthen its role to lessen the plight of children in armed conflict.⁴⁹ Luxemburg asked how the Council could better take into account the *Paris Principles and Guidelines on children associated with armed forces or armed groups*.⁵⁰ In her replies, the Special Representative noted that role of OHCHR and the Council was mainly in helping to ‘mainstream’ the issue into their work and the work

⁴² Also raised by Japan.

⁴³ Portugal, Liechtenstein.

⁴⁴ Sudan, Slovenia, UK, Liechtenstein, Japan, Switzerland,

⁴⁵ S/RES/1612 (2005) <http://daccess-ods.un.org/TMP/5490114.html>

⁴⁶ Myanmar, Switzerland, Italy, Sri Lanka, Sudan, Thailand Canada, Japan, Liechtenstein, Slovenia, Turkey, Luxembourg, New Zealand.

⁴⁷ Supported by Italy.

⁴⁸ Sri Lanka, Sudan, Thailand, Switzerland, Canada, Japan.

⁴⁹ Liechtenstein, Slovenia, Turkey, Luxembourg, New Zealand.

⁵⁰ See http://www.child-soldiers.org/childsoldiers/Paris_Principles_February_2007.pdf. Portugal (on behalf of the EU) also raised the Paris Principles.

of the UN as a whole. She added that, when completed,⁵¹ the ten-year review of the Machel Study would assist in that task.

- Only three NGOs took the floor during the interactive dialogue. The Asian Legal Resource Center (ALRC) drew attention to the situation of children in India, where many were used for police work.
- The Women’s International Zionist Organization (WIZO) wanted to know if the Special Representative was aware of Palestinian children being incited to hatred. Ms Coomaraswamy in her replies announced that a committee composed of representatives of both sides and outside observers was currently reviewing schoolbooks in Israel and Palestine to prevent such practices.
- International Educational Development noted that different UN entities were using different rules for the minimum age of children recruited for armed forces. It suggested that the Special Representative look into harmonising and clarifying the different standards.⁵²

In her final replies, the Special Representative again commented on the various country situations raised during the interactive dialogue. She emphasised that she was greatly encouraged by the broad support she had received.

Selection of countries to be reviewed under the universal periodic review (UPR)

The Council selected the order of review of countries for the first cycle of four years for the UPR. Based on a system developed by the Secretariat of the Council, and with the help of the President drawing by lot, the following order was established for the first year of the four-year cycle:⁵³

	1 st session (2008) – order of review	2 nd session 2008	3 rd session 2008
1	Bahrain	Gabon	Botswana
2	Ecuador	Ghana	Bahamas
3	Tunisia	Peru	Burundi
4	Morocco	Guatemala	Luxemburg
5	Indonesia	Benin	Barbados
6	Finland	Republic of Korea	Montenegro
7	United Kingdom	Switzerland (v)	United Arab Emirates
8	India	Pakistan	Israel
9	Brazil	Zambia	Liechtenstein
10	Philippines	Japan	Serbia
11	Algeria	Ukraine	Turkmenistan
12	Poland	Sri Lanka	Burkina Faso
13	Netherlands	France	Cape Verde
14	South Africa	Tonga	Colombia (v)
15	Czech Republic	Romania	Uzbekistan
16	Argentina	Mali	Tuvalu

⁵¹ See http://www.un.org/children/conflict/_documents/machel/MachelStrategicReviewProposal-en.pdf for more information on the review. The Special Representative said the review was scheduled to be completed in November 2007.

⁵² The *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict* in its article 1 set 18 years as the minimum age for persons to take part in hostilities, while the *Statute of the International Criminal Court* (Rome Statute) declares the recruitment of children below 15 years of age as a war crime (article 8.2.b.xxvi)

⁵³ The Council had previously held to simulations of the process of selecting the order. For a summary of these two meetings, see ISHR’s *Daily Updates* of 12 and 19 September 2007, available at www.ishr.ch/hrm/council.

The table lists the 16 countries to be reviewed during each of the three sessions of the UPR Working Group to be held in 2008. The dates of these working groups have not yet been decided. The States marked with a (v) volunteered to be reviewed, and were therefore given priority. For the States to be reviewed in 2009-2011, the order of review during each session has not yet been determined.⁵⁴ The States to be reviewed in the remaining years are (not in the order of review but in alphabetical order within the respective regional groups):

Countries to be reviewed in 2009 - 2011

4th session (2009):

Cameroon, Djibouti, Mauritius, Nigeria, Senegal, Bangladesh, China, Jordan, Malaysia, Saudi Arabia, Cuba, Mexico, Canada, Germany, Russian Federation, Azerbaijan

5th session (2009):

Central African Republic, Chad, Comoros, Congo, Vanuatu, Viet Nam, Yemen, Afghanistan, Uruguay, Belize, Chile, Malta, Monaco, New Zealand, Slovakia, The former Yugoslav Republic of Macedonia

6th session (2009):

Cote d'Ivoire, Democratic Republic of the Congo, Equatorial Guinea, Eritrea, Ethiopia, Bhutan, Brunei Darussalam, Cambodia, Cyprus, Democratic Peoples Republic of Korea, Costa Rica, Dominica, Dominican Republic, Norway, Portugal, Albania

7th session (2010):

Angola, Egypt, Madagascar, Gambia, Qatar, Fiji, Iran, Iraq, Kazakhstan, Bolivia, Nicaragua, El Salvador, Italy, San Marin, Slovenia, Bosnia and Herzegovina

8th session (2010):

Guinea, Guinea-Bissau, Kenya, Lesotho, Kiribati, Kuwait, Kyrgyzstan, Laos, Grenada, Guyana, Haiti, Spain, Sweden, Turkey, Armenia, Belarus

9th session (2010):

Liberia, Libyan Arab Jamahiriya, Malawi, Mauritania, Lebanon, Maldives, Marshall Islands, Micronesia, Mongolia, Honduras, Jamaica, Panama, United States of America, Andorra, Bulgaria, Croatia

10th session (2011):

Mozambique, Namibia, Niger, Rwanda, Sao Tome and Principe, Myanmar, Nauru, Nepal, Oman, Paraguay, Saint Kitts and Nevis, Saint Lucia, Australia, Austria, Estonia, Georgia

11th session (2011):

Seychelles, Sierra Leone, Somalia, Sudan, Palau, Papua New Guinea, Samoa, Singapore, Solomon Islands, Saint Vincent and the Grenadines, Suriname, Belgium, Denmark, Greece, Hungary, Latvia.

12th session (2011):

Swaziland, Togo, Uganda, United Republic of Tanzania, Zimbabwe, Syrian Arab Republic, Tajikistan, Thailand, Timor Leste, Trinidad and Tobago, Venezuela, Antigua and Barbuda, Iceland, Ireland, Lithuania, Moldova.

⁵⁴ It was determined by the President drawing from a bag containing the names of States to be reviewed during one particular session. For the remaining years, the order will be determined in the same way.

Informal consultations on draft resolutions

Informal consultation on the Special Rapporteur on Indigenous People

The third open-ended informal consultation hosted by Guatemala and Mexico on the mandate of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people was held prior to the afternoon session of the Council.

Guatemala opened the meeting by stating that there was little new to share with the concerned delegations, as discussions on the proposal of the co-sponsors on paragraph 1(g) had taken place during the morning. Paragraph 1(g) of the draft text has been the main issue of contention in the negotiations on this resolution, due its mention of the promotion of the *United Nations Declaration on the Rights of Indigenous Peoples*.⁵⁵ Guatemala stated that while no agreement had yet been reached, negotiations were moving forward, and a new version of the text had been circulated in the morning (dated 21 September 2007).

Guatemala then proposed that Guatemala and Mexico continue bilateral negotiations with interested delegations that are still waiting for instructions from capital. It stated that while the deadline for the review, rationalisation and improvement of the mandate of the Special Rapporteur on Indigenous People had been moved to Monday, it would like to table the resolution by the evening of 21 September 2007.

Canada took the floor to state that it would be agreeable to them for Guatemala to table the resolution in the evening depending on the content of the text, and that they would prefer for the resolution not to be tabled unless agreement was reached. The Russian Federation asked whether the original or the amended version circulated that morning would be tabled. Guatemala replied that the text circulated on the morning of 21 September was agreed upon in all aspects except paragraph 1(g), which would be the subject of bilateral negotiations.

The Russian Federation insisted that it would like the code of conduct for special procedures mandate holders mentioned in the text. A representative of the Foundation for Aboriginal Islander Research Action responded to the Russian Federation's statement by saying that as an indigenous group they wanted no mention of the code of conduct in the text at all, and so the current compromise proposal to include mention of the code of conduct (*Resolution 5/2*) in preambular paragraph 2 should be accepted.

Mr Willy Littlechild, representative of the Permanent Forum on Indigenous Issues, proposed amending operative paragraph 1 to change the title of the special rapporteur to the Special Rapporteur on the rights of indigenous peoples, in the plural. Guatemala responded that agreement had already been reached on this language and that it would remain as it was in the text.

⁵⁵ For more detailed information on this issue please refer to coverage of the other informal consultations on the mandate of the Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous People, in the *Daily Updates* of 17, 18 and 19 September 2007, available at: www.ishr.ch/hrm/council.

Next steps

The Council will start consideration of Item 4 on Monday, 24 September 2007.⁵⁶ The President announced that it was probable that during the last week, the Council would have to schedule additional meetings. This would mean that the Council would meet uninterrupted from 9am to 6pm.

The President announced the following changes to the Council's programme of work for the third week of its 6th session:⁵⁷

- Consideration of Item 4⁵⁸ remains scheduled for the morning meeting on Monday, 24 September 2007.
- The review of the mandates of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and the Independent Expert appointed by the Secretary-General on the situation of human rights in Haiti are now scheduled take place at the afternoon meeting on Monday, 24 September 2007.
- General debate under Item 9⁵⁹ is now scheduled to resume on the morning of Tuesday, 25 September 2007. Consideration of Item 10⁶⁰ is scheduled to follow this.
- The review of the mandates of the Independent Expert on the situation of human rights in Burundi and the Special Rapporteur on the situation on human rights in the Sudan remain scheduled to take place during the afternoon meeting on Tuesday, 25 September 2007.
- The review of the mandates of the Independent Expert on the situation of human rights in the Democratic Republic of the Congo and the Special Rapporteur on the right to food are now scheduled to take place during the morning meeting on Wednesday, 26 September 2007.
- The deadline for the submission of draft proposals and resolutions by States has been extended to 12 noon on Monday, 24 September 2007.

⁵⁶ The order of the day is available here: <http://ohchr.org/english/bodies/hrcouncil/6session/ood/ood24092007.doc>.

⁵⁷ Please see the OHCHR extranet for the updated draft programme of work for the session, which can be accessed (fill out the form on the page to receive the user name and password) at www.ohchr.org/english/bodies/hrcouncil/form.htm.

⁵⁸ Human rights situations that require the Council's attention

⁵⁹ Racism, racial discrimination, xenophobia and related forms of intolerance: follow up to and implementation of the Durban Declaration and Programme of Action.

⁶⁰ Technical assistance and capacity-building. This will include the presentation of the report of the Independent Expert on the situation of human rights in the Democratic Republic of the Congo.

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