

Proposed Modalities of the Review of the Work and Functioning of the HRC in accordance with OP 16 of the UNGA Resolution 60/251

1. Principles

The HRC review process in Geneva shall be guided by the following principles:

- 1.1 The review shall be the review of work and functioning of HRC based on the institution building package (IBP) in the context of the mandate given by GA Res. 60/251.
- 1.2 The review does not aim to renegotiate the IBP but would seek to make further improvement where necessary for the effective work and functioning of the Council.
- 1.3 The review shall be based on consensus and the outcome shall be a single undertaking.
- 1.4 While the negotiation to be conducted during the review shall be a state-led process, the review shall also be an inclusive process.

2. Timeframe

Pursuant to HRC Res. 12/1 which established the open-ended intergovernmental working group (WG) to review the work and functioning of the Council and envisaged that the WG shall hold 2 meetings for 5 days each, the timeline for the review will be as follows:

- 2.1 The 1st WG meeting will be held on 25-29 October 2010. Prior to the 1st WG, open-ended consultations may be organized by the President or facilitators appointed by the President for the preliminary discussion on the substance of the review. In this connection, States are encouraged to provide written inputs on substantive issues of the review to the President prior to 1st WG meeting.
- 2.2 The date of the 2nd WG meeting is tentatively scheduled for 17-21 January 2011. However, the final decision on the date should await the progress made at the 1st WG meeting and bear in mind that the final outcome of the review shall be submitted to the 17th Session of the HRC in June 2011.
- 2.3 The outcome of the WG shall be adopted at the 17th session of the Council.

3. Relationship between Geneva and New York

- 3.1 While Res. 60/251 provided for the division of labor between the review processes in Geneva and New York, the two processes are mutually reinforcing. Therefore, the outcome of the review process in Geneva should feed into the review process in New York.
- 3.2 To ensure consistency, there should be close coordination between the review processes in Geneva and New York. This can be done by coordination between the President of the HRC and the President of the GA.

- 3.3 In order to clarify the sequencing of the review processes in Geneva and New York in Res. 60/251, it may be necessary to have further consultation between the two sides on how to proceed.
4. **Structure of the Discussion** (to be developed into the Agenda and Program of Work of the 1st WG)
 - 4.1 General discussion on the work and functioning of the Council in the context of mandates given by GA Res. 60/251
 - 4.2 Discussion on elements of the IBP
 - 4.3 Discussion on concrete proposals
5. **Outcome of the Review**
 - 5.1 The outcome of the review of the work and functioning of the HRC shall be adopted by the HRC and reported to the GA. (The format of the outcome will need to be further discussed.)
 - 5.2 The outcome may also include inputs to the GA on the review of the status of the HRC.
6. **Appointment and Roles of Facilitators**
 - 6.1 The President may appoint facilitators, as and when needed, to facilitate the discussion on specific issues and consolidate inputs for consideration of the WG.
 - 6.2 In appointing the facilitators, the President shall give consideration to expertise on issues concerned while bearing in mind balanced geographical representation.
7. **Participation by Stakeholders** in the WG meeting shall be in the same format as those during the negotiation of the IBP. Written inputs from stakeholders are also welcome in advance of the WG meeting.

As of 30 August 2010