



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/2004/110
26 January 2004

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sixtieth session
Items 3 and 20 of the provisional agenda

ORGANIZATION OF THE WORK OF THE SESSION

RATIONALIZATION OF THE WORK OF THE COMMISSION

Improvement of the organization of work of the Commission

Note by the secretariat*

The secretariat of the Commission on Human Rights has the honour to transmit to the Commission a report of the Expanded Bureau of the fifty-ninth session containing a set of recommendations addressed to the Expanded Bureau of the sixtieth session pursuant to Commission decision 2003/116.

* In accordance with General Assembly resolution 53/208 B, paragraph 8, this document is submitted late so as to include the most up-to-date information possible.

Introduction

1. By its decision 2003/116, the Commission authorized its Bureau, working together with the regional coordinators, to consider steps which could be recommended to the Expanded Bureau of the sixtieth session in order to improve further the organization of work of the Commission based, inter alia, on Commission decision 2003/101 which endorsed document E/CN.4/2003/118 and Corr.1.
2. Regional groups and non-governmental organizations submitted their contributions to the Expanded Bureau. These touched upon matters relating to: (i) time management at the sixtieth session; (ii) rights of reply; (iii) the high-level segment; (iv) interactive dialogues with special procedures; (v) format, length and consideration of resolutions; (v) national institutions; and (vi) other issues relating to the rules and practices of the Commission.
3. The following recommendations and other provisions were agreed upon during meetings of the Expanded Bureau at the expert level, held on 27 and 28 November and 16 December 2003 and 13 January 2004.

Time management¹

4. The recommendations of the Expanded Bureau are as follows:
 - (a) The **principles** set forth in document E/CN.4/2003/118 and Corr.1 are strongly reaffirmed;
 - (b) **Meetings additional** to those normally allotted to the Commission should not be necessary if time is well managed by the Expanded Bureau, the Chairperson and all participants; this would include strict respect of speaking-time limits and punctuality in starting meetings. Participants are called upon to be punctual to enable the Chairperson to start the meetings on time. The Expanded Bureau should look into concrete ways to increase the punctuality of all participants;
 - (c) Should additional meetings be requested, they should be convened in only very exceptional circumstances only and not after 6 p.m.
 - (d) The **timetable** for the consideration of agenda items which is usually adopted at the beginning of the session should serve as an important guiding tool in determining the **speaking-time limits**:
 - (i) The time available under each item in accordance with the timetable will be divided by the number of speakers - since the list of speakers will be closed several hours before the opening of the general debate - it being understood that members will speak for double the amount of time as observers;

- (ii) The amount of time scheduled for item 10 should be the same as for item 11 and speaking-time limits for agenda items 10 and 11 should be the same as for other items without the usual additional 2 minutes;
- (iii) The Expanded Bureau should establish maximum speaking-time limits. In the allocation of time between the various agenda items, the Expanded Bureau should make every possible effort to ensure that observers will be able to speak for at least 3 minutes under each agenda item;
- (e) Should **cuts in speaking time** be made, they should be made across the board, it being understood that members should receive twice the amount of speaking time as observers;
- (f) Against the background of recent statistics relating to sessions of the Commission, the Expanded Bureau and regional groups should find ways for a fairer **distribution of time** among all participants, bearing in mind the different categories of participants at the Commission, inter alia, member and observer States, NGOs and national institutions;
- (g) The practice of opening the **list of speakers** on the first day of the session and closing it three hours before the general discussion under each agenda item should be continued. In addition, speakers are encouraged to register on the speakers' list as early as possible to facilitate the work of the Expanded Bureau;
- (h) **Joint statements.** As a time-saving measure, joint statements by groups of States and NGOs should be encouraged and more time - the amount to be determined by the Expanded Bureau - will be given for such statements. Individual States that participate in joint statements but wish to take the floor again under the same agenda item would have only half the time normally allotted;
- (i) Members and observers should consider limiting the **number of their statements** during the session;
- (j) Significant time savings can be realized by reducing the amount of time used in taking **action on proposals**. For this purpose, time limits should be established for the introduction of proposals, general comments and explanation of votes before and after the vote. Additionally, there is wide scope for further time saving by introducing shorter time limits when consensus or non-controversial resolutions are concerned;
- (k) Rather than being read out, **programme budget implication (PBI) statements** should be circulated in writing, thus preserving precious time at the end of the session. In order that action on proposals not to be delayed, PBI statements should be circulated as early as possible;

- (l) In order to save time, efforts should be made to ensure that **points of order** and other procedural motions are administered by the Chairperson in conformity with the rules of procedure; and
- (m) The **electronic voting system** should be put at the disposal of the Commission for the entire session and used according to the agreed practice.

Rights of reply²

5. **Rights of reply** will be limited to two replies per item, consisting of 3 minutes for the first and 2 minutes for the second. These **two rights of reply per item** can be exercised at the end of a meeting, the end of the day or the end of the item.

Fine-tuning the high-level segment³

6. The practical arrangements regarding the **high-level segment (HLS)** introduced at the fifty-ninth session should continue to apply. In particular:

- (a) The organization of work and criteria set forth for the fifty-ninth session should govern the HLS at the sixtieth session of the Commission;
- (b) The HLS should be of up to **four days' duration** and be held **during the first week of the session**;
- (c) **Rights of reply** should be exercised according to the rules of procedure and the current practice;
- (d) A **list of speakers** should be opened as soon as feasible and dignitaries should be encouraged to express interest before a certain date;
- (e) There should be **no specific theme** for the interventions;
- (f) **No meeting** should be planned by the secretariat in parallel to the HLS;
- (g) The consolidated nature of the high-level segment implies that, should a dignitary wish to speak **outside the HLS**, he/she should do so from the floor, with the exception of heads of State and heads of Government; and
- (h) **Speaking-time limits**: at the outset, it would be considered preferable for dignitaries to speak for up to 15 minutes.

Fine-tuning the interactive dialogues⁴

7. **The interactive dialogues** with special procedures mandate-holders introduced at the fifty-ninth session are generally considered to be a significant improvement in the work of the Commission. With a view to improving these dialogues:

- (a) **Consultations** between States and special procedures mandate-holders should not be limited to the interactive dialogue. To this end, mandate-holders and States should be encouraged to consult with each other;
- (b) The practice established at the fifty-ninth session should be followed, namely a brief **question-and-answer segment** immediately after the introduction of the report of the mandate-holder. Questions are limited to a maximum of 10 minutes (around 1 minute per question) and 5 minutes for the replies by the mandate-holder;
- (c) The interactive dialogue would be more efficient if **questions were provided to the mandate-holders in writing** and in advance of the meeting in order to allow them to prepare for the interactive dialogue. This would not prejudice the right of any State to ask questions during the meeting;
- (d) To facilitate the planning of both the mandate-holders and States, timing of the interactive dialogues with each mandate-holder should, as far as possible, be fixed before the session. In doing so, and in order to avoid a situation of mandate-holders speaking before the opening of the relevant item, interactive dialogues should, as a rule, take place at the **beginning of the item** but, as an exception, they could be staggered throughout the relevant agenda item.

Issues relating to format, length and consideration of resolutions⁵

8. There is broad consensus on the need to rationalize the text of proposals before the Commission. In particular:

- (a) All efforts should be made to **reduce the length of resolutions**. Instead of reproducing in its entirety the text of the previous year, a general paragraph would be drafted recalling the previous years' resolutions. Emphasis should be placed on new elements. Main sponsors of resolutions dealing with similar or related issues should interact with a view to merging the texts. Regional groups and main sponsors of resolutions within their groups should make concrete proposals for the implementation of this recommendation;
- (b) Negotiations on drafts should, as far as possible, **not be held simultaneously**, in order to enable small delegations to participate;

- (c) The secretariat should inform all participants of consultations on draft proposals as early as possible. This could be done through an **expanded order of the day**;
- (d) **Biennialization or triennialization** of resolutions and, if appropriate, of the related reports should be further encouraged, while taking into account the need to preserve the continuity of mandates as well as the correct budgetary procedures. The Expanded Bureau is encouraged to work intersessionally with main sponsors through their regional groups to develop concrete measures for implementing this aim;
- (e) **No alternative texts** should be introduced during off years for such biennialized or triennialized resolutions;
- (f) The use of operative paragraphs with the sole purpose of requesting the dissemination of entire resolutions to Commission members and observers should be discontinued, resolutions being already available both online and in the report of Commission.

National institutions⁶

9. The role and status of national institutions in the Commission should be strengthened. In particular:

- (a) **Adequate time** should be allocated to the national institutions (7 minutes);
- (b) The **date and time** allocated for national institutions should be fully respected and not bear the consequences for any slippage in the timetable;
- (c) A **designated place** in the meeting room should be reserved for national institutions;
- (d) The Expanded Bureau of the sixtieth session of the Commission should look into the current procedure for **accreditation** of national institutions; and
- (e) **More interaction** between national institutions and participants should be encouraged.

Other issues relating to rules and practices of the Commission

10. There is general recognition that repeated references to the rules of procedure during the session sometimes culminate in endless discussions and stalemates and waste precious Commission time. Among measures aimed at overcoming this phenomenon, it is suggested that the **prevailing rules and practices** under which the Commission is operating (agreed provisions in document 16 plus the new provisions in 2003/118 and related documents) should be **compiled in a document** and made available to participants.

11. The secretariat should inform the delegations about activities surrounding the Commission through the production of an **expanded order of the day** that would include the list of special rapporteurs presenting their reports, the informal consultations on draft resolutions, regional and other groups' meetings, the NGO events, etc.

12. The dialogue between the Expanded Bureau and NGOs should be furthered with a view to enhancing transparency in the work of the Commission.

Miscellaneous

13. In addition to the above elements, a number of additional technical issues were dealt with in submissions which led the Expanded Bureau to adopt the following recommendations:

- (a) The secretariat is called upon to make every possible efforts to ensure the **processing of documents** in all languages and in the faster possible manner;
- (b) The secretariat is urged to post documents on the **OHCHR web site** as soon as feasible and to improve the search engine which is included in the home page;
- (c) The Office should send out, as soon as possible after the end of the Commission session, **requests for information** in order to enable States to have sufficient time to prepare their replies. Requests for information should be transmitted to Permanent Missions by only one **comprehensive note verbale** with an annex containing a summary of all requests. The deadline for the submission of information should be standardized and more realistic;
- (d) Insofar as the **calendar of working groups** is concerned, the Expanded Bureau is encouraged to further its dialogue with all concerned with a view to making better use of all possible slots, in order to try to avoid a concentration of meetings in the months immediately prior to the Commission session. The importance of transparency in the process is underlined, as well as the need to avoid duplication of meetings. It is also noted that these meetings should not overlap and should not coincide with the session of the Third Committee of the General Assembly or with ILO and WHO conferences, which take place in May/June every year.

Notes

¹ For ease of reference it is recalled that document E/CN.4/2003/118 and Corr.1 referred to the issue as follows:

- (a) The current six-week timeframe is the basis of a solid consensus (B.1.a);
- (b) Appropriate steps should be taken to ensure an efficient use of the available time during each session (B.1.b);
- (c) The recourse to additional meetings should in principle be kept to a minimum and should in principle not take place after 9 p.m. (B.1.b);
- (d) The importance of meetings starting on time was reaffirmed (B.1.b);
- (e) There was agreement in closing the list of speakers at the latest at the beginning of the consideration of the item in order for the Secretariat to evaluate how much time would be necessary for each agenda item (B.4.1.c.ii);
- (f) It was also agreed that time limits should be introduced regarding all aspects of the work of the Commission, including those relating to the adoption of resolutions (B.4.1.c.iii);
- (g) Joint statements by groups of States and NGOs were encouraged (B.4.1.c.i);
- (h) Should cuts be made, this should be done across the board (B.4.1.c.iv).

The factual situation at the fifty-ninth session of the Commission in terms of time-limits was as follows:

- (a) Speaking-time limits were of 7 minutes per item for Member States and 3 minutes and 30 seconds for all observers. As from the third week of the session it became clear that this time allocation would be unsustainable. Accordingly, on 8 April 2003, it was decided that the time available under each agenda item would be divided by the number of speakers, it being understood that members would speak for double the amount of observers;
- (b) Introduction of reports by special rapporteurs were of 7 minutes' duration;
- (c) National institutions spoke for 5 minutes each under item 18(b);
- (d) Special time limits were set for joint NGO statements;
- (e) Concerned countries benefited from an additional 5 minutes to their normal speaking time;
- (f) In general, the list of speakers was closed three working hours before the opening of any given agenda item;
- (g) Six additional meetings were held during the session and during these days the Commission met from 9 a.m. to 12 a.m., from 12 a.m. to 3.00 p.m. and from 3 p.m. to 6 p.m.
- (h) Additionally, the following measures were adopted in the second half of the session:
 - (i) As from 3 April 2003, it was decided that the time limits for agenda items 10 and 11 would be the same as other items without the usual additional 2 minutes;
 - (ii) As from 8 April 2003 onwards, the time available under each remaining item was divided by the number of speakers, it being understood that members would speak for double the amount of observers (see above (a));
 - (iii) As from 9 April onwards, rights of reply were limited to two per item, 3 minutes for the first and 2 minutes for the second;
 - (iv) The consideration of items 14 to 20 was clustered.

² Document E/CN.4/2003/118 and Corr.1 provides that limits on the rights of reply available to delegations should be respected. During the fifty-ninth session, the Commission followed practices of its fifty-seventh and fifty-eighth sessions whereby delegations had the possibility to exercise their rights of reply twice per meeting, per day or per item. The first right of reply was of three minutes and the second of two minutes duration. However, as from 9 April onwards, rights of reply were limited to two per item, 3 minutes for the first and 2 minutes for the second.

³ Document E/CN.4/2003/118 and Corr.1 provides some information on the modalities for the holding of the high-level segment in its paragraph B.6 a) and b).

The practice at the fifty-ninth session of the Commission followed a very detailed scheme for the high-level segment which was considered to be introduced on a trial period at the fifty-ninth session.

⁴ The modalities for the interactive dialogues (ID) were envisaged in paragraph B.4.d of document E/CN.4/2003/118 and Corr.1. In practice, during the fifty-ninth session, interactive dialogues took place at the opening of the general debate under each agenda item. When a special rapporteur was not in a position to speak at the beginning of the discussion then no ID was organized and, in that case, he/she could only introduce the report according to past practices. Only States were allowed to ask questions during the question-and-answer segment which was of a maximum 15 minutes duration per mandate.

⁵ Document E/CN.4/2003/118 and Corr.1 (B.2) recommended the voluntary biennial or triennial presentation of a significant number of thematic resolutions. No alternative texts should be introduced during off-years. The corresponding documents and reports prepared by the Secretary-General and/or OHCHR would likewise be prepared on a 2 or 3-year basis. Additionally, recommendations were made regarding speaking-time limits during the voting process (see above), the format of resolutions – member States being encouraged to streamline resolutions (B.4.1(h)), and strengthening transparency of the intergovernmental consultations (B.4.1.(i)).

⁶ Reference was made in document E/CN.4/2003/118 and Corr.1 to the need to find appropriate time allocations for national human rights institutions. At the fifty-ninth session, one of the additional “lunch” meetings (3 hours’ duration) was devoted entirely to national institutions, which thus had around 5 minutes per institution. The date and time of the meeting changed several times during the session.
