



Human Rights Council Resolution 38/18

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Second Intersessional Seminar
8th October, Geneva, Palais des Nations, room XVI

CONCEPT NOTE

I. INTRODUCTION

1. On 6th July 2018, the Human Rights Council adopted resolution 38/18 on “the contribution of the Human Rights Council to the prevention of human rights violations”. In this resolution, the Council has decided “to convene two intersessional seminars with States and other relevant stakeholders, including the United Nations Secretariat and relevant bodies, representatives of sub-regional and regional organizations, international human rights mechanisms, national human rights institutions and non-governmental organizations, on the contribution that the Human Rights Council can make to the prevention of human rights violations”.
2. In addition, resolution 38/18 requested the President of the Human Rights Council to appoint a chair-rapporteur and two rapporteurs to chair and facilitate the two intersessional seminars in Geneva and to consult and gather the views of relevant stakeholders, both in Geneva and in New York. On 18th October 2018, the President of the Human Rights Council appointed Ms. Yvette Stevens (Sierra Leone), as chair-rapporteur, as well as Mr. Pablo de Greiff (Colombia) and Mr. Nils Muižnieks (Latvia) as rapporteurs.
3. The present concept note details the content, methodology and expected outcome of the second “intersessional seminar” that will take place on 8th October 2019, in the Palais des Nations.

II. BACKGROUND

4. Resolution 38/18 focuses on the role of the Human Rights Council in preventing human rights violations. In its first operative paragraph, it recognizes “the contribution that the Human Rights Council can make to the prevention of human rights violations, including through the mandate set out in paragraph 5 (f) of General Assembly resolution 60/251, which comprises two mutually reinforcing elements: (a) To contribute, through dialogue and cooperation, towards the prevention of human rights violations; (b) To

respond promptly to human rights emergencies”. Based on this, on 9th and 10th April 2019, the three Rapporteurs organised a first intersessional seminar in Geneva, which considered, through six panel discussions, how the Human Rights Council and its mechanisms have fulfilled, through dialogue and cooperation, their preventive mandate outlined in the General Assembly resolution 60/251, paragraph 5 (f), and how they could prevent human rights violations more effectively in the future.

5. Resolution 38/18 also asks the Rapporteurs to give due consideration as “to how the Human Rights Council can work effectively with all pillars of the United Nations system (...) with a view to strengthening system-wide coherence and contributing to sustaining peace and the implementation of the Sustainable Development Goals” (SDGs). Pursuant to this provision and as requested in the resolution, the three Rapporteurs conducted in June 2019 a one-week mission in New York where they consulted with various stakeholders, from the United Nations Security Council to the General Assembly and the Economic and Social Council, as well as with the Secretary General, departments of the Secretariat and other United Nations agencies.
6. The second intersessional seminar, described in this concept note, will aim at reconciling the outcomes of the first seminar and those of the Rapporteur’s mission in New York by examining the interaction between the Human Rights Council and the other pillars of the United Nations, namely the Peace and Security Pillar and the Development Pillar. It will also, as provided in resolution 38/18, “give due consideration to the availability in the United Nations system of financial resources for human rights promotion, and for prevention in particular”.

III. INTERSESSIONAL SEMINAR

Overall Theme

7. The seminar is the second of the two that the three Rapporteurs in charge of implementing resolution 38/18 shall organize. It will consider, as envisaged by the resolution, how the Human Rights Council can work effectively with all pillars of the United Nations system on the prevention of human rights violations, as well as how to mobilise resources to this end.

Date and Venue

8. This second intersessional seminar will take place on 8th October 2019 in Geneva, Palais des Nations, room XVI. It will start at 10am and end at 6pm.

Participants

9. The seminar will bring together States, relevant United Nations bodies, funds and programmes, intergovernmental organizations, special procedures, regional human rights mechanisms, civil society organizations, and other relevant stakeholders.

Methodology and Programme of Work

10. The seminar will be held in all six official languages of the United Nations. It will seek to encourage the exchange of views, experiences and practices regarding the preventive role of the Human Rights Council.
11. The seminar will be organised in four sessions. The three first sessions will start with presentations by panellists, followed by an exchange with the floor. The fourth and last session of the seminar will consist in an exchange between the Rapporteurs and the participants in the seminar.
12. The seminar will be structured around the following main sessions:

Session 1: Exchange between the rapporteurs and the participants on the content and conduct of mandate outlined in resolution 38/18

13. This session will enable the Rapporteurs to share their views on how they have envisaged their mandate, as well as the prevention of human right violations and the role that the Human Rights Council can play in this field. The Rapporteurs will summarise the main findings of their consultations so far and engage in a constructive dialogue with meeting participants to identify concrete and actionable recommendations to improve the prevention role of the Human Rights Council and its mechanisms.

Session 2: The cooperation between the Human Rights Council and other actors towards preventing human rights violations

14. This session will examine how the Human Rights Council can work more collaboratively with stakeholders, including actors other than United Nations ones, towards preventing human rights violations. In this regard, it is to be noted that the resolution 38/18 decides to convene intersessional seminars not only with Member States and United Nations relevant bodies but also with other stakeholders, including “representatives of sub-regional and regional organizations, international human rights mechanisms, national human rights institutions and non-governmental organizations”.

Session 3: The interaction between the Human Rights Council and the United Nations Development Pillar towards preventing human rights violations

15. This session will examine how the Human Rights Council and its mechanisms can better interact with the Development Pillar of the United Nations. In this regard, Human Rights Council resolution 37/25 calls for “an integrated approach to the implementation of the 2030 Agenda for Sustainable development for the full realisation of human rights, focusing holistically on the means of implementation”. With this provision in mind, as well as the outcomes of the intersessional meeting on human rights and the 2030 Agenda organised on 16 January 2019 pursuant to Human Rights Council resolution 37/24, the session will consider how the 2030 Agenda can contribute practically to the prevention of human rights violations and how prevention in the field of human rights can avoid that violations undermine development. In this respect, it will examine how

the Council and its mechanisms can better cooperate with the United Nations bodies in charge of implementing the 2030 Sustainable Development Goals.

16. The panel discussion will also consider how the Human Rights Council and its mechanisms can cooperate more effectively with the development actors on the ground towards preventing human rights violations, especially with United Nations Country Teams, development agencies and other partners in the context of the United Nations Development System mandated by the General Assembly. It will examine how development funds could be mobilised more efficiently to support the implementation of recommendations made by Human Rights Council mechanisms with a view to contributing both to the implementation of Sustainable Development Goals and the prevention of human rights violations.

Session 4: The cooperation between the Human Rights Council and the United Nations Peace and Security Pillar towards preventing human rights violations

17. This session will examine how the Human Rights Council and its mechanisms can work more effectively with the Peace and Security Pillar of the United Nations to fulfil their respective and interconnected mandates – the prevention of human rights violations on one hand and the prevention of conflicts and/or crises in the other hand. It will in particular consider how cooperation and channels of communication between the Human Rights Council and United Nations bodies and entities involved in the prevention of conflicts and/or crises (Security Council, General Assembly, Secretary General and United Nations Secretariat) could be improved.
18. It will also examine how information gathered and recommendations made by Human Rights Council mechanisms can be better integrated in discussions on sustaining peace and conveyed in a timely manner to United Nations peace and security entities.
19. Given the Secretary General’s call for a “quantum leap” of the Peacebuilding Fund, the session will also consider how such an increase of funds could be used to support more effectively human rights work towards prevention and peacebuilding.

IV. OUTCOME

20. Human Rights Council resolution 38/18 specifies that the rapporteurs shall “provide an overview of the views reflected in the two seminars” in the report that they shall present to the forty-third session of the Council, in March 2020. The discussions held during this first seminar will therefore be summarized and integrated in the rapporteurs’ final report.