

United Nations Human Rights Council (UNHRC)

The United Nations Human Rights Council (UNHRC) is a UN body that fosters and protects human rights all over the world.

Established in 15 March 2006, the Geneva, Switzerland headquartered organisation has 47 members elected for 3 years on a regional basis.

This article will further discuss the details of the UNHRC within the context of the IAS Exam.

Brief Overview of the UNHRC

The main objective of the United Nations Human Rights Council is to investigate allegations of human rights abuse in member states of the United Nations and ensure that the following human rights issues are addressed and upheld to the maximum extent.

1. Freedom of assembly
2. Freedom of expression and free speech
3. Freedom of religion
4. Protection of women's rights
5. Protecting rights of LGBT community and that of racial and ethnic minorities

The UNHRC was created under the auspices of the United Nations General Assembly (UNGA) to replace the UN Commission on Human rights due to the reason that it was under severe criticism as its members were primary human rights abusers themselves. The United Nations Human Rights Council works in coordination with the Office of the High Commissioner for Human Rights (OHCHR).

Structure of the United Nations Human Rights Council

The UN General Assembly elects the members who will constitute the 47 members of the UNHRC. The members of the Council serve for a period of three years and shall not be eligible for immediate re-election after two consecutive terms.

These seats are distributed as among the United Nations regional groups as follows:

1. Africa - 13
2. Asia - 13
3. Eastern Europe - 6
4. Latin America - 8
5. Caribbean - 8
6. Western Europe - 7

7. Other Groups - 7

The UNGA has the power to suspend the rights of any Human Rights Council member if it is found to have been constantly committing human rights violations during its tenure. The suspension comes into effect with a 2/3 majority by the General Assembly.

Regular sessions of the UNHRC are held during the months of March, June and September.

A special session can be held at any time should the UNHRC deem it necessary or at the request of the member states. As of May 2020, 28 special sessions have been held.

For the smooth functioning of the United Nations Human Rights Council, the following subsidiary bodies have been established which directly report to the council:

Universal Periodic Review Working Group

The Universal Periodic Review Working Group monitors the progress review of all 93 UN members. The basis of a new mechanism is on reports from different sources, among which is the contribution from NGOs. Each nation's human rights progression will be examined during a three-and-a-half hour debate.

The first cycle of review took place between 2008 and 2011, the second between 2012 and 2016. The third cycle began in 2017 and is expected to be completed in 2021

Advisory Committee

In September 2007, the UNHRC created an Advisory Committee to provide expert advice on various human rights issues. The composition of the Committee is as follows:

1. Africa - 5
2. Asia - 5
3. Latin America and the Caribbean - 3
4. Western Europe - 3
5. Eastern Europe - 2.

This task was earlier done by the Sub-Commission on the Promotion and the Protection of Human Rights. It conducts studies on discriminatory practices on the basis of race, religion, language ethnicity etc.

Complaints Procedure

Established in 18 June 2007, the Complaints Procedure helps in reporting of consistent and reliable reporting of human rights violations as well as that of other fundamental freedoms from around the world.

It was two working groups to supplement the Complaint Procedure:

Working Group on Communications (WGC): Consists of five experts designated by the Advisory Committee from its members, selected from each regional group. Serving for 3 years, the experts determine whether a complaint deserves investigation.

Working Group on Situations (WGS): Once the WGC decides a human rights complaint needs to be investigated it is passed to this group. The WGS meets twice a year to examine the replies of the concerned states, as well as the situations which are already before the UNHRC under the complaint procedure.

Members of the United Nations Human Rights Council

The following are the members of the UNHRC presently serving their terms

United Nations Human Rights Council Members	
Terms	Member Nations
2021 - 2023	<p>Africa</p> <ul style="list-style-type: none">• Côte d'Ivoire• Gabon• Malawi• Senegal <p>Asia-Pacific</p> <ul style="list-style-type: none">• China• Nepal• Pakistan• Uzbekistan <p>Eastern Europe</p> <ul style="list-style-type: none">• Russia• Ukraine <p>Latin America and Caribbean</p> <ul style="list-style-type: none">• Bolivia• Cuba• Mexico <p>Western Europe</p> <ul style="list-style-type: none">• France

	<ul style="list-style-type: none"> • United Kingdom
2020 - 2022	<p>Africa</p> <ul style="list-style-type: none"> • Mauritania • Sudan • Namibia • Libya <p>Asia-Pacific</p> <ul style="list-style-type: none"> • Indonesia • Japan • Marshall Islands South Korea <p>Europe</p> <ul style="list-style-type: none"> • Armenia • Poland <p>Latin America and Carribean</p> <ul style="list-style-type: none"> • Brazil • Venezuela <p>Western Europe</p> <ul style="list-style-type: none"> • Germany • Netherlands
2019 - 2021	<p>Africa</p> <ul style="list-style-type: none"> • Burkina Faso • Cameroon • Eritrea • Somalia • Togo <p>Asia</p> <ul style="list-style-type: none"> • Bahrain • Bangladesh • Fiji • India • Philippines <p>Eastern Europe</p>

	<ul style="list-style-type: none"> • Bulgaria • Czech Republic <p>Latin America and Caribbean</p> <ul style="list-style-type: none"> • Argentina • Bahamas • Uruguay <p>Western Europe</p> <ul style="list-style-type: none"> • Austria • Denmark • Italy
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Criticism of the UNHRC

Over the years the United Nations Human Rights Council has faced severe criticism over ineffectiveness in solving human rights issues and electing members whose human rights records are downright questionable. Some of these members include Pakistan, Saudi Arabia, Russia, Venezuela etc.

Other issues include:

1. Biased focus on the Israeli-Palestine Conflict: The UNHRC is accused of an anti-Israel bias as it passes resolutions that focus on alleged Israeli human rights violations while ignoring similar allegations from the Palestinian side everytime the council meets.

Foreign leaders have also shared the same opinion saying that the UN Human Rights Council has resolved more resolutions condemning Israel than the rest of the world combined.

2. Ignorance of other human rights issues: It was reported in 2008 that certain that the UNHRC was being controlled by few Middle-East and African nations with support from China and Russia, in order to shield each other from criticism.

The UN Secretary General Ban ki Moon noted this and said that while Israel has been condemned many times, human rights issues in Darfur, Tibet, Pakistan and Zimbabwe have been largely ignored. He urged the member nations to let go of their 'dop rhetoric and partisan posturing in order to be an unbiased body that protects human rights around the world despite any political implications.

3. Members with Questionable Human Rights Records: Just like the UN Commission on Humans rights, the UN Human Rights Council also elects members like China, Pakistan and Russia who have poor or questionable track records on Human rights. It raises questions on how effective or unbiased the organisation is.

It remains to be seen how effectively can the UNHRC shake off its criticism in the coming years and become the organization that it was meant to be - an unbiased protector of human rights