

The Human Rights Council and its mechanisms

Annex 1

A Brief Presentation of the Former Commission on Human rights

Established in 1946, the Commission on Human Rights was the United Nations' main human rights body until 2006. One of the most important tasks of the Commission was the elaboration of human rights norms. It was the Commission that was at the origin of the Universal Declaration of Human Rights, adopted in 1948. It also established norms in the areas of civil and political rights, economic, social and cultural rights, the right to development, the elimination of racial discrimination, torture, the rights of the child, the rights of human rights defenders and many others.

A subsidiary body of the Economic and Social Council (ECOSOC), the Commission comprised 53 member states elected by the ECOSOC on the basis of geographical distribution for four years, without limit to the number of times a country could be reelected. It sat in Geneva each year for six weeks.

During its annual session, it reviewed reports presented to it by what are called its "special procedures" that are the special rapporteurs, independent experts, working groups and its subsidiary body, the Sub-Commission for the Promotion and Protection of Human Rights.

These reports dealt with practically all aspects of human rights, including racism, freedom of expression and opinion, the rights of women, of children, of migrant workers, minorities, displaced persons, indigenous peoples etc. These special procedures were the great strength of the Commission in so far as they contributed to the implementation of human rights.

During the last decade, economic, social and cultural right acquired an increasingly important place in the work of the Commission. This was manifested by the establishing of mandates such as those on the right to food, to adequate housing, to education etc. Within this framework, many reports, for the most part highly significant, were presented to the Commission on Human Rights.

The independent experts of the Sub-Commission also conducted various studies, notably on globalization, the consequences of international trade policies and investment and the role they play in preventing the enjoyment of human rights.

Various special rapporteurs also presented their reports on the situation of countries denounced by the Commission. These reports were widely circulated by the media and showed a rather negative aspect of the Commission, on account of political alliances that often came into being in order to obtain or avoid a denunciation for reasons other than a principled concern for human rights.

Some years before its suppression, the main criticism addressed to the Commission on Human Rights was the difficulty it had to condemn countries committing human rights abuses. Therefore, this led some to believe that its credibility was to be questioned.

Nonetheless, the principle task of the Commission was not to formally denounce governments. Yet, by focusing on this, the Commission's critics have managed to eclipse major work done by the Commission, such as the missions of inquiry, the work carried out by the special rapporteurs and independent experts and the international human rights norms elaborated by it.

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