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COMMISSION ON HUMAN RIGHTS
Sixty-second session
Item 16 of the provisional agenda

**REPORT OF THE SUB-COMMISSION ON THE PROMOTION AND
PROTECTION OF HUMAN RIGHTS**

**Written statement* submitted by the Minnesota Advocates for Human Rights
(MAHR), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[27 March 2006]

* This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

PRESERVING THE ESSENTIAL ELEMENTS OF THE SUB-COMMISSION ON PROMOTION AND PROTECTION OF HUMAN RIGHTS

NGOs attending the 57th session of the Sub-Commission submitted the following joint NGO statement on 12 August 2005, identifying the essential elements of the Sub-Commission structure that should be preserved and protected in any new structures that are created to replace the Sub-Commission:

“Joint NGO Statement to the Sub-Commission, Ambassador Ping, President of the UN General Assembly, and the Heads of States of Member Governments to the UN Millennium Summit on the Essential Elements of the U.N. Sub-Commission that should be retained in any UN human rights reform¹.

We strongly encourage the following elements of the UN Sub-Commission on the Promotion and Protection of Human Rights be protected and retained in any reforms initiated to the UN human rights system:

1. **Working groups, studies.** Active working groups (including the Social Forum), expert studies and working papers, in which NGOs are permitted to actively participate, receive information in an open and transparent manner, to submit comments and to contribute to discussions.
2. **Intersessional groups.** Working groups should be primarily intersessional so that they do not compete with plenary discussions of other substantive agenda items.
3. **NGO accreditation.** Flexible NGO and civil society credentialing for meetings, including continuing the practice of permitting non-accredited NGOs, indigenous peoples groups, and other representatives of civil society to attend the Social Forum and the working groups of the Sub-Commission.
4. **Preserve think tank role.** The Sub-Commission should be given the flexibility and support to perform its role effectively as a think tank, examining new, innovative approaches, programs, standards, and country situations to promote and protect human rights, identify gaps in standards, enforcement and implementation, and identify emerging trends.

¹ The following NGOs shared the views expressed in this statement: Minnesota Advocates for Human Rights, Geneva for Human Rights, Worldwide Organization for Women, Pax Romana, Dominicans for Justice and Peace, Foundation for Aboriginal and Islander Research Action (FAIRA), Europe - Third World Centre (CETIM), International Youth and Student Movement for the United Nations, International Federation of University Women, International Educational Development, Indigenous World Association, Himalayan Research and Cultural Foundation, Bangsa Adat Alifuru (Maluku), The Koani Foundation, Japanese Honorary Debts, International Human Rights Association for American Minorities (IHRAAM), International Association of Democratic Lawyers, Interfaith International, Organisation of African Trade Union Unity, The International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), Afro - Asian Peoples' Solidarity Organization (AAPSO), Hawaii Institute for Human Rights, International Council of Jewish Women, International Council of Women, European Federation of Women Active in the Home, Coalition Against Trafficking in Women, Society of Catholic Medical Missionaries.

5. **Economic, social & cultural rights.** The strong emphasis on economic, social and cultural rights should be maintained.

6. **Standard setting.** The standard-setting activities, including suggestions for new norms and standards, should continue to be a major part of the Sub-Commission mandate.

7. **Session schedule.** The Sub-Commission sessions should be at least three weeks long, hopefully longer, and scheduled in the July-August time period when students, academicians and other representatives of civil society can best attend.

8. **OHCHR.** The Sub-Commission should receive full resourcing and support from the OHCHR in carrying out its work.

Some NGOs support the idea of a Human Rights Council; others do not. All NGOs signing this statement however support protecting and retaining the essential elements identified here.

In addition, in light of the potential disruption which could be created in the next months if a new Human Rights Council is established, we would also strongly recommend the following transition period actions.

9. **Selection of members.** The new Council should establish working methods which include a process for selecting members of the Sub-Commission in a fair, impartial manner, with a view to balancing different regions, gender and expertise, protecting the independence and impartiality of the experts, and preserving continuity of the Sub-Commission work from session to session. Terms should be at least 4 years in order to be able to complete 3-year studies during a single term. If no new elections are possible in Spring 2006, the existing members should continue to serve until a new selection process is implemented.

10. **Continuity of work.** Studies and working papers begun by a member of the Sub-Commission should be completed by that member (if he or she so wishes), regardless of whether or not the member seeks or receives re-election. All work existing and ongoing in the 57th session should be continued in the 58th session.

11. **NGO participation in new working methods.** NGOs should be consulted and be afforded full participation in the deliberations which establish working methods for any new or replacement bodies to the Sub-Commission”.

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