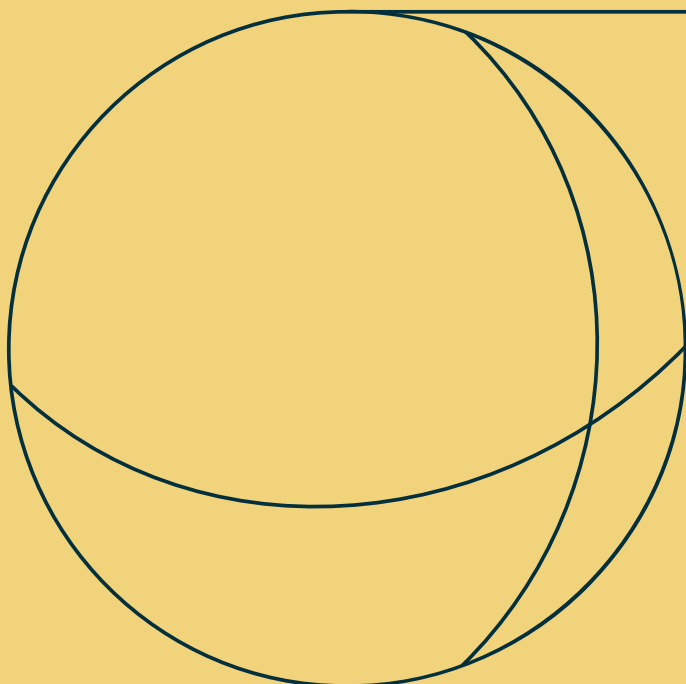


policy brief

# Strengthening the UN Human Rights Council: Pathways to Enhanced Credibility and Effectiveness

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July 2025



## Abstract

The UN Human Rights Council (HRC) is at a critical juncture. This policy brief pinpoints four mutually reinforcing challenges that hinder the workings of the HRC: (1) the non-enforceability of human rights norms, (2) problematic membership practices, (3) restricted civil society access, and (4) severe resource constraints. To address these issues, policymakers should set up enhanced monitoring and early warning systems, guarantee competitive elections and accountability measures, establish and enforce anti-reprisal policies, and secure states' financial commitments.

## Citation Recommendation

King, Samuel and Inés M. Pousadela. 2025. "Strengthening the UN Human Rights Council: Pathways to Enhanced Credibility and Effectiveness." *ENSURED Policy Brief 5* (July): 1–10. <https://www.ensuredEurope.eu>.

The United Nations Human Rights Council (HRC) is the UN's primary body for promoting and protecting human rights around the globe. It was established in 2006 to replace the then-discredited Commission on Human Rights with a body that promised to be more effective, credible, and accountable.

While the HRC has its shortcomings, it remains a crucial organisation within the sphere of global human rights governance. Its significance stems from three key features of its organisational structure. First, thanks to its Universal Periodic Review (UPR) mechanism, the HRC is the only global body whose scrutiny *no* state – no matter its size or power – can escape. This ground-breaking innovation subjects all 193 UN member states to regular peer-review of their human rights records. Second, the HRC's system of Special Procedures (SPs) – a collection of independent experts and working groups with mandates to report on specific human rights issues or countries – provides crucial monitoring and documentation of human rights violations. Third, the organisation serves as a vital global forum where human rights violations can be publicly addressed, creating pressure for change through a process that observers have described as “the politics of shame.” Through its resolutions, the HRC criticises repressive states in an authoritative, legitimate, and internationally visible manner. This advances ‘soft law’ and solidifies non-binding principles that courts worldwide can use as a precedent for future action.

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The HRC also provides space for civil society participation in global governance. Civil society organisations (CSOs) can attend HRC proceedings, make oral interventions, submit written statements, provide information upon request to SPs, and organise parallel events to HRC sessions to delve deeper into specific issues or present alternative perspectives. This engagement enhances the institution's democratic character, promotes human rights norms, and strengthens the implementation of its resolutions on the ground.

Despite these strengths, the HRC faces serious challenges that threaten its effectiveness, which are further magnified by global democratic backsliding and a growing authoritarianism that seeks to weaken human rights protections and reshape established international norms. We identify four challenges of note.

## Four Critical Challenges

### Non-Enforceability and Limited Compliance

Unlike the UN Security Council, the HRC lacks the power to enforce its rulings. Instead, it depends entirely on voluntary compliance by states. State compliance remains poor, affecting the impact of the HRC's prolific output: as of June 2023, the organisation had adopted 1,481 resolutions and established 60 SP mandates, with SPs making 3,915 communications and visiting 172 countries.

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The UPR mechanism is also weakened by non-compliance because its recommendations are non-binding: states can choose to accept or merely note them. This leads to recommendations being made repeatedly and with minimal improvement. During the peer review process, repressive states often claim non-existent human rights successes and receive uncritical support from their allies, which results in the UPR becoming an exercise in self-congratulation. SP mandates are similarly affected by compliance issues: states frequently ignore their recommendations, too. One SP mandate-holder noted they often write reports that nobody reads. This enforcement gap emboldens violators and undermines human rights institutions' credibility.

## Problematic Membership

Poor quality membership compounds the compliance problem. States with abysmal rights records (such as China, Cuba, Eritrea, and the United Arab Emirates) have used their seats to block scrutiny and protect allies, weakening the credibility of the institution.

Uncompetitive elections exacerbate this issue. Each of the five UN regional blocs has a fixed number of seats and often chooses to nominate only as many candidates as there are available seats, instead of opening up elections to competition. Consequently, HRC members are often elected unopposed, without any scrutiny of their human rights records – despite Resolution 60/251 stipulating that states responsible for widespread human rights violations do not qualify for membership.

Political opportunism further undermines the HRC, with member states using their seats to castigate adversaries while defending allies. This violates the organisation's core principle that decision-making should be driven by human rights considerations rather than political interests.

## Limited Civil Society Access

A third major challenge stems from the HRC's limited inclusion of civil society voices. Although the HRC's work depends heavily on civil society input, CSOs face restrictions when attempting to participate.

To obtain accreditation, organisations need to receive consultative status from the UN Economic and Social Council (ECOSOC). At this stage, repressive states regularly block applications from organisations working on issues they consider politically sensitive. India, for example, effectively blocked ECOSOC applications from the International Dalit Solidarity Network – an organisation calling for an end to caste-based discrimination – by requiring them to provide 105 clarifications on their application, effectively delaying its approval for 15 years.

Repressive states also retaliate against their own nationals who cooperate with UN human rights mechanisms, rendering civil society participation in the HRC potentially life-threatening. The UN Secretary General's latest Annual Report on Reprisals highlights that 32 states – 10 of which are

current HRC members – allegedly did so in 2024. Acts of reprisal include kidnapping, enforced disappearances, arbitrary detention, torture, and even murder.

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Time constraints further limit civil society participation: CSOs have only 90 seconds to present their case in the General Debates and Interactive Dialogues sections, and two minutes in the Panel Discussions and UPR Outcomes sections. Additionally, genuine grassroots human rights organisations increasingly compete for time with state-funded 'government-organised NGOs' (GONGOs), which tend to do nothing more than praise their government sponsors and repeat official talking points.

Restrictions to participation have recently increased. After the pandemic, speaking time was reduced under the guise of efficiency measures, and visa barriers for activists based outside of Switzerland have risen, reflecting broader restrictive trends in multilateral forums.

## Resource Constraints

Severe underfunding undermines all HRC functions. A liquidity crisis stemming from unpaid UN dues disproportionately impacts human rights mechanisms, which already receive less than 5 percent of UN funding – despite human rights representing a core UN pillar. The funding crisis has now reached a critical point, with recent budget cuts forcing the HRC to shorten its sessions, eliminate key debates, and drastically reduce opportunities for civil society participation.

The HRC was recently forced to cut its 59th session by two and a half days, saving approximately US\$370,000 but significantly reducing speaking time and cancelling general debates that are particularly vital for civil society. Funding shortages affected all human rights bodies, leading to the cancellation of their preliminary sessions – described by chairs as key opportunities for exchange with CSOs – and the loss of one of their three annual sessions.

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These cuts have real-world implications. The Subcommittee on Prevention of Torture, a treaty body, was unable to conduct field visits, increasing its backlog of complaints and pending examinations: human rights violations went undocumented and perpetrators unpunished.

In 2023, the Office of the UN High Commissioner for Human Rights (OHCHR), the HRC's secretariat, received only 38 percent of its funding from the UN budget. To ensure functioning, it relied on voluntary donations from 71 member states and 25 non-state donors. These donations fluctuate yearly and typically cover specific SPs, creating imbalances. Overall, the number of SP mandates has increased significantly, while funding has not.

Funding shortages severely reduce institutional stability and autonomy. Further, voluntary and earmarked contributions (which made up 65 percent of the HRC's budget in 2024) give wealthy states influence over the agenda.

# Targeted Reforms

Given current geopolitical tensions, comprehensive reform of the HRC appears unlikely. However, targeted improvements, aimed at enhancing the organisation's effectiveness, *could* be implemented successfully. We suggest four specific measures:

## Strengthen Compliance Mechanisms

The HRC has a complaint procedure that allows individuals and organisations to bring complaints concerning human rights violations to the HRC's attention. Complaints are however kept confidential, and while this is intended to encourage state cooperation and facilitate investigations, it creates a significant transparency problem that undermines accountability.

Targeted improvements, aimed at enhancing the organisation's effectiveness, could be implemented successfully.

It means that serious human rights violations are often dealt with behind closed doors, without public scrutiny or pressure for meaningful action. Furthermore, the mechanism lacks meaningful engagement with victims and offers no follow-up after a state has submitted its response.

To address these issues, the mechanism should be reformed, as was proposed when the HRC was created, to serve as an early warning system for emerging human rights violations. It should include public identification of rights-violating states, engagement with grassroots civil society, and robust follow-up mechanisms. The HRC could also implement trigger mechanisms to accelerate responses to ongoing crises and shift focus from reaction to prevention of human rights crises.

Another measure to pressure member states into compliance could be the implementation of 'UPR screenings,' where the HRC would broadcast live footage of its examination process, with an option for media to comment. This would not only increase UPR's visibility: it would also generate public pressure for implementation. A systematic monitoring system could track the implementation of UPR and SP recommendations and provide transparency on compliance patterns.

## Improve Membership Quality

The quality of HRC membership could be improved by excluding serial human rights violators and by diversifying membership, enabling more states to participate.

Excluding the worst human rights violators from the HRC would require a more rigorous vetting of candidates and sitting members. Key measures could include replacing closed slates with competitive elections in every regional grouping, requiring the public presentation of election pledges (with subsequent accountability mechanisms in place), evaluating states' cooperation records, and allowing the suspension of members that consistently refuse to cooperate with mandates or threaten SP mandate-holders or civil society activists.

Another way to hold member states accountable would be by taking a page from civil society's book: civil society has pioneered annual pledging events where HRC candidates present their visions for HRC membership and respond to questions from civil society, national human rights institutions, and other stakeholders. These events enable civil society to hold states accountable to their public commitments and provide transparency around candidates' human rights records through detailed scorecards that assess cooperation with UN mechanisms, support for civil society, and engagement with treaty bodies.

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The other method to improve membership quality would be through diversification. In particular, this would require increasing Small Island Developing States (SIDS) participation. As of February 2025, 67 UN member states have never been HRC members, and most of these are SIDS. Solutions include obligating each regional slate to include at least one SIDS, and allowing SIDS to split terms.

Greater engagement by democratic states within the HRC would also bring significant improvements. These states should assume leadership roles on critical human rights issues, demonstrating principled commitment extending beyond their narrow national interests.

## Protect and Expand Civil Society Participation

The ECOSOC accreditation process creates a significant barrier to civil society participation in the HRC. Reform is essential to prevent states from arbitrarily blocking access by legitimate CSOs. Such changes would enhance the HRC's effectiveness by ensuring that qualified civil society groups can meaningfully contribute to its work and hold governments accountable for their human rights commitments.

Another way to protect and expand civil society participation would be to follow the UN's 2020 Guidance Note on Protecting and Promoting Civic Space, which commits all UN entities to supporting more systematic participation of civil society in UN bodies and agencies, with particular emphasis on engaging women's rights and youth groups. The HRC is uniquely positioned to establish system-wide accountability for this commitment.

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Safeguarding civil society participation within the HRC also requires a zero-tolerance policy on reprisals. The Annual Report on Reprisals is a good start, but its effectiveness is limited by its reliance on voluntary and often anonymous reporting due to fear of further reprisals and a lack of mechanisms to address violations. Stronger visibility, follow-up measures, and consequences for states that consistently appear in the report are necessary for it to become an effective deterrent.

To promote participation, particularly from Global South CSOs, hybrid formats and dedicated funding need to be established. Efficiency measures should prioritise civil society access – not restrict it.

The UNMute Civil Society Initiative, supported by over 400 CSOs as well as numerous states, proposes modernising HRC meetings through information and communication technologies to enable greater CSO diversity. Implementation measures should include flexible language interpretation, time zone accommodation, closed captioning, and sign language. The UN should ensure rapid internet connections at UN country offices to enable global activist participation in HRC sessions. The HRC should guarantee real interactive dialogues in preparation for and during

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HRC and UPR sessions. It should also provide ample time and opportunity for civil society representatives to attend key meetings, take the floor, and provide feedback on outcomes documents.

Beyond HRC-specific reforms, proposals to mainstream civil society participation across the UN system would also be beneficial to HRC work.

The appointment of a UN Special Envoy for Civil Society, for instance, would improve civil society participation at the HRC. Civil society has also proposed more ambitious reforms, such as establishing a UN Parliamentary Assembly, which, if implemented, would strengthen the UN's democratic legitimacy and accountability through direct citizen representation. Starting as a consultative body with growing powers over time, it could provide scrutiny and accountability for HRC decisions, creating additional pressure for human rights compliance.

## Address Resource Constraints

Addressing funding challenges is critical: without adequate funding, all other HRC reforms will remain aspirational. Experts advocate a "Marshall Plan for human rights", reorienting state action and UN budgetary priorities towards capacity building and technical assistance for state compliance with international human rights obligations.

However, as the United States reduces its contributions and even withdraws and European states face growing domestic fiscal pressures, the prospect of substantially increased resources seems remote. The alternative – such as China stepping up its financial contributions – would likely come with conditions that may ultimately undermine, rather than strengthen, the HRC's independence and effectiveness.

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Given the context, several interviewed experts urged EU leadership. A Geneva-based civil society representative advocated for stronger EU support for fully funded SP mandates. A non-European state representative argued for increased EU funding, noting that prioritising warfare over human rights is a political choice. Others noted that enhanced EU investment in the HRC could help build trust among Global South states and enable greater collaboration.



# Recommendations

The HRC remains the international community's most developed mechanism for promoting universal human rights. The UPR process, despite its limitations, is the only mechanism that requires all states to undergo periodic scrutiny. This principle of universality maintains pressure on governments to engage with human rights issues, even if implementation is uneven. The HRC has retained its legitimacy over the years and – despite mounting challenges – its ability to confer or withhold legitimacy on states continues to influence state behaviour. Authoritarian states fear its verdicts, and their attempts to restrict civil society participation in the HRC paradoxically demonstrate the organisation's continued relevance.

The HRC remains the international community's most developed mechanism for promoting universal human rights.

We therefore suggest democratic states reinvest in the HRC through several targeted improvements:

**1. Demonstrate consistency in human rights promotion.** Apply human rights standards equally across all situations, including those involving allies. Engage more substantively with economic, social, and cultural rights concerns raised by Global South states while showing leadership in condemning violations perpetrated by Global North states.

**2. Strengthen HRC membership.** Push for candidates to make public pledges for which they can be held accountable. Advocate for competitive elections within all regional groupings, with human rights – not political favouritism – as the only deciding factor for future members.

**3. Support civil society participation.** Reform the ECOSOC accreditation processes and enforce a zero-tolerance policy for reprisals. Advocate for hybrid meeting formats and increased time and opportunities for input and feedback. Further, promote the appointment of a UN Civil Society Envoy to mainstream participation across the UN.

**4. Strengthen financial support for human rights mechanisms.** Advocate for larger UN regular budget allocations to human rights, increase unearmarked contributions, and ensure full funding for all SP mandates and dedicated funding for UPR recommendation implementation.

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Funded by  
the European Union

The ENSURED project is funded by the European Union's Horizon Europe research and innovation programme under the Call HORIZON-CL2-2022-DEMOCRACY-01 – Grant agreement n° 101092077. The views and opinions expressed on this site are those of the author(s) only and do not necessarily reflect those of the European Union or the European Research Executive Agency (granting authority). Neither the European Union nor the granting authority can be held responsible for them.

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