

United Nations Human Rights Council

Background guide



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Overview

The United Nations Human Rights Council (UNHRC) is an intergovernmental subsidiary organ of the United Nations General Assembly (UNGA), that answers to the UN Commissioner for Human Rights and is under guidance of the United Nations System Chief Executives Board for Coordination (CEB). Situated at the UN Office in Geneva, the council of 47 nations meets to discuss human rights issues and situations that require attention throughout the year. The council consists of many sub-bodies and entities which provide human rights abuse reports, investigations and expert advice. The council, since its founding by resolution in 2006, has had over 40 mandates, investigating countries such as Sudan, Syria, Myanmar, Venezuela, Ukraine, and the occupied territory of Palestine and Israel. (UNHRC, 2025)

The UNHRC in collaboration with other UN bodies continues to focus on human rights issues in relation to weapon use in armed conflict. This includes the regulation and responsible trade of conventional arms and ammunition, along with the prohibition of illegal arms defined by the Convention on Certain Conventional Weapons (CCW) and other treaties. (OHCHR, 2025) The impact of the trade and use of illegal weapons on human rights is complex and multi-faceted. It impacts many aspects of life including economic implications, the restriction of movement and expression, gender violence and the stability of states. (Mauritanie, 2025) The UNHRC has been tackling these issues, but currently patterns of illegal weapons transfers have continually increased, flowing into wartime zones worldwide. Now, the use of incendiary weapons, cluster munitions and chemical weapons is becoming an increasingly urgent humanitarian issue, and violators of these conventions continue to go unpunished.

Timeline

1915-1918 - World War I Poison Gas Attacks. The first large-scale use of chemical weapons in warfare involving chlorine, phosgene, and mustard gasses. Since WWI, more than one million casualties have resulted from chemical weapons globally (United Nations, 2022).

1945 - Japan surrenders following the Hiroshima & Nagasaki atomic bombings ending World War II. The only time nuclear weapons have been used in warfare.

1946 - 1949 - Following World War II, the international community started to make significant efforts to strengthen the protection of civilians in armed conflict. In 1946, the United Nations General Assembly adopted its first resolution, establishing a Commission to deal with the issues circulating the discovery of atomic energy (United Nations, 2022). In 1948, the Universal Declaration on Human Rights (UNHR) was adopted, laying the foundation of modern international human rights law (Roy, 2025). Continuing into 1949, the Geneva Conventions were created outlining comprehensive rules that aimed to help protect civilians in times of war.

1972 - The Biological Weapons Convention (BWC) was the first treaty to ban an entire class of weapons. It prohibits the development, acquisition, transfer, stockpiling and use of biological and toxin weapons (United Nations, 2022).

1980 - Convention on Certain Conventional Weapons (CCW) regulates conventional weapons that may cause unnecessary injury or indiscriminate effects. Adopting additional protocols in 1995 and 2003, prohibited weapons include landmines, booby-traps, and incendiary weapons among various others (ICRC, 2011).

1993 - The Chemical Weapons Convention (CWC) is adopted, prohibiting the development and use of chemical weapons as well as the use of riot control agents (RCAs) outside of civilian law enforcement. Entered force in 1997.

2006 - The Human Rights Council (UNHRC) is established by the General Assembly, replacing the former United Nations Commission on Human Rights.

2017 - 122 states adopt the Treaty on the Prohibition of Nuclear Weapons (TPNW), entering into force in 2021, stating in the preamble that the treaty is based on international humanitarian law (IRRC, 2025).

2019 - 2022 - Intergovernmental negotiations and advocacy from the United Nations (UN), the International Committee of the Red Cross (ICRC), and civil society organizations to protect civilians from the use of explosive weapons in populated areas. In 2022, eighty-three states endorse the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas (Bagshaw, 2023).

2022 - Ukraine first reports Russia's use of RCAs and industrial chemicals. As of 2025, over 9,000 incidents have been reported, resulting in 2,500 injuries to civilians (Dols, 2025).

2023 - Israeli army firing artillery shells containing white phosphorus, an incendiary weapon, along Lebanon's southern border injuring civilians and civilian objects (Amnesty International, 2023).

Historical Context

The establishment of the United Nations Human Rights Council (UNHRC) in 2006 cannot be understood without examining its predecessor, the United Nations Commission on Human Rights (CHR) (Freedman, The United Nations Human Rights Council: A critique and early assessment, 2013). Prior to the Second World War, human rights were regarded as matters within domestic jurisdiction. This perception was fundamentally changed after the atrocities of the war. In 1946, the Commission was established under Article 68 of the UN Charter as a subsidiary body of the Economic and Social Council (ECOSOC) (Freedman, The United Nations Human Rights Council: A critique and early assessment, 2013). It operated for 60 years before being replaced by the UNHRC. The Commission became the first international body mandated to address human rights at such a level.

The Commission's work developed in two phases. In the first two decades, it focused on setting a standard. This resulted in the drafting of the Universal Declaration of Human Rights (Freedman, The United Nations Human Rights Council: A critique and early assessment, 2013). Although this was not legally binding, it still achieved normative acceptance universally. In 1966, the CHR contributed to the adoption of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Freedman, The United Nations Human Rights Council: A critique and early assessment, 2013). From the late 1960s onward, the Commission expanded into monitoring and implementation through mechanisms like Special Rapporteurs and Working Groups (Freedman, The United Nations Human Rights Council: A critique and early assessment, 2013). This allowed for more country-specific human rights situations to be scrutinized.

Despite these accomplishments, the Commission struggled to fulfill its mandate. This demise is attributed to many increasing deficiencies and controversy. Understanding these flaws is essential for analyzing the resulting UNHRC. A central issue was politicisation (Freedman, The United Nations Human Rights Council: A critique and early assessment, 2013). Member states advanced national interest rather than human rights objectives. Membership controversies further undermined the Commission's credibility. Seats were allocated poorly, enabling states with bad human rights records to secure membership (Freedman, The United Nations Human Rights Council: A critique and early assessment, 2013). These criticisms intensified following Libya's election as chair in 2003 and the United States' failure to be re-elected in 2001 (Freedman, The United Nations Human Rights Council: A critique and early assessment, 2013). Both of these events reinforced the perception that political considerations outweighed the principles of human rights.

These issues ultimately led to the dissolution of the CNR in 2006. The UNHRC was established in response to these flaws and incorporated reforms intended to address these failures. However, Freedman observes that in practice so far, this new body greatly resembles its predecessor (Freedman, The United Nations Human Rights Council: A critique and early assessment, 2013).

Legal framework on Prohibited Weapons and Civilian Protection

International law lays out strict limits on weapons and tactics that cause unnecessary or indiscriminate harm. The Geneva Conventions (1949) provide protection for civilians in war ((OHCHR), 2008). Protocol I (1977) prohibits "*the use of methods and means of warfare which may cause superfluous injury*" ((OHCHR), 2008). It also requires the parties involved to have a clear distinction between civilians and combatants (PILPG, 2023). Among these prohibited weapons, chemical and biological weapons are absolutely banned. Despite this, there have been many cases of these weapons being used. The 1925 Geneva Gas Protocol and the 1993 Chemical Weapons both outlawed the use and possession of chemical weapons under any circumstances (PILPG, 2023). Other munitions are regulated or banned as well. The 2008 Convention on Cluster Munitions (CCM) prohibits the use of all stockpiling, production or transfer of cluster bombs (HRW, 2019). Furthermore, the Protocol V of the Convention on Conventional Weapons

(CCW) addresses the remnants of explosives and the damaging effect they have after their attack (Riordam, 2008).

These legal rules and conventions overlap with the protection of civilians. The Fourth Geneva Convention (1949) covers that civilians are not to be attacked and that civilian infrastructure must be respected ((OHCHR), 2008). Any use of weapons known to cause indiscriminate harm violates these norms. In sum, International Humanitarian Law mandates precaution and explicitly outlaws superfluous injurious and indiscriminate weapons.

Bloc Positions and Political Dynamics

Human rights debate, especially within the UNHRC, is heavily influenced by state alliances and blocs. Freedman provides a deeper analysis of the Council's voting blocs. The most notable is the Organization of Islamic Cooperation (OIC). This spans Asia, Africa and Latin America (Freedman, On Politicisation of Human Rights, 2014). They have played a dominant role in Council proceedings, including tirelessly focusing attention on Israel-Palestine. The OIC and its allies have repeatedly ensured that the Council's agenda and resolutions keep Palestinian issues front and center (Freedman, On Politicisation of Human Rights, 2014). By contrast, Western states have frequently pushed for resolution on abuses in Russia, China, North Korea and elsewhere (Freedman, On Politicisation of Human Rights, 2014). However, they have been relatively quiet on violations by their allies or partners. This North-South and East-West split extends to issues of weapons: Western governments have tended to emphasize civilian protection while Russia, China and the Non-Aligned Movement stress sovereignty and often block any inquiries that might embarrass autocratic regimes (Freedman, On Politicisation of Human Rights, 2014). African and Asian members too often vote as regional groups, sometimes condemning abuses by fellow neighbors (Freedman, On Politicisation of Human Rights, 2014). As Freedman points out, such bloc voting means the Council devotes disproportionate attention to particular countries and blocks action against others (Freedman, On Politicisation of Human Rights, 2014). In simple terms, the bloc dynamics shape the outcomes of the Council. The U.S. has also, on several occasions, withdrawn from the Council in protest of perceived anti-Israel bias (Freedman, On Politicisation of Human Rights, 2014). Thus, the political alliances within the Council profoundly impact which civilian harms are highlighted and addressed and who bears the blame.

Current situation

Illegal weapons use continues to fuel wars in the 21st century. The production and trade of illegal weapons that flow towards zones of conflict drastically increase death and destruction. One new threat that has been introduced into the illegal weapons trade network has been what are known as 'ghost guns'. These weapons are produced illegally and often made with tools such as 3D printers which can be operated in homes rather than factories. These guns lack serial numbers and other identifiers which allow for the tracking of arms trade making it incredibly difficult to track and punish the producers of these illegal weapons. The mass production of illegal small

arms adds increased strain to many conflicts, in Haiti there are believed to be 225,000-455,000 unregistered weapons circulating in the country, in comparison there are only 45,000 registered weapons. These weapons have fueled the Haitian crisis by allowing paramilitary groups to gain a foothold in the Capital and extending the conflict which began in 2018. (Mishra, 2025)

Illegal weapons are not only used by armed insurgents and terrorist groups, many countries continue to fund programs that develop and produce illegal weapons. Countries such as South Sudan, Russia and Israel all have verifiable uses of chemical weapons in recent conflicts. The Convention on Certain Conventional Weapons (CWC) outlawed chemical and incendiary weapons (Article IV of the 1993 CWC, and Article II of the 1980 Protocol III of the CWC respectfully), but not all countries are signatories of the convention, and some signatories continue to develop or have stockpiles of these illegal weapons. (OPCW, 2020) (UNODA, 1980) One recent example includes the use of chemical weapons in the Russia-Ukraine war. The use of chemical weapons has been reported by both sides of the conflict and Ukraine alone has reported 9000 separate instances of chemical weapon use since the invasion in 2022. (Dols, 2025) So far, Russia has only utilized 'non-lethal' chemical weapons. 'Non-lethal' is defined as an agent used with the goal of incapacitating personnel or disabling equipment, but this does not mean these agents do not cause serious bodily harm. Russia has continued to use a chemical called Chloropicrin, this chemical first found use by Germany in WWI as a crowd-control agent and has been outlawed under CWC. Chloropicrin is better known as a choking agent, it often causes intense breathing problems, vomiting, chest pains and possibly pulmonary edema which can cause death. Although only three deaths have been attributed to chloropicrin exposure, over 2,500 injuries have been connected to its use, and victims often show signs similar to other lethal chemical weapons. (M & K, 2020) Ukrainian soldiers consider the use of chemical weapons by Russia as commonplace now, and that lack of effective punishment for violators of the CWC give leeway for other perpetrators to continue war crimes.

The conflicts in Haiti and Ukraine are only a few of many examples of how continued illegal weapons use contributes to further human rights abuse worldwide. The use of other weapons such as anti-personnel landmines, cluster munitions and indiscriminate missiles continues to break humanitarian law and cause civilian deaths. (Monitor, 2025) These atrocities have led to rounds of sanctions, political condemnation and international legal action, yet perpetrators have often been left to continue committing war-crimes. Bashar al-Assad has served as a prime example of a war criminal who has continued to avoid punishment. The Assad regime's targeting of airstrikes at civilians led to worldwide condemnation, but the limited reach of the International Criminal Court and the use of Russia's veto power allowed Assad to escape charge and trial. (Hall, 2024) These incidents can be interpreted as a reflection of a time of decreasing central authority and a progressively waning consensus on international law. In a time where traditional axes of power are changing, the lines between who should be held accountable, and who should hold those accountable becomes increasingly blurred.

Discussion Questions

- How can the Human Rights council balance its attention across multiple conflicts while still responding to extreme abuses?
- How can International Humanitarian Law be better enforced and what sort of incentives or penalties would encourage this enforcement?
- What are some effective ways for delegations to engage and support the victims of prohibited weapons?
- How can justice be fulfilled when faced with limited jurisdiction or bureaucratic roadblocks (e.g. veto power)?
- How can the production of improvised firearms and other weapons, especially when using technology readily accessible to the public, be minimized?
- How can the international community aid victims of human rights abuse in zones considered too dangerous for on-the-ground humanitarian support?
- Should current international conventions be amended to further clarify the legality of unconventional weapons?

Additional Resources

United Nations Office for Disarmament Affairs

Website: <https://disarmament.unoda.org/en>

Description: The UN Office for Disarmament Affairs (UNODA) is a major international authority on the use, regulation and disarmament of unconventional weapons. This source provides general overview on the different kinds of weapons which pose a threat to international humanitarian law. It also provides an overview of bodies, legislation and mandates that are tasked with the enforcement of these international laws, and it provides a look into current missions taking place to combat these abuses.

International Committee of the Red Cross Database

Website: <https://ihl-databases.icrc.org/en/>

Description: The Red Cross is one of the largest humanitarian aid organisations in the world. Being a central authority on international humanitarian law and an organisation known for its hands-on approach to aid, it is a great resource to research historical and current humanitarian law. Its database also provides legislation and case law on the practice of international aid and on how IHL is implemented and enforced in practice.

Office of the UN High Commissioner for Human Rights (OHCHR): Fact Sheet No. 13: International Humanitarian Law and Human Rights in Armed Conflict

Description: This UN publication outlines how International Humanitarian Law complements human rights law. It highlights the core regulations, treaties and conventions that prohibit methods causing unnecessary suffering. When researching on the topic of our committee, understanding what this publication layouts will be very useful.

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