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HUMAN RIGHTS COUNCIL  
Eighth session  
Agenda item 1

**ANNOTATIONS TO THE AGENDA FOR THE EIGHTH SESSION OF THE  
HUMAN RIGHTS COUNCIL\***

**Note by the Secretary-General**

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\* Late submission.

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## **Item 1. Organizational and procedural matters**

### **Date and venue of the session**

1. On 22 June 2007, at its first organizational meeting, held from 19 to 22 June, the Council decided that its eighth session would be held from 2 to 13 June 2008 at the United Nations Office at Geneva.
2. In accordance with rule 8 (b) of the rules of procedure of the Council, as contained in section VII of the annex to resolution 5/1 of 18 June 2007, the organizational meeting for the eighth session is scheduled for 19 May 2008.
3. At its organizational meeting, the Council may decide that the eighth session will be extended by three additional days from 16 to 18 June 2008; accordingly, the eighth session of the Council would be held from 2 to 18 June 2008. The eighth session would be followed by a two-day organizational session for the third year of the Council, in accordance with rule 8 (a) of the rules of procedure of the Council.

### **Agenda of the session**

4. The agenda of the Human Rights Council is contained in section V of the annex to Council resolution 5/1. The Council will have before it the present annotations for the eighth session relating to items included in the agenda.

### **Composition of the Human Rights Council**

5. The composition of the Council at its eighth session is as follows:<sup>1</sup> Angola (2010); Azerbaijan (2009); Bangladesh (2009); Bolivia (2010); Bosnia and Herzegovina (2010); Brazil (2008); Cameroon (2009); Canada (2009); China (2009); Cuba (2009); Djibouti (2009); Egypt (2010); France (2008); Gabon (2008); Germany (2009); Ghana (2008); Guatemala (2008); India (2010); Indonesia (2010); Italy (2010); Japan (2008); Jordan (2009); Madagascar (2010); Malaysia (2009); Mali (2008); Mauritius (2009); Mexico (2009); Netherlands (2010); Nicaragua (2010); Nigeria (2009); Pakistan (2008); Peru (2008); Philippines (2010); Qatar (2010); Republic of Korea (2008); Romania (2008); Russian Federation (2009); Saudi Arabia (2009); Senegal (2009); Slovenia (2010); South Africa (2010); Sri Lanka (2008); Switzerland (2009); Ukraine (2008); United Kingdom of Great Britain and Northern Ireland (2008); Uruguay (2009); Zambia (2008).
6. In the light of the elections to be held on 21 May 2008, in accordance with paragraph 7 of General Assembly resolution 60/251, the composition of the Council is subject to change on 19 June 2008.

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<sup>1</sup> The term of membership of each State expires in the year indicated in parenthesis.

### **Bureau of the Human Rights Council**

7. Rule 8 (a) of the rules of procedure of the Human Rights Council, as contained in section VII of the annex to Council resolution 5/1, provides that “at the beginning of each Council year the Council shall hold an organizational meeting to elect its Bureau”.

8. On 19 June 2007, at its first organizational meeting, the Council elected its President and Vice-Presidents, who, in accordance with rule 9 (a) of the rules of procedure of the Council, shall constitute the Bureau.

9. The composition of the Bureau of the Council for its second year, until 18 June 2008, is as follows: President of the Council, Mr. Doru Costea (Romania); Vice-Presidents, Mr. Mohamed Siad Doualeh (Djibouti), Mr. Boudewijn van Eenennaam (the Netherlands) and Mr. Dayan Jayatileka (Sri Lanka); Vice-President and Rapporteur, Mr. Alejandro Artucio (Uruguay).

10. At the organizational session for the third year of the Council, the President and Vice-Presidents are to be elected in accordance with rule 9 (a) of the rules of procedure of the Council.

### **Annual programme of work**

11. In accordance with rule 8 (a) of the rules of procedure of the Human Rights Council, as contained in section VII of the annex to Council resolution 5/1, the annual programme of work for the second year of the Council was adopted on 14 December 2007 (see A/HRC/6/22).

12. The annual programme of work for the third year of the Council shall be adopted during the organizational session for the third year of the Council.

### **Programme of work for the session, including other business**

13. Rule 99 (b) of the rules of procedure of the General Assembly<sup>2</sup> provides that each committee shall at the beginning of the session adopt a programme of work indicating, if possible, a target date for the conclusion of its work, the approximate dates of consideration of items and the number of meetings to be allocated to each item. Accordingly, the Council will have before it for approval a draft programme of work for the session, showing the order and distribution of meeting time for each agenda item/segment.

### **Review, rationalization and improvement of mandates**

14. Paragraph 55 of the annex to Council resolution 5/1 provides that the review, rationalization and improvement of each mandate would take place in the context of the negotiations of the relevant resolutions, and that an assessment of the mandate may take place in a separate segment of the interactive dialogues between the Council and the special procedures mandate-holders.

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<sup>2</sup> A/520/Rev.16.

15. At its eighth session, the Council will continue the review, rationalization and improvement of mandates as commenced during the sixth session. The following mandates are scheduled to be reviewed: Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the independence of judges and lawyers; Special Rapporteur on the right to education; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises; independent expert on the question of human rights and extreme poverty; Special Rapporteur on the human rights of migrants; and Special Rapporteur on trafficking in persons, especially women and children.

### **Selection and appointment of mandate-holders**

16. In accordance with paragraph 62 of the annex to Council resolution 5/1, current mandate-holders may continue serving, provided they have not exceeded the six-year term limit. On an exceptional basis, the terms of those mandate-holders who have served more than six years may be extended until the relevant mandate is considered by the Council and the selection and appointment process is concluded. Mandates included in appendix I to the annex to Council resolution 5/1, where applicable, will be renewed until the date on which they are considered by the Council according to its programme of work.

17. In accordance with paragraph 41 of the annex to its resolution 5/1, the Council, on 27 September 2007, adopted decision 6/102, which contains technical and objective requirements for eligible candidates for mandate-holders, in order to ensure that eligible candidates are highly qualified individuals who possess established competence, relevant expertise and extensive professional experience in the field of human rights.

18. Paragraph 47 of the annex to Council resolution 5/1 provides for the establishment of a consultative group to propose to the President, at least one month before the beginning of the session in which the Council would consider the selection of mandate-holders, a list of candidates who possess the highest qualifications for the mandates in question and meet the general criteria and particular requirements. At the beginning of the annual cycle of the Council, regional groups would be invited to appoint a member of the consultative group, who would serve in a personal capacity. The Group will be assisted by the Office of the United Nations High Commissioner for Human Rights (Council resolution 5/1, annex, para. 49).

19. In accordance with paragraph 47 and the requirements set out in Council decision 6/102, the consultative group shall propose to the President of the Council a list of candidates for the mandates for which a new mandate-holder is to be appointed at the eighth session.

20. In accordance with the procedure stipulated in paragraphs 52 and 53 of the annex to Council resolution 5/1, the appointment of the special procedure mandate-holders will be completed upon the subsequent approval of the Council. The mandate-holders in question shall be appointed before the end of the eighth session.

## **Report of the session and annual report**

21. At the end of its session, the Council will have before it for adoption a draft report prepared by the Rapporteur. The report will include resolutions and decisions adopted by the Council and President's statements agreed upon, as well as a technical summary of the proceedings held during the eighth session.

22. The Council will also have before it for adoption the annual report of the Council, in accordance with rule 15 of the rules of procedure of the Council, as contained in section VII of the annex to resolution 5/1.

### **Item 2. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the United Nations High Commissioner for Human Rights and the Secretary-General<sup>3</sup>**

#### *Report of the United Nations High Commissioner for Human Rights and follow-up to the World Conference on Human Rights*

23. In its resolution 48/141 of 20 December 1993, the General Assembly, decided to create the post of the United Nations High Commissioner for Human Rights and, inter alia, requested the High Commissioner to report annually on her activities. The Council will consider the annual report of the High Commissioner at its main session.

#### *Technical cooperation in the field of human rights in Afghanistan*

24. In its decision 2/113 of 27 November 2006, the Council requested the High Commissioner for Human Rights to continue, in cooperation with the United Nations Assistance Mission in Afghanistan, to monitor the human rights situation in Afghanistan, provide and expand advisory services and technical cooperation in the field of human rights and the rule of law, and report regularly to the Council on the situation of human rights in Afghanistan, paying special attention to the rights of women, and on the achievements of technical assistance in the field of human rights. The Council will have before it the report of the High Commissioner at a future session.

#### *Composition of the staff of the Office of the United Nations High Commissioner for Human Rights*

25. In its resolution 7/2 of 27 March 2008, the Council requested the High Commissioner to submit a comprehensive and updated report to the Council in 2009, in accordance with its annual programme of work, following the structure and scope of her report and with a special focus on further measures taken to correct the imbalance in geographical composition of the staff of the Office. The Council will consider the report of the High Commissioner at a future session in 2009.

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<sup>3</sup> While all reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner and the Secretary-General are listed under agenda item 2, the Council will consider them under the relevant agenda items, as indicated.

*Right to development*

26. Pursuant to Council decision 2/102 and General Assembly resolution 62/161, the Council will have before it the report of the Secretary-General (A/HRC/8/9) under agenda item 3 (see also paragraphs 89 and 90 below).

*The question of the death penalty*

27. Pursuant to Council decision 2/102 and Commission on Human Rights resolution 2005/59, the Council will have before it a report of the Secretary-General on the question of the death penalty (A/HRC/8/11) under agenda item 3.

*Protection of human rights and fundamental freedoms while countering terrorism*

28. In its resolution 7/7 of 27 March 2008, the Council requested the High Commissioner to report regularly on the implementation of that resolution to the Council, in accordance with its annual programme of work, and decided to continue consideration of this issue in the 2008-2009 cycle of the Council, in accordance with its annual programme of work. The Council will consider the report of the High Commissioner (A/HRC/8/13) under agenda item 3 (see also paragraph 100 below).

*Fundamental standards of humanity*

29. Pursuant to Council decision 2/102 and Commission decision 2004/118, the Council will have before it the report of the Secretary-General (A/HRC/8/14) under agenda item 3.

*Promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity*

30. In its resolution 6/6 of 28 September 2007, the Council acknowledged that the process of review, rationalization and improvement of mandates represented momentum towards the establishment of an independent expert in the field of cultural rights, and to that end requested the High Commissioner for Human Rights to consult States, intergovernmental and non-governmental organizations on the content and scope of the mandate of the independent expert in the field of cultural rights, the basis of which would be the comprehensive implementation of resolution 6/6, and to report on the results of those consultations to the Council in accordance with its annual programme of work. The Council will have before it the report of the High Commissioner at its ninth session under agenda item 3.

*Rights of persons belonging to national or ethnic, religious and linguistic minorities*

31. Pursuant to Council decision 2/102 and Commission resolution 2005/79, and in accordance with the note by the Secretariat (A/HRC/7/48), the Council will have before it the report of the Secretary-General at its ninth session under agenda item 3.

*Indigenous issues*

32. Pursuant to Council decision 2/102 and Commission resolution 2005/49, and in accordance with the note by the Secretariat (A/HRC/7/65), the Council will have before it the report of the High Commissioner for Human Rights at its ninth session under agenda item 3.

*Human rights of persons with disabilities*

33. In its resolution 7/9 of 27 March 2008, the Council requested the Office of the High Commissioner to prepare a thematic study to enhance awareness and understanding of the Convention on the Rights of Persons with Disabilities, focusing on key legal measures for the ratification and effective implementation of the Convention, such as those relating to equality and non-discrimination, in consultation with States, civil society organizations, including organizations of persons with disabilities, and national human rights institutions, and requests that the study be available on the website of the Office of the High Commissioner, in an accessible format, prior to the tenth session of the Council.

34. In the same resolution, the Council noted that the General Assembly had requested the Secretary-General to submit to the Assembly, at its sixty-third session, a report on the status of the Convention and the Optional Protocol and on the implementation of resolution 62/170, and that it had also requested the Secretary-General to submit that report to the Council as a contribution to its discussion of the rights of persons with disabilities.

35. The Council will consider the above-mentioned study and report at a future session under agenda item 3 (see also paragraph 76 below).

*Human rights and arbitrary deprivation of nationality*

36. In its resolution 7/10 of 27 March 2008, the Council urged the appropriate mechanisms of the Council and the appropriate United Nations treaty bodies and encouraged the Office of the United Nations High Commissioner for Refugees to continue to collect information on the issue of human rights and arbitrary deprivation of nationality from all relevant sources and to take account of such information, together with any recommendations thereon, in their reports and activities conducted within their respective mandates. The Council also requested the Secretary-General to collect information on this question from all relevant sources and to make it available to the Council at its tenth session. The Council will consider the report of the Secretary-General at its tenth session under agenda item 3.

*Human rights and climate change*

37. In its resolution 7/23 of 28 March 2008, the Council decided to request the Office of the United Nations High Commissioner for Human Rights, in consultation with and taking into account the views of States, other relevant international organizations and intergovernmental bodies including the Intergovernmental Panel on Climate Change and the secretariat of the United Nations Framework Convention on Climate Change, and other stakeholders, to conduct, within existing resources, a detailed analytical study of the relationship between climate change and human rights, to be submitted to the Council prior to its tenth session. The Council will have before it the study of the High Commissioner at its tenth session under agenda item 3 (see also paragraph 97 below).

*Prevention of genocide*

38. In its resolution 7/25 of 28 March 2008, the Council requested the High Commissioner to circulate the reports of the Secretary-General submitted to the Council in order to obtain the

views of States, relevant United Nations agencies, treaty bodies and special procedures on those reports, including on possible warning signs that might lead to genocide, and to report to the Council at its tenth session.

39. In the same resolution, the Council invited the High Commissioner, as a matter of high priority and in consultations with States, to elaborate and implement, within existing resources, appropriate commemorative events to mark the sixtieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide, having also in mind the commemoration of the sixtieth anniversary of the Universal Declaration of Human Rights. The Council also invited the High Commissioner, as part of the commemorative events, and as an important contribution to developing preventive strategies, to organize, within existing resources, a seminar on the prevention of genocide, with the participation of States, relevant United Nations entities and other international and regional organizations, civil society, and academic and research bodies, and to publish a paper on the outcome of the seminar.

40. In the same resolution, the Council also requested the Secretary-General to make available to the Council at its tenth session an updated report on the efforts of the United Nations system to prevent genocide and on the activities of the Special Adviser, and invited the Special Adviser to an interactive dialogue with the Council at the same session on the progress made in discharging his duties.

41. The Council will have before it the above-mentioned reports, and engage in an interactive dialogue with the Special Adviser, at its tenth session under agenda item 3.

#### *Missing persons*

42. In its resolution 7/28 of 28 March 2008, the Council requested the Secretary-General to submit a comprehensive report on the implementation of that resolution to the Council before its tenth session. The Council will consider the report of the Secretary-General at a future session under agenda item 3 (see also paragraphs 82, 83 and 116 below).

#### *Human rights and extreme poverty*

43. In its resolution 2/2 of 27 November 2006, the Human Rights Council took note of the draft guiding principles on extreme poverty and human rights: the rights of the poor, annexed to Sub-Commission for the Promotion and Protection of Human Rights resolution 2006/9. In its resolution 7/27 of 28 March 2008, the Council invited the Office of the High Commissioner for Human Rights to further consult States, relevant United Nations agencies, intergovernmental organizations, United Nations treaty bodies, the independent expert on the question of human rights and extreme poverty, national human rights institutions, non-governmental organizations, especially those in which people in situations of extreme poverty express their views, and other relevant stakeholders and allow them to comment also on the report of the High Commissioner submitted to the Council at its seventh session (A/HRC/7/32), including through the organization of a three-day seminar on the draft guiding principles, before March 2009.

44. In the same resolution, the Council also invited the Office of the High Commissioner to submit a report to the Council, no later than its last session of 2009, to allow it to take a decision on the way forward with a view to a possible adoption of guiding principles on the rights of persons living in extreme poverty. The Council will consider the report of the High Commissioner at a future session under agenda item 3 (see also paragraph 60 below).

*Effective implementation of international instruments on human rights*

45. In its resolution 2/5 of 28 November 2006, the Council encouraged the High Commissioner for Human Rights to undertake a study on various options for reforming the treaty body system, and to seek the views of States and other stakeholders in this regard and to report thereon to the Council. The study of the High Commissioner will be submitted to the Council at one of its future sessions under agenda item 3.

*Conscientious objection to military service*

46. Pursuant to Council decision 2/102 and Commission resolution 2004/35, and in accordance with the note by the Secretariat (A/HRC/7/73), the Council will have before it the report of the Office of the High Commissioner for Human Rights at a future session under agenda item 3.

*Protection of human rights in the context of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS)*

47. Pursuant to Council decision 2/102 and Commission resolution 2005/84, and in accordance with the note by the Secretariat (A/HRC/7/59), the Council will have before it the progress report of the Secretary-General at a future session in 2009 under agenda item 3.

*Question of the realization in all countries of economic, social and cultural rights*

48. In its resolution 4/1 of 23 March 2007, the Council requested the Secretary-General to submit an annual report on the implementation of that resolution and decided to remain seized of the issue and to consider taking further action in order to implement the resolution. The Council will consider the report of the Secretary-General at a future session under agenda item 3.

*Human rights and unilateral coercive measures*

49. In its resolution 6/7 of 28 September 2007, the Council requested the Secretary-General to bring that resolution to the attention of all Member States and to seek their views and information on the implications and negative effects of unilateral coercive measures on their populations, and to submit a report thereon to the Council as appropriate, in accordance with its annual programme of work. The Council will have before it the report of the Secretary-General at a future session under agenda item 3.

*Enhancement of international cooperation in the field of human rights*

50. In its resolution 7/3 of 27 March 2008, the Council requested the High Commissioner for Human Rights to consult States and intergovernmental and non-governmental organizations on ways and means to enhance international cooperation and dialogue in the United Nations human rights machinery, including the Council, as recognized by the General Assembly in the preamble

of its resolution 60/251 of 15 March 2006, and to present a report to the Council at the relevant session in 2009. The Council will consider the report of the High Commissioner at a future session under agenda item 3.

*Trust Fund on Contemporary Forms of Slavery*

51. Pursuant to Council decision 2/102 and Commission resolution 1999/46, and in accordance with the note by the Secretariat (A/HRC/7/63), the Council will have before it the report of the Secretary-General at its tenth session under agenda item 5.

*Human rights violations emanating from Israeli military attacks and incursions in the Occupied Palestinian Territory, particularly the recent ones in the occupied Gaza Strip*

52. In its resolution 7/1 of 6 March 2008, the Council requested the High Commissioner for Human Rights to report to the Council, at its next session, on the progress made in the implementation of that resolution. The Council will have before it the report of the High Commissioner (A/HRC/8/17) at its eighth session under agenda item 7 (see also paragraph 130 below).

*Religious and cultural rights in the Occupied Palestinian Territory, including East Jerusalem*

53. In its resolution 6/19 of 28 September 2007, the Council requested the High Commissioner to report to the Council at its seventh session on the implementation of that resolution. At its seventh session, the Council had before it a note by the High Commissioner (A/HRC/7/77). The Council will have before it the report of the High Commissioner pursuant to resolution 6/19 (A/HRC/8/18) at its eighth session under agenda item 7 (see also paragraph 131 below).

*Integrating the human rights of women throughout the United Nations system*

54. In its resolution 6/30 of 14 December 2007, the Council requested the Office of the High Commissioner for Human Rights to report in 2008 on the obstacles and challenges to the implementation of that resolution by the Council and to make concrete recommendations for action to address such obstacles and challenges. The Council will consider the report of the High Commissioner at its ninth session under item 8 (see also paragraph 141 below).

*Racism, racial discrimination, xenophobia and all forms of discrimination*

55. Pursuant to Council decision 2/102 and Commission resolution 2005/64, the Council will have before it the note by the Secretariat on the efforts made by the Office of the High Commissioner for Human Rights for the universal ratification of the International Convention on the Elimination of All Forms of Racial Discrimination (A/HRC/8/15) at its eighth session under item 9.

56. Pursuant to Council decision 2/102 and Commission resolution 2005/64, and in accordance with the note by the Secretariat (A/HRC/7/43), the progress report of the Office of the High Commissioner on the implementation of relevant recommendations of the fifth session of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action will be submitted for consideration to the Council at its ninth session under agenda item 9.

*Combating defamation of religions*

57. In its resolution 7/19 of 27 March 2008, the Council requested the High Commissioner for Human Rights to report on the implementation of that resolution and to submit a study compiling relevant existing legislations and jurisprudence concerning defamation of and contempt for religions to the Council at its ninth session. The Council will consider the report of the High Commissioner at its ninth session under agenda item 9 (see also paragraph 149 below).

*Technical cooperation and advisory services in the Democratic Republic of the Congo*

58. In its resolution 7/20 of 27 March 2008, the Council invited the High Commissioner to report to the Council at its session in March 2009 on the human rights situation in the Democratic Republic of the Congo, and the activities of the Office of the High Commissioner undertaken in the country. The Council will consider the report of the High Commissioner at its tenth session under item 10 (see also paragraph 154 below).

**Item 3. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

59. While all reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner and the Secretary-General are listed under agenda item 2, the reports referred to in paragraphs 26 to 50 will be considered under agenda item 3.

**(a) Economic, social and cultural rights**

*Human rights and extreme poverty*

60. In accordance with its resolution 5/1, the Council will consider the report of the independent expert on the question of human rights and extreme poverty (A/HRC/7/15). The report will be presented by María Magdalena Sepúlveda, who replaced the previous mandate-holder Arjun Sengupta as independent expert on 1 May 2008 (see also paragraphs 43 and 44 above).

*Open-ended Working Group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights*

61. In its resolution 1/3 of 29 June 2006, the Council decided to extend the mandate of the Open-ended Working Group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights for a period of two years and requested the Chairperson of the Working Group to prepare a first draft optional protocol. The Council also requested the Working Group to meet for 10 working days each year and to report to the Council. The first part of the fifth session of the Working Group was held from 4 to 8 February 2008. The second part of the fifth session of the Working Group was held from 31 March to 4 April 2008. The Council will consider the report of the Working Group on its fifth session (A/HRC/8/7).

*Right to education*

62. In accordance with its resolution 5/1, the Council will consider the reports of the Special Rapporteur on the right to education, Vernor Muñoz Villalobos (A/HRC/8/10 and Add.1-4).

*Right to food*

63. In its resolutions 6/2 of 27 September 2007 and 7/14 of 27 March 2008, the Council requested the Special Rapporteur on the right to food to submit a report on the implementation of resolution 6/2 to the Council in 2009, in accordance with its annual programme of work. The Council will consider the report of the Special Rapporteur, Olivier de Schutter, at a future session.

64. In its resolution 7/14 of 27 March 2008, the Council also decided to convene a panel discussion on the realization of the right to food in the period of its main session of 2009 (see also paragraph 117 below).

*Human rights and access to safe drinking water and sanitation*

65. In its resolution 7/22 of 28 March 2008, the Council decided to appoint an independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, and invited him/her to submit a report, including conclusions and recommendations, to the Council at its tenth session.

*Right of everyone to the enjoyment of the highest attainable standard of physical and mental health*

66. In its resolution 6/29 of 14 December 2007, the Council requested the Special Rapporteur to submit an annual report to the Council on its activities, findings, conclusions and recommendations. The Council will consider the report of the Special Rapporteur<sup>4</sup> at a future session.

*Adequate housing as a component of the right to an adequate standard of living*

67. In its resolution 6/27 of 14 December 2007, the Council requested the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living to submit a report to the Council, in accordance with its annual programme of work. The Council will consider the report of the Special Rapporteur, Raquel Rolnik, at a future session.

**(b) Civil and political rights**

*Extrajudicial, summary or arbitrary executions*

68. In accordance with its resolution 5/1, the Council will consider the reports of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston (A/HRC/8/3 and Add.1-2).

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<sup>4</sup> A new mandate-holder is to be appointed in June 2008, succeeding the current Special Rapporteur, Paul Hunt, on 1 August 2008.

*Independence of judges and lawyers*

69. In accordance with its resolution 5/1, the Council will consider the reports of the Special Rapporteur on the independence of judges and lawyers, Leandro Despouy (A/HRC/8/4 and Add.1-3).

*Arbitrary detention*

70. In its resolution 6/4 of 28 September 2007, the Council requested the Working Group on Arbitrary Detention to present an annual report on its activities, findings, conclusions and recommendations to the Council. The Council will consider the report of the Working Group at a future session.

*Elimination of all forms of intolerance and of discrimination based on religion and belief*

71. In its resolution 6/37 of 14 December 2007, the Council requested the Special Rapporteur on freedom of religion or belief to submit the outstanding reports to the Council in accordance with its annual programme of work and the next annual report in 2009. The Council also decided to remain seized of this question under the same agenda item and to continue consideration of measures to implement the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. The Council will consider the report of the Special Rapporteur, Asma Jahangir, at a future session in 2009.

*Enforced or involuntary disappearances*

72. In its resolution 7/12, the Council encouraged the Working Group on Enforced or Involuntary Disappearances to submit a regular report on the implementation of its mandate to the Council, in accordance with its annual programme of work. The Council will consider the report of the Working Group at a future session.

*Freedom of opinion and expression*

73. In its resolution 7/36, the Council requested the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression to submit each year to the Council a report covering activities relating to his/her mandate. The Council will consider the report of the Special Rapporteur<sup>5</sup> at a future session.

*The role of good governance in the promotion and protection of human rights*

74. In its resolution 7/11 of 27 March 2008, the Council welcomed the publication of the Office of the United Nations High Commissioner for Human Rights entitled "Good Governance Practices for the Protection of Human Rights", pursuant to Commission on Human Rights resolution 2005/68, and requested the Office of the High Commissioner to prepare a publication on anti-corruption, good governance and human rights, drawing on the results of the Warsaw

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<sup>5</sup> A new mandate-holder is to be appointed in June 2008, succeeding the current Special Rapporteur, Ambeyi Ligabo, on 1 August 2008.

conference. The Council decided to continue its consideration of the question of the role of good governance, including the issue of the fight against corruption in the promotion and protection of human rights, at a future session.

**(c) Rights of peoples, and specific groups and individuals**

*Internally displaced persons*

75. In its resolution 6/32 of 14 December 2007, the Council invited the Representative of the Secretary-General to submit annual reports on the implementation of his/her mandate, making suggestions and recommendations regarding the human rights of internally displaced persons, including on the impact of measures taken at the inter-agency level. The Council also decided to continue its consideration of the question in conformity with its annual programme of work. The Council will consider the reports of the Representative of the Secretary-General, Walter Kälin (A/HRC/8/6 and Add.1-4).

*Human rights of persons with disabilities*

76. In its resolution 7/9 of 27 March 2008, the Council decided to hold an annual interactive debate in one of its regular sessions on the rights of persons with disabilities and that the first such debate should be held at its tenth session, focusing on key legal measures for ratification and effective implementation of the Convention, including with regard to equality and non-discrimination. The Council will hold the above-mentioned annual interactive debate at its tenth session (see also paragraphs 33-35 above).

*Situation of human rights and fundamental freedoms of indigenous people*

77. In its resolution 6/12 of 28 September 2007, the Council requested the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people to submit a report on the implementation of his/her mandate to the Council, in accordance with its annual programme of work. The Council will consider the report of the Special Rapporteur, James Anaya, at a future session.

*Minority issues*

78. In its resolution 7/6 of 27 March 2008, the Council requested the independent expert on minority issues to submit annual reports on his/her activities to the Council, including recommendations for effective strategies for the better implementation of the rights of persons belonging to minorities. The Council will consider the report of the independent expert, Gay McDougall, at a future session (see also paragraphs 31 above and 121 below).

*Situation of human rights defenders*

79. In its resolution 7/8 of 27 March 2008, the Council requested the Special Rapporteur on the situation of human rights defenders to report regularly to the Council, and decided to continue consideration of this issue in accordance with its annual programme of work. The Council will consider the report of the Special Rapporteur, Margaret Sekaggya, at a future session.

*Sale of children, child prostitution and child pornography*

80. In its resolution 7/13 of 27 March 2008, the Council requested the Special Rapporteur on the sale of children, child prostitution and child pornography to submit a report on the implementation of his/her mandate to the Council in accordance with its annual programme of work. The Council will consider the report of the Special Rapporteur, Najat M'jid Maala, at a future session.

*Elimination of violence against women, its causes and consequences*

81. In its resolution 7/24 of 28 March 2008, the Council requested the Special Rapporteur on violence against women, its causes and consequences to report to the Council, in accordance with its annual programme of work. The Council will consider the report of the Special Rapporteur, Yakin Ertürk, at a future session.

*Missing persons*

82. In accordance with its resolution 7/28 of 28 March 2008, the Council decided to hold a panel discussion on the question of missing persons at its ninth session and to invite experts of the International Committee of the Red Cross, delegates of Governments and non-governmental organizations as well as national human rights institutions and international organizations to participate therein, and requested the High Commissioner to prepare a summary of the panel's deliberations with a view to subsequently charging the Advisory Committee, at the same session, with the preparation of a study on best practices in the matter. The Council will hold the above-mentioned panel discussion at its ninth session.

83. In accordance with the same resolution, the Council will have before it the report of the Secretary-General at a future session (see paragraph 42 above, see also paragraph 116 below).

*Rights of the child*

84. In its resolution 7/29 of 28 March 2008, the Council decided to incorporate into its programme of work sufficient time, at a minimum an annual full-day meeting, to discuss different specific themes on the rights of the child, including the identification of challenges in the realization of the rights of the child, as well as measures and best practices that can be adopted by States and other stakeholders, and to assess the effective integration of the rights of the child in its work, beginning in 2009.

85. In the same resolution, the Council requested the Secretary-General to take urgent action on General Assembly resolution 62/141 and to appoint, in accordance with Assembly resolution 62/141, at the highest possible level and without delay, a Special Representative on violence against children and to report on progress made to the Council at its eighth session.

86. The Council also encouraged the advancement of the draft United Nations guidelines for the appropriate use and conditions of alternative care for children, and requested that further attention should be given to these guidelines by the Council at its eighth session.

87. In the same resolution, the Council requested the Secretary-General to submit to the Council at its tenth session a report on the rights of the child, with information on the status of the Convention on the Rights of the Child. The Council will consider the report of the Secretary-General at its tenth session.

88. In the same resolution, the Council decided to continue the consideration of the rights of the child in accordance with its programme of work and to consider an omnibus resolution on the rights of the child every four years, and to focus on a theme of the rights of the child on an annual basis in the intervening period.

**(d) Right to development**

*Working Group on the Right to Development*

89. In its resolution 4/4 of 30 March 2007, the Council decided to renew the mandate of the Working Group on the Right to Development for a period of two years, and that the Working Group should convene annual sessions of five working days and present its reports to the Council. The ninth session of the Working Group, originally scheduled for 25 to 29 February 2008, will be rescheduled for a later date in 2008. The Council also decided to renew the mandate of the high-level task force on the implementation of the right to development for a period of two years, and that the task force would convene annual sessions of seven working days and present its reports to the Working Group. The high-level task force convened its annual session from 7 to 15 January 2008.

90. In the same resolution, the Council also decided to review the progress of the implementation of resolution 4/4 as a matter of priority in its future sessions. The Council will have before it a note by the Secretariat on the report of the Working Group (A/HRC/8/8) at its eighth session (see also paragraph 26 above).

*Human rights and international solidarity*

91. In its resolution 7/5 of 27 March 2008, the Council requested the independent expert on human rights and international solidarity to continue work on the preparation of a draft declaration on the right of peoples and individuals to international solidarity and to submit a report on the implementation of that resolution to the Council at its ninth session, unless otherwise decided by the Council. The Council will consider the report of the independent expert, Rudi Muhammad Rizki, at its ninth session.

*Effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights*

92. In its resolution 7/4 of 27 March 2008, the Council requested the independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, to submit an analytical report on the implementation of that resolution to the Council in 2009, in accordance with its annual programme of work. The Council will consider the report of the independent expert, Cephas Lumina, at a future session.

93. In the same resolution, the Council requested the independent expert to seek the views and suggestions of States, international organizations, United Nations agencies, funds and programmes, regional economic commissions, international and regional financial institutions and non-governmental organizations on the draft general guidelines to be followed by States and by private and public, national and international financial institutions in the decision-making on and execution of debt repayments and structural reform programmes, including those arising from foreign debt relief, with a view to improve them, as appropriate, and to present updated draft general guidelines to the Council in 2010.

**(e) Interrelation of human rights and human rights thematic issues**

*Human rights and transnational corporations and other business enterprises*

94. In accordance with its resolution 5/1, the Council will consider the reports of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie (A/HRC/8/5 and Add.1-2), as well as his report on the implications of “complicity” and “sphere of influence” (A/HRC/8/16).

*Human rights voluntary goals*

95. In its resolution 6/26 of 14 December 2007, the Council decided to initiate an open-ended intergovernmental process in order to elaborate, on a consensual basis, a set of human rights voluntary goals, to promote the realization and implementation of the Universal Declaration of Human Rights in accordance with States’ international human rights obligations and commitments to be launched on 10 December 2008 during the celebration of the sixtieth anniversary of the Universal Declaration of Human Rights. In the same resolution, the Council also decided to consider the results of the open-ended intergovernmental process in elaborating a set of human rights voluntary goals to be submitted to the Council, on a consensual basis, through a draft resolution, by its session in September 2008.

96. In the same resolution, the Council invited the Office of the United Nations High Commissioner for Human Rights to present to the Council by its session in June 2008 information on the programmes and activities to commemorate the sixtieth anniversary of the Universal Declaration of Human Rights.

*Human rights and climate change*

97. In its resolution 7/23 of 28 March 2008, the Council decided to consider the issue at its tenth session under agenda item 3, and thereafter to make available the study conducted by the High Commissioner (see paragraph 37 above), together with a summary of the debate held during its tenth session, to the Conference of Parties to the United Nations Framework Convention on Climate Change for its consideration. The Council will consider the above-mentioned study and hold the relevant debate at its tenth session.

*Globalization and its impact on the full enjoyment of all human rights*

98. In its resolution 4/5 of 30 March 2007, the Council decided to consider this issue at a future session.

*Contemporary forms of slavery*

99. In its resolution 6/14 of 28 September 2007, the Council decided to appoint, for a three year period, a Special Rapporteur on contemporary forms of slavery, including its causes and its consequences, to replace the Working Group on Contemporary Forms of Slavery. The Council requested the Special Rapporteur to submit annual reports on the activities of the mandate to the Council together with recommendations on measures that should be taken to combat and eradicate contemporary forms of slavery and slavery-like practices and to protect the human rights of victims of such practices. The Council will consider the report of the Special Rapporteur, Gulnara Shahinian, at a future session.

*Promotion and protection of human rights and fundamental freedoms while countering terrorism*

100. In its resolution 6/28 of 14 December 2007, the Council requested the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism to report regularly to the Council. The Council decided to continue consideration of this question in conformity with the annual programme of work of the Council. The report of the Special Rapporteur will be considered by the Council at a future session (see also paragraph 28 above).

*The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination*

101. In its resolution 7/21 of 28 March 2008, the Council requested the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, to consult States, intergovernmental organizations, non-governmental organizations and other relevant actors of civil society in the implementation of that resolution and to report to the Council in 2009, in accordance with its annual programme of work. The Council will consider the report of the Working Group at a future session.

**Item 4. Human rights situations that require the Council's attention**

*Follow-up to the fifth special session of the Council*

102. In its resolution S-5/1, adopted on 2 October 2007 by the Council at its fifth special session, the Council requested the Special Rapporteur on the situation of human rights in Myanmar to assess the current human rights situation and to monitor the implementation of that resolution, including by seeking an urgent visit to Myanmar, and to report to the Council at its resumed sixth session. The Council considered the report of the Special Rapporteur (A/HRC/6/14) at its resumed sixth session in December 2007.

103. In its resolution 6/33 of 14 December 2007, the Council requested the Special Rapporteur to monitor the implementation of that resolution and to conduct, in this regard, a follow-up mission to Myanmar at his earliest convenience. The Council considered the report of the Special Rapporteur (A/HRC/7/24) at its seventh session.

104. In accordance with resolution 7/31 of 28 March 2008, the Council will consider the report of the Special Rapporteur, Tomas Ojea Quintana, on the implementation of resolutions S-5/1 and 6/33 (A/HRC/8/12) at its eighth session.

*Follow-up to the fourth special session of the Council*

105. In its decision S-4/101 adopted on 13 December 2006 at its fourth special session, the Council decided to dispatch a High-level Mission to assess the human rights situation in Darfur and the needs of the Sudan in this regard, comprising five highly qualified persons, to be appointed by the President of the Council following consultation with the members of the Council, as well as the Special Rapporteur on the situation of human rights in the Sudan. In its resolution 4/8, the Council took note of the report of the High-level Mission on the situation of human rights in Darfur (A/HRC/4/80).

106. In its resolution 4/8 of 30 March 2007, the Council also decided to convene a group to be presided over by the Special Rapporteur on the situation of human rights in the Sudan, composed of the Special Representative of the Secretary-General for children and armed conflict, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Representative of the Secretary-General on the situation of human rights defenders, the Representative of the Secretary-General on the human rights of internally displaced persons, the Special Rapporteur on the question of torture, and the Special Rapporteur on violence against women, its causes and consequences. The Council requested the group to work with the Government of the Sudan and the appropriate human rights mechanisms of the African Union, and to closely consult with the Chairman of the Darfur-Darfur Dialogue and Consultation, to ensure effective follow-up and to foster the implementation of resolutions and recommendations on Darfur, as adopted by the Council, the Commission on Human Rights and other United Nations human rights institutions as well as to promote the implementation of relevant recommendations of other United Nations human rights mechanisms, taking into account the needs of the Sudan in this regard, to safeguard the consistency of these recommendations and to contribute to monitoring the human rights situation on the ground. In accordance with resolution 4/8, the group reported to the Council at its fifth session (A/HRC/5/6).

107. In accordance with resolution OM/1/3 adopted on 20 June 2007, the group of experts continued its work for six months and submitted an update to the Council at its session in September 2007 (A/HRC/6/7), and a final report to the following one (A/HRC/6/19).

108. In its resolution 6/34 of 14 December 2007, the Council requested the Special Rapporteur on the situation of human rights in the Sudan to ensure effective follow-up and to foster the implementation of the remaining short-term and the medium-term recommendations identified in the first report of the Group of Experts (A/HRC/5/6) through an open and constructive dialogue with the Government of the Sudan, taking into account the final report of the group of experts (A/HRC/6/19) and the replies of the Government thereon, and to include information in this regard in her report to the Council at its ninth session.

*Special Rapporteur on the situation of human rights in the Sudan*

109. In its resolution 6/34 of 14 December 2007, the Council requested the Special Rapporteur on the situation of human rights in the Sudan to submit her outstanding annual report to the Council at its seventh session and her following report to the Council at its ninth session in September 2008. The Council considered the outstanding annual report of the Special

Rapporteur (A/HRC/7/22) at its seventh session. In its resolution 7/16 of 27 March 2008, the Council decided to review the situation of human rights in the Sudan at its ninth session. The Council will consider the report of the Special Rapporteur at its ninth session.

*Situation of human rights in the Democratic People's Republic of Korea*

110. In its resolution 7/15 of 27 March 2008, the Council invited the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea to submit regular reports on the implementation of his mandate to the Council. The Council will consider the report of the Special Rapporteur, Vitit Muntarbhorn, at a future session.

*Situation of human rights in Myanmar*

111. In its resolution 7/32 of 28 March 2008, the Council requested the Special Rapporteur on the situation of human rights in Myanmar to report to the Council in accordance with its annual programme of work. The Council will consider the report of the Special Rapporteur, Tomas Ojea Quintana, at a future session.

**Item 5. Human rights bodies and mechanisms**

112. While all reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner and the Secretary-General are listed under agenda item 2, the reports referred to in paragraph 51 will be considered under agenda item 5.

**(a) Human Rights Council Advisory Committee**

113. By its resolution 5/1, the Human Rights Council, in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251, established the Human Rights Council Advisory Committee.

114. In accordance with paragraph 67 of the annex to its resolution 5/1, the Council, on 27 September 2007, adopted decision 6/102 containing the technical and objective requirements for the submission of candidatures for members of the Human Rights Council Advisory Committee, with the aim to ensure that the best possible expertise is made available to the Council. At its seventh session, the Council elected the 18 members of the Advisory Committee. The first session of the Advisory Committee is scheduled to be held from 4 to 15 August 2008.

*United Nations declaration on human rights education and training*

115. In its resolution 6/10 of 28 September 2007, the Council requested the Human Rights Council Advisory Committee to prepare a draft declaration on human rights education and training. The Council also requested the Advisory Committee to seek the views and inputs of member States, relevant international and regional organizations, the Office of the High Commissioner for Human Rights, national human rights institutions and civil society organizations, including non-governmental organizations, on the possible elements of the content of the declaration and to take into account existing relevant instruments. The Council requested the Advisory Committee to present a progress report containing the elements of the draft declaration on human rights education and training to the Council at its 2009 main session.

*Missing persons*

116. In its resolution 7/28 of 28 March 2008, the Council decided to hold a panel discussion on the question of missing persons at its ninth session and to invite experts of the International Committee of the Red Cross, delegates of Governments and non-governmental organizations as well as national human rights institutions and international organizations to participate therein, and requested the High Commissioner to prepare a summary of the panel's deliberations with a view to subsequently charging the Advisory Committee, at the same session, with the preparation of a study on best practices in the matter (see also paragraphs 42, 82 and 83 above).

*Right to food*

117. In its resolution 7/14 of 27 March 2008, the Council requested the Advisory Committee to consider potential recommendations for approval by the Council on possible further measures to enhance the realization of the right to food, bearing in mind the priority importance of promoting the implementation of existing standards (see also paragraphs 63 and 64 above).

**(b) Complaint procedure**

118. In its resolution 5/1, the Council established the complaint procedure as contained in section IV of the annex to that resolution. In accordance with paragraph 98 of the annex of that resolution, the Working Group on Situations is requested, on the basis of the information and recommendations provided by the Working Group on Communications, to present the Council with a report on consistent patterns of gross and reliably attested violations of human rights and fundamental freedoms and to make recommendations to the Council on the course of action to be taken.

119. The Working Group on Communications met from 14 to 18 April 2008. The next session of the Working Group on Situations will hold its next session from 23 to 27 June 2008.

**(c) Social Forum**

120. In its resolution 6/13 of 28 September 2007, the Council decided to preserve the Social Forum as a unique space for interactive dialogue between the United Nations human rights machinery and various stakeholders, including grass roots organizations. The Council also decided that the Social Forum should continue meeting every year for three days, and requested that the next meeting be held in 2008, in Geneva. The Council invited the 2008 Social Forum to submit to the Council a report including a proposal of possible themes for the 2009 Social Forum. The Council decided that it would continue consideration of this issue under the relevant agenda item when the report of the 2008 Social Forum was submitted to the Human Rights Council. The Social Forum is scheduled to meet from 1 to 3 September 2008.

**(d) Forum on minority issues**

121. In its resolution 6/15 of 28 September 2007, the Council decided to establish a forum on minority issues to provide a platform for promoting dialogue and cooperation on issues pertaining to persons belonging to national or ethnic, religious and linguistic minorities, and which should provide thematic contributions and expertise to the work of the independent expert on minority issues. The Council decided that the forum should meet annually for two working

days allocated to thematic discussions. The Council also decided that the independent expert on minority issues should guide the work of the forum and prepare its annual meetings, and invited that person to include in his/her report thematic recommendations of the forum and recommendations for future thematic subjects, for consideration by the Council. The forum on minority issues is scheduled to meet from 4 to 5 September 2008.

**(e) Expert mechanism on the rights of indigenous peoples**

122. In its resolution 6/36 of 14 December 2007, the Council decided to establish a subsidiary expert mechanism to provide the Council with thematic expertise on the rights of indigenous peoples in the manner and form requested by the Council. The Council decided that the expert mechanism shall consist of five independent experts, the selection of which shall be carried out in accordance with the procedure established in paragraphs 39 to 53 of the annex to Council resolution 5/1, and strongly recommended that, in the selection and appointment process, the Council give due regard to experts of indigenous origin. The Council also decided that, in order to enhance cooperation and avoid duplication of work, the expert mechanism should invite the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and a member of the Permanent Forum to attend and contribute to its annual meeting. The Council decided that the expert mechanism shall meet once annually three days in its first year and thereafter for up to five days, and that this mechanism shall report annually to the Council on its work. The expert mechanism on the rights of indigenous peoples is scheduled to meet from 1 to 3 October 2008.

**Item 6. Universal periodic review**

123. In its resolution 5/1 of 18 June 2007, the Council established the universal periodic review mechanism as contained in section I of the annex to that resolution. Paragraph 15 (a) of the annex to that resolution provided that general guidelines for the information prepared by the State concerned would be adopted by the Council at its sixth session. On 27 September 2007, the Council adopted decision 6/102 containing the above-mentioned general guidelines. The Council also established the timetable for the consideration of the 192 States Members of the United Nations under the universal periodic review mechanism during its first cycle.

124. The Working Group on the universal periodic review held its first session from 7 to 18 April 2008 and its second session from 5 to 16 May 2008. The third session of the Working Group is scheduled to be held from 1 to 12 December 2008.

125. At its eighth session, the Council will consider the reports of the Working Group on the following countries, in the order of consideration as determined by the drawing of lots by the Council at its sixth session, on 21 September 2007:

(a) States Members reviewed during the first session of the Working Group: Bahrain, Ecuador, Tunisia, Morocco, Indonesia, Finland, United Kingdom of Great Britain and Northern Ireland, India, Brazil, the Philippines, Algeria, Poland, Netherlands, South Africa, Czech Republic, Argentina;

(b) States Members reviewed during the second session of the Working Group: Gabon, Ghana, Peru, Guatemala, Benin, Republic of Korea, Switzerland, Pakistan, Zambia, Japan, Ukraine, Sri Lanka, France, Tonga, Romania, Mali.

126. In accordance with paragraph 22 of the annex to Council resolution 5/1, additional time of up to one hour will be allocated for the consideration of the outcome by the plenary of the Council. In accordance with the provisions outlined in paragraphs 25 to 32 of the annex to resolution 5/1, the final outcome will be adopted by the plenary of the Council.

127. Pursuant to the President's statement on modalities and practices for the universal periodic review process, agreed upon on 9 April 2008, the report of the Working Group, together with the views of the State under review concerning the recommendations and/or conclusions, as well as voluntary commitments made by the State under review and replies presented by the State under review before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group, will constitute the outcome of the review, which shall be adopted by the Council plenary through a standardized decision. It was also agreed that a summary of the views expressed on the outcome of the review by the State under review, and Member and Observer States of the Council, as well as general comments made by other relevant stakeholders before the adoption of the outcome by the plenary, will be included in the report of the Council's session.

#### **Item 7. Human rights situation in Palestine and other occupied Arab territories**

128. While all reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner and the Secretary-General are listed under agenda item 2, the report referred to in paragraphs 52 and 53 will be considered under agenda item 7.

#### **(a) Human rights violations and implications of the Israeli occupation of Palestine and other occupied Arab territories**

*Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967*

129. In accordance with its resolution 5/1, the Council will have before it the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (A/HRC/7/17). The report will be presented by Richard Falk, who replaced the previous mandate-holder John Dugard as Special Rapporteur on 1 May 2008.

*Human rights violations emanating from Israeli military attacks and incursions in the Occupied Palestinian Territory, particularly the recent ones in the occupied Gaza Strip*

130. In accordance with resolution 7/1 of 6 March 2008, the Council will have before it the report of the High Commissioner (A/HRC/8/17) (see paragraph 52 above).

*Religious and cultural rights in the Occupied Palestinian Territory, including East Jerusalem*

131. In accordance with resolution 6/19 of 28 September 2007, the Council will have before it the report of the High Commissioner (A/HRC/8/18) (see paragraph 53 above).

*Follow-up to special sessions*

132. In its resolution S-1/1, adopted on 6 July 2006 at its first special session, the Council decided to dispatch an urgent fact-finding mission headed by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967. At its third special session, in its resolution S-3/1 of 15 November 2006, the Council decided to dispatch urgently a high-level fact-finding mission, to be appointed by the President of the Council, to travel to Beit Hanoun.

133. In its resolution OM/1/2, adopted at its first organizational meeting on 20 June 2007, the Council called for the implementation of resolutions S-1/1 and S-3/1, including the dispatching of the urgent fact-finding mission. In accordance with resolution 6/18 of 28 September 2007, the President and the High Commissioner reported to the Council at its seventh session on their efforts for the implementation of Council resolutions S-1/1 and S-3/1 and on the compliance of Israel, the occupying Power, with those resolutions.

134. In accordance with its resolution S-6/1, adopted on 24 January 2008 by the Council at its sixth special session, the High Commissioner for Human Rights reported to the Council at its seventh session on the progress made in the implementation of that resolution.

*Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan*

135. In its resolution 7/18 of 28 March 2008, the Council decided to continue consideration of this question at its session of March 2009.

*Human rights in the occupied Syrian Golan*

136. In its resolution 7/30 of 28 March 2008, the Council requested the Secretary-General to report on the matter to the Council at its tenth session, and decided to continue the consideration of human rights violations in the occupied Syrian Golan at its tenth session.

**(b) Right to self-determination of the Palestinian people**

137. In its resolution 7/17 of 27 March 2008, the Council decided to continue the consideration of this question at its session of March 2009.

**Item 8. Follow-up to and implementation of the Vienna Declaration and Programme of Action**

138. While all reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner and the Secretary-General are listed under agenda item 2, the reports referred to in paragraph 54 will be considered under agenda item 8.

*Regional arrangements for the promotion and protection of human rights*

139. In its resolution 6/20 of 28 September 2007, the Council requested the High Commissioner for Human Rights to convene in 2008 a workshop for an exchange of views on good practices, added value and challenges for such regional arrangements, with the participation of representatives of the relevant regional and subregional arrangements from different regions, experts and all interested States Members of the United Nations, observers, national human rights institutions and representatives of non-governmental organizations, based on arrangements, including Economic and Social Council resolution 1996/31 and practices observed by the Commission on Human Rights. The Council also requested the Office of the High Commissioner to present to the Council a summary of the discussions of the workshop, at a moment in conformity with the programme of work of the Council. The Council will have before it the summary of the High Commissioner at a future session under agenda item 8.

*World Programme for Human Rights Education*

140. In its resolution 6/24 of 28 September 2007, the Council requested the Office of the High Commissioner for Human Rights to report to the Council at its last 2008 session on progress made towards the implementation of resolution 6/24. The Council will consider the report of the Office of the High Commissioner at its ninth session under agenda item 8.

*Integrating the human rights of women throughout the United Nations system*

141. In its resolution 6/30 of 14 December 2007, the Council decided to incorporate into its programme of work sufficient and adequate time, at minimum an annual full-day meeting, to discuss the human rights of women, including measures that can be adopted by States and other stakeholders, to address human rights violations experienced by women. The Council also decided that the first such meeting should take place in the first half of 2008 and that it should include a discussion on violence against women, as mandated by the General Assembly in its resolution 61/143 of 19 December 2006, inviting the Council to discuss, by 2008, the question of violence against women in all its forms and manifestations, and to set priorities for addressing this issue in its future efforts and work programme. The Council decided to continue its consideration of both the rights of women and the integration of a gender perspective in accordance with its programme of work. The Council is scheduled to hold a discussion on the human rights of women at its eighth session (see also paragraph 54 above).

**Item 9. Racism, racial discrimination, xenophobia and related forms of intolerance: follow-up to and implementation of the Durban Declaration and Programme of Action**

142. While all reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner and the Secretary-General are listed under agenda item 2, the reports referred to in paragraphs 55 to 57 will be considered under agenda item 9.

*Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance*

143. In its resolution 7/34 of 28 March 2008, the Council requested the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, to report regularly to the Council. The Council will consider the report of the Special Rapporteur<sup>6</sup> at a future session.

144. In its decision 2/106 of 27 November 2006, the Council requested the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, within his mandate, when submitting his report to the Council at any session after its fourth session, to include the issue of political participation and representation of groups that are vulnerable to racism, racial discrimination, xenophobia and related intolerance in the decision making process in national Governments, parties, parliaments and civil society in general, taking into consideration their possible contribution to reinforcing the anti-discrimination perspective in political and social life with a view to strengthening democracy. The report of the Special Rapporteur will be considered by the Council at a future session.

*Follow-up to and implementation of the Durban Declaration and Programme of Action*

145. In its resolution 1/5 of 30 June 2006, the Council decided to extend the mandate of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action for a further period of three years. In its decision 3/103, the Council decided to recommend that the Working Group convene the second part of its fifth session in September 2007 and that this session mark the conclusion and closure of the Working Group's debates and deliberations on the question of complementary standards. The first part of the sixth session of the Working Group was held from 21 January to 1 February 2008. The second part of the sixth session of the Working Group is scheduled for later dates to be confirmed.

146. In its decision 3/103 of 8 December 2006, the Council decided to establish an Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards and recommended that the Ad Hoc Committee should convene annual sessions of 10 working days to draw up the requisite legal instruments and hold its first session before the end of 2007 subject to the Working Group having completed its task on complementary standards by that date, and to report regularly to the Council on progress in the actual progress of the elaboration of complementary standards.

147. In its resolution 6/21 of 28 September 2007, the Council decided to convene the inaugural session of the Ad Hoc Committee in the first quarter of 2008 to commence its mandate, and also decided to allocate no more than two days at the beginning of the inaugural session of the Ad Hoc Committee to reflect on all contributions and studies presented by various stakeholders and the relevant mechanisms necessary for the realization of its mandate. The first part of the

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<sup>6</sup> A new mandate-holder is to be appointed in June 2008, succeeding the current Special Rapporteur, Doudou Diène, on 1 August 2008.

first session of the Ad Hoc Committee was held from 11 to 22 February 2008. The second part of the first session of the Ad Hoc Committee is scheduled for later dates to be confirmed.

#### *Durban Review Conference*

148. In its resolution 3/2 of 8 December 2006, the Council decided that the Preparatory Committee should elect, at its organizational sessions, on the basis of equitable geographic representation, a bureau for the Preparatory Committee and that, at the same session, the Preparatory Committee should decide on all the relevant modalities for the Conference in accordance with the established practice of the General Assembly, including deciding on the objectives of the Review Conference, the level at which the Review Conference should be convened, regional preparatory activities, date and venue. The Council also decided that the review would concentrate on the implementation of the Durban Declaration and Programme of Action, including further actions, initiatives and practical solutions for combating all the contemporary scourges of racism. The Council decided to retain this priority issue on its programme of work. The Council will hear an oral report on the first substantive session of the Preparatory Committee, which was held from 21 April to 2 May 2008, at its eighth session.

#### *Combating defamation of religions*

149. In its resolution 7/19 of 27 March 2008, the Council invited the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to continue to report on all manifestations of defamation of religions, and in particular on the serious implications of Islamophobia, on the enjoyment of all rights to the Council at its ninth session. Pursuant to the same resolution, the Council will also have before it the report of the High Commissioner (see also paragraph 57 above).

### **Item 10. Technical assistance and capacity-building**

#### *Situation of human rights in Haiti*

150. In the President's statement on the situation of human rights in Haiti as agreed upon by consensus on 28 September 2007, the Council encouraged the independent expert appointed by the Secretary-General to consider the human rights situation in Haiti to continue his mission and report thereon to the Council at its eighth session. The Council will consider the report of the independent expert, Louis Joinet (A/HRC/8/2), at its eighth session.

#### *Advisory services and technical assistance for Burundi*

151. In its resolution 6/5 of 28 September 2007, the Council decided to extend by one year the mandate of the independent expert on the situation of human rights in Burundi. The Council also asked the independent expert to submit a final report on the effectiveness and efficiency of the measures applied in practice to the Council at its ninth session. The Council will consider the report of the independent expert, Akich Okola, at its ninth session.

*Situation of human rights in Liberia*

152. In its resolution 6/31 of 14 December 2007, the Council invited the independent expert on the situation of human rights in Liberia to submit a final report on the effectiveness and efficiency of the measures applied in practice to the Council at its ninth session. The Council will consider the report of the independent expert at its ninth session.

*Situation of human rights in Somalia*

153. In its resolution 7/35 of 28 March 2008, the Council requested the independent expert on the situation of human rights in Somalia to submit a report to the Council at its sessions in September 2008 and March 2009. The Council will consider the reports of the independent expert, Shamsul Bari, at its ninth and tenth sessions.

*Technical cooperation and advisory services in the Democratic Republic of the Congo*

154. In its resolution 7/20 of 27 March 2008, the Council requested a number of thematic special procedures, including the Special Rapporteur on violence against women, the Representative of the Secretary-General on the human rights of internally displaced persons, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on the right to health, the Special Rapporteur on the situation of human rights defenders, the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises and the Special Representative of the Secretary-General for children and armed conflict, to report to the Council no later than its session in March 2009 under agenda item 10. In accordance with the same resolution, the Council will also have before it the report of the High Commissioner at its tenth session (see also paragraph 58 above).

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