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HUMAN RIGHTS COUNCIL  
Advisory Committee  
First session  
4-15 August 2008  
Item 2 of the provisional agenda

**ANNOTATIONS TO THE PROVISIONAL AGENDA\***

**Prepared by the Secretary-General**

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\* Late submission.

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\* This table of contents is based upon the draft provisional agenda for the first session of the Human Rights Council Advisory Committee (A/HRC/AC/2008/1/1).

## **Introduction**

1. In its resolution 60/251 of 15 March 2006, the General Assembly established the Human Rights Council (the Council) and decided in its paragraph 6, that it should, inter alia, “assume, review and, where necessary, improve and rationalize all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights in order to maintain a system of ... expert advice ...”
2. At its fifth session held from 11 to 18 June 2007, and in compliance with resolution 60/251, the Council, in its resolution 5/1, decided to establish the Human Rights Council Advisory Committee as a subsidiary body of the Council.
3. In accordance with resolution 5/1, the Council further decided that the functions of the Human Rights Council Advisory Committee (the Advisory Committee) are to provide expertise to the Council in the manner and form requested by the Council, focusing mainly on studies and research-based advice. It also decided that such expertise shall be rendered only upon the latter’s request, in compliance with its resolutions and under its guidance. The Advisory Committee should be implementation-oriented and the scope of its advice should be limited to thematic issues pertaining to the mandate of the Council; namely promotion and protection of all human rights.
4. In the same resolution, the Council also decided that the Advisory Committee shall not adopt resolutions or decisions. It may however propose within the scope of the work set out by the Council, for the latter’s consideration and approval, suggestions for further enhancing its procedural efficiency, as well as further research proposals within the scope of the work set out by the Council. Furthermore, the Council decided that it shall issue specific guidelines for the Advisory Committee when it requests a substantive contribution from the latter and shall review all or any portion of those guidelines if it deems necessary in the future.

### **Item 1. Election of officers**

5. At its first meeting, and in accordance with rule 103 of the rules of procedure of the General Assembly, the Human Rights Council Advisory Committee will elect, from among its members, a Chair and its Bureau.

### **Item 2. Adoption of the agenda and organization of work**

#### **Adoption of the agenda**

6. The Advisory Committee will have before it the provisional agenda (A/HRC/AC/1/1/Rev.1) proposed by the Secretary-General as well as the present annotations relating to the items included in the provisional agenda.

## **Organization of work**

7. At its eighth session, the Human Rights Council adopted the draft annual programme of work for its third year, in which it was envisaged that the first session of the Committee would be held from 4 to 15 August 2008.

8. Rule 99 of the rules of procedure of the General Assembly 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” (A/520/Rev.16). Accordingly, the Advisory Committee will have before it for approval a draft timetable showing the order and distribution of meeting times for each agenda item/segment of its programme of work for the first session.

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

9. The composition of the Human Rights Council Advisory Committee and the term of membership of each expert which expires on 26 March of the year indicated in brackets is the following: Mr. José Antonio Bengoa Cabello (Chile - 2010), Mr. Ansar Ahmed Burney (Pakistan - 2011), Mr. Shiqiu Chen (China - 2009), Ms. Chinsung Chung (Republic of Korea - 2010), Mr. Emmanuel Decaux (France - 2011), Mr. Hector Felipe Fix Fierro (Mexico - 2011), Mr. Wolfgang Stefan Heinz (Germany - 2010), Mr. Latif Huseynov (Azerbaijan - 2011), Mr. Baba Kura Kaigama (Nigeria - 2011), Mr. Vladimir Kartashkin (Russian Federation - 2010), Mr. Miguel Alfonso Martinez (Cuba - 2009), Mr. Bernard Andrew Nyamwaya Mudho (Kenya - 2010), Ms. Purification V. Quisumbing (Philippines - 2011), Mr. Shigeki Sakamoto (Japan - 2010), Mr. Dheerujlall Seetulsingh (Mauritius - 2011), Ms. Halima Embarek Warzazi (Morocco - 2009), Mr. Jean Ziegler (Switzerland - 2009), Ms. Mona Zulficar (Egypt - 2010).

### **Item 3. Requests to the Advisory Committee stemming from Human Rights Council resolutions**

#### **United Nations Declaration on human rights education and training**

10. At its sixth session, in its resolution 6/10 of 28 September 2007 entitled “United Nations declaration on human rights education and training”, the Human Rights Council requested the Advisory Committee “to prepare a draft declaration on human rights education and training”. To this end, the Advisory Committee is requested “to seek the views and inputs of Member States, relevant international and regional organizations, the Office of the United Nations High Commissioner for Human Rights, national human rights institutions as well as 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”.

11. A progress report by the Advisory Committee, containing the elements of the draft declaration on human rights education and training, is to be presented to the 2009 March session of the Council for its consideration.

12. At the present session, the Advisory Committee will decide on the steps to be taken to present such a progress report to the Council.

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

13. At its sixth session, in its resolution 6/30 entitled “Integrating the human rights of women throughout the United Nations system” the Human Rights Council requested the Advisory Committee to “regularly and systematically integrate a gender perspective into the implementation of their mandate including when examining the intersection of multiple forms of discrimination against women and to include in their reports information on and qualitative analysis of human rights of women and girls ...”.

### **Human rights of persons with disabilities**

14. At its seventh session, in its resolution 7/9 entitled “Human rights of persons with disabilities”, the Human Rights Council encouraged the Advisory Committee, and other mechanisms of the Council, to integrate the perspective of persons with disabilities, as appropriate, in carrying out their work and in their recommendations, so as to facilitate the inclusion of persons with disabilities in the work of the Council.

### **Right to food**

15. At its seventh session, in its resolution 7/14 entitled “The right to food”, the Human Rights 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.

16. At the present session, the Advisory Committee will decide on the steps to be taken to present such recommendations to the Council.

### **Missing persons**

17. At its seventh session, in its resolution 7/28 entitled “Missing persons”, the Human Rights 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 requests the United Nations High Commissioner for Human Rights 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.

### **Promotion of a democratic and equitable international order**

18. At its eighth session, in its resolution 8/5 entitled “Promotion of a democratic and equitable international order” the Human Rights Council requested the human rights treaty bodies, OHCHR and the mechanisms of the Human Rights Council and the Advisory Committee to pay due attention, within their respective mandates, to resolution 8/5 and to make contributions towards its implementation.

19. At the present session, the Advisory Committee will decide on the steps to be taken to present such contributions to the Council.

**Elimination of discrimination against persons affected by leprosy and their family members**

20. At its eighth session, in its resolution 8/13 entitled “Elimination of discrimination against persons affected by leprosy and their family members”, the Human Rights Council requested OHCHR to collect information on the measures that Governments have taken to eliminate discrimination against persons affected by leprosy and their family members, and, if extrabudgetary funding is available, to hold a meeting to exchange views among relevant actors, including Governments, observers of the United Nations, relevant United Nations bodies, specialized agencies and programmes, non-governmental organizations, scientists and medical experts, as well as representatives of persons affected by leprosy and their family members, and to transmit a report to the Council and the Advisory Committee. The Council further requested that the Advisory Committee examine the OHCHR report referred to above, formulate a draft set of principles and guidelines to eliminate discrimination against persons affected by leprosy and their family members, and submit them to the Council for its consideration by September 2009.

**Item 4. Implementation of sections III and IV of the annex to Human Rights Council resolution 5/1**

- (a) Rules of procedure and working methods**
- (b) Status of studies mandated to be carried out by the Sub-Commission on the Promotion and Protection of Human Rights**
- (c) Agenda and annual programme of work, including new priorities**
- (d) Appointment of the members of the Working Group on Communications**

**Sub-item (a) Rules of procedure and working methods**

21. The Advisory Committee was established by the Council as its subsidiary organ. The Human Rights Council is governed by the rules of procedure of the General Assembly as well as by the provisions contained in Council resolution 5/1.

22. The Advisory Committee when meeting for the first time will be operating under these rules of procedure as well as the relevant elements contained in resolution 5/1.

23. The rules of procedure of the Sub-Commission on the Promotion and Protection of Human Rights were transmitted to the members of the Advisory Committee for ease of reference.

24. In its resolution 5/1, the Council decided that the Advisory Committee shall convene up to two sessions for a maximum of 10 working days per year. Additional sessions may be scheduled on an ad hoc basis with prior approval of the Council. It further noted that the Council may request the Advisory Committee to undertake certain tasks that could be performed collectively, through a smaller team or individually. The Advisory Committee will report on such efforts to the Council.

25. In the same resolution, the Council also decided that members of the Advisory Committee are encouraged to communicate between sessions, individually or in teams. However, the Advisory Committee shall not establish subsidiary bodies unless the Council authorizes it to do so. Furthermore, in the performance of its mandate, the Advisory Committee is urged to establish interaction with States, national human rights institutions, non-governmental organizations and other civil society entities in accordance with the modalities of the Council.

26. Pursuant to the same resolution, the Council decided that member States and observers, including States that are not members of the Council, the specialized agencies, other intergovernmental organizations and national human rights institutions, as well as non-governmental organizations shall be entitled to participate in the work of the Advisory Committee based on arrangements, including Economic and Social Council resolution 1996/31 and practices observed by the Commission on Human Rights and the Council, while ensuring the most effective contribution of these entities.

27. The Advisory Committee will have before it a note by the Secretariat transmitting the practices observed by the Commission on Human Rights as well as those of the Human Rights Council (A/HRC/1/CRP.1).

28. In connection with the present sub-item, the Advisory Committee will discuss its rules of procedure and working methods.

**Sub-item (b) Status of studies mandated to be carried out by the Sub-Commission on the Promotion and Protection of Human Rights**

29. In connection with the present sub-item, the Advisory Committee will discuss the status of studies mandated to be carried out by the Sub-Commission on the Promotion and Protection of Human Rights.

**Sub-item (c) Agenda and annual programme of work, including new priorities**

30. In its resolution 5/1, the Council decided that the Advisory Committee shall convene up to two sessions for a maximum of 10 working days per year. Additional sessions may be scheduled on an ad hoc basis with prior approval of the Council.

31. In connection with the present sub-item, the Advisory Committee will discuss its agenda and annual programme of work, including new priorities.

**Sub-item (d) Appointment of the members of the Working Group on Communications**

32. In accordance with Human Rights Council resolution 5/1, section IV, the Advisory Committee shall appoint five of its members, one from each Regional Group, with due consideration to gender balance, to constitute the Working Group on Communications. In case of a vacancy, the Advisory Committee shall appoint an independent and highly qualified expert of the same Regional Group from the Advisory Committee. Since there is a need for independent expertise and continuity with regard to the examination and assessment of communications received, the independent and highly qualified experts of the Working Group on Communications shall be appointed for three years. Their mandate is renewable only once.

33. At the present session, the Advisory Committee will appoint the members of the Working Group on Communications.

**Item 5. Report to the Human Rights Council on the first session of the Advisory Committee**

34. The Advisory Committee will have before it for adoption a draft report prepared by the Rapporteur to be transmitted to the Human Rights Council.

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