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Human Rights Council

Advisory Committee

Seventh session

8 – 12 August 2011

Item 2 of the provisional agenda

Adoption of the agenda and organization of work

Annotations to the provisional agenda

Note by the Secretary-General

1. The Human Rights Council Advisory Committee, established pursuant to Human Rights Council resolution 5/1, held its fifth session from 2 to 6 August 2010 (A/HRC/AC/5/3) and its sixth session from 17 to 21 January 2011 (A/HRC/AC/6/3). At its sixteenth session, the Human Rights Council took note of the reports of the Advisory Committee on its fifth and sixth sessions, as reflected in President's statement PRST/16/1.

Item 1

Election of officers

2. In accordance with rule 103 of the rules of procedure of the General Assembly, the Advisory Committee will elect, from among its members, a Chairperson and its Bureau.

Item 2

Adoption of the agenda and organization of work

Adoption of the agenda

3. The Advisory Committee will have before it the provisional agenda (A/HRC/AC/7/1) proposed by the Secretary-General and the present annotations relating to the items included in the provisional agenda.

Organization of work

4. 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 its consideration and approval, a draft timetable prepared by the Secretariat showing the order and distribution of meeting time for each agenda item/segment of its programme of work for the seventh session.

Composition of the Human Rights Council Advisory Committee

5. At its sixteenth session, the Council conducted elections of seven members of the Advisory Committee from the list of candidates contained in the relevant note by the Secretary-General (A/HRC/16/19 and A/HRC/16/19/Add.1). Laurence Boisson de Chazournes, Obiora Chinedu Okafor, Anantonia Reyes Prado and Ahmer Bilal Soofi were elected as new members to the Committee.

6. The composition of the Human Rights Council Advisory Committee and the term of membership of each expert¹ is as follows: José Antonio Bengoa Cabello (Chile – 2013); Laurence Boisson de Chazournes (France- 2014); Shiqiu Chen (China – 2012); Chinsung Chung (Republic of Korea – 2013); Miguel d'Escoto Brockmann (Nicaragua – 2012); Wolfgang Stefan Heinz (Germany – 2013); Latif Hüseyinov (Azerbaijan – 2011); Vladimir Kartashkin (Russian Federation – 2013); Alfred Ntunduguru Karokora (Uganda – 2013); Obiora Chinedu Okafor (Nigeria – 2014); Purificación V. Quisumbing (Philippines –

¹ The expiry of the term of membership is shown in parenthesis.

2011); Anantonia Reyes Prado (Guatemala – 2014); Shigeki Sakamoto (Japan – 2013); Dheerujall Seetulsingh (Mauritius – 2011); Ahmer Bilal Soofi (Pakistan – 2014); Halima Embarek Warzazi (Morocco – 2012); Jean Ziegler (Switzerland – 2012); and Mona Zulficar (Egypt – 2013).

Item 3

Requests addressed to the Advisory Committee stemming from Human Rights Council resolutions

(a) Requests currently under consideration by the Committee

(i) Right to food

7. In its resolution 7/14, 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. In its resolution 10/12, the Council also requested the Advisory Committee to undertake a study on discrimination in the context of the right to food, including identification of good practices of anti-discriminatory policies and strategies.

8. At its first session, the Advisory Committee established a drafting group consisting of Mr. Bengoa Cabello, Ms. Chung, Mr. Hüseyinov, Mr. Ziegler and Ms. Zulficar.

9. In its resolution 13/4, the Human Rights Council acknowledged the work carried out by the Advisory Committee on the right to food and welcomed the submission to the Council of its preliminary study on discrimination in the context of the right to food (A/HRC/13/32). The Council also requested the Advisory Committee to continue to work on the issue of discrimination in the context of the right to food and, in that regard, to undertake a preliminary study on ways and means to further advance the rights of people working in rural areas, including women, in particular smallholders engaged in the production of food and/or other agricultural products, including from directly working the land, traditional fishing, hunting and herding activities, and to report thereon to the Council at its sixteenth session.

10. At its sixth session, the Advisory Committee considered the final study on discrimination in the context of the right to food, prepared by its drafting group, and through its recommendation 6/2 submitted it to the Human Rights Council (A/HRC/16/40). The Committee also considered the preliminary study on the advancement of the rights of peasants and other people working in rural areas, and through recommendation 6/5 submitted it to the Council (A/HRC/16/63).

11. In its resolution 16/27, the Human Rights Council welcomed the final study on discrimination in the context of the right to food and, taking into account recommendation 6/2 of the Committee, requested the Committee to undertake, as appropriate, comprehensive studies on (a) the urban poor and their enjoyment of the right to food, including strategies to improve their protection and best practices; (b) rural women and their enjoyment of the right to food, including patterns of discrimination, strategies and policies for their protection and best practices, with a special focus on female-headed households and temporary or seasonal workers; and (c) the relationship between severe malnutrition and childhood diseases, taking children affected by noma as an example, and ways to improve the protection of malnourished children.

12. In its resolution 16/7, the Human Rights Council also requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to collect the views and comments of all Member States, all relevant United Nations special agencies and programmes and all other relevant stakeholders on the above-listed topics, in order that the Advisory Committee may take them into account for the conclusion of its comprehensive studies.

13. In resolution 16/7, the Human Rights Council also took note of the preliminary study on ways and means to further advance the rights of people working in rural areas, including women, in particular smallholders engaged in the production of food and/or other agricultural products, including from directly working the land, traditional fishing, hunting and herding activities. It also requested OHCHR to collect the views and comments of all Member States, all relevant United Nations special agencies and programmes, in particular the Food and Agriculture Organization of the United Nations, and all other relevant stakeholders on the preliminary study, in order that the Advisory Committee may take them into account in the preparation of the final study to be presented to the Council at its nineteenth session. On 6 April 2011, OHCHR sent a note verbale in this regard to all relevant stakeholders.

(ii) Integration of a gender perspective

14. In its resolution 6/30, the Human Rights Council requested the Advisory Committee to regularly and systematically integrate a gender perspective into the implementation of its mandate, including when examining the intersection of multiple forms of discrimination against women, and to include in its reports information on and qualitative analysis of human rights of women and girls.

15. At its second and fourth sessions, the Committee held discussions on the matter.

(iii) Promotion of a democratic and equitable international order

16. In its resolution 8/5, the Human Rights Council requested the human rights treaty bodies, OHCHR, the mechanisms of the Council and the Advisory Committee to pay due attention, within their respective mandates, to the resolution and to make contributions towards its implementation.

17. At its first, second and fourth sessions, the Advisory Committee held discussions on the issue.

(iv) Integration of the perspective of persons with disabilities

18. In its resolution 7/9, 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 in order to facilitate the inclusion of persons with disabilities in the work of the Council.

19. At its first, second and fourth sessions, the Advisory Committee held discussions on the issue.

(v) Human rights and international solidarity

20. In its resolutions 9/2 and 12/9, the Human Rights Council requested the Advisory Committee to prepare inputs to contribute to the elaboration by the independent expert on human rights and international solidarity of a draft declaration on the right of peoples and individuals to international solidarity, and to the further development of guidelines, standards, norms and principles with a view to promoting and protecting this right.

21. In its resolution 15/13, the Human Rights Council reiterated its request to the Advisory Committee to prepare, in close cooperation with the independent expert on human rights and international solidarity, inputs to contribute to the elaboration of the draft declaration on the right of peoples and individuals to international solidarity, and to the further development of guidelines, standards, norms and principles with a view to promoting and protecting this right.

22. At its fifth and sixth sessions, Mr. Chen, as member of drafting group established to work on this issue, presented the work to be undertaken.

(vi) Promotion of the right of peoples to peace

23. In its resolution 14/3, the Human Rights Council took note with satisfaction of the report of the United Nations High Commissioner for Human Rights on the outcome of the workshop on the right of peoples to peace (A/HRC/14/38), and requested the Advisory Committee, in consultation with Member States, civil society, academia and all relevant stakeholders, to prepare a draft declaration on the right of peoples to peace, and to report on the progress thereon to the Council at its seventeenth session.

24. At its fifth session, the Advisory Committee designated Ms. Chung, Mr. d'Escoto Brockmann, Mr. Heinz (Rapporteur) and Ms. Zulficar (Chairperson) as members of a drafting group entrusted to work on the issue.

25. At its sixth session, the Advisory Committee considered the progress report presented by the drafting group, and through recommendation 6/3 submitted it to the Human Rights Council for its consideration at its seventeenth session (A/HRC/17/39). The Committee also requested the drafting group to prepare a questionnaire in order to consult with Member States, civil society, academia and all relevant stakeholders. The questionnaire was transmitted by OHCHR to all stakeholders by means of a note verbale dated 1 April 2011.

26. At the present session, the Advisory Committee will have before it a progress report submitted by the drafting group.

(vii) Enhancement of international cooperation in the field of human rights

27. In its resolution 13/23, the Human Rights Council requested the Advisory Committee to explore ways and means to enhance cooperation in the field of human rights, taking into account the views contained in the report of the High Commissioner on the enhancement of international cooperation in the field of human rights (A/HRC/13/19), and further views from States and relevant stakeholders, and to submit proposals thereon to the Council at its nineteenth session.

28. At its fifth session, the Advisory Committee adopted recommendation 5/4, in which it designated Mr. Chen, Mr. Decaux (Rapporteur), Mr. Hüseyinov, Mr. Kartashkin, Ms. Quisumbing, Mr. Seetulsingh (Chairperson) and Ms. Warzazi as members of a drafting group to undertake preparatory work on the issue for consideration by the Advisory Committee at its sixth session.

29. At its sixth session, the Advisory Committee held a meeting with the sponsors of resolution 13/23 and considered a preliminary working paper prepared by the drafting group on the issue (A/HRC/AC/6/CRP.4), as reflected in its recommendation 6/4.

30. In its resolution 16/22, the Human Rights Council took note of the discussions held in the Advisory Committee in fulfilment of its mandate.

31. At the present session, the Advisory Committee will have before it a progress report submitted by the Rapporteur.

(viii) Promoting human rights and fundamental freedoms through a better understanding of traditional values of humankind

32. In its resolution 16/3, the Human Rights Council requested the Advisory Committee to prepare a study on how a better understanding and appreciation of traditional values of dignity, freedom and responsibility could contribute to the promotion and protection of human rights, and to present that study to the Council before its twenty-first session.

(b) Follow-up to reports of the Committee submitted to the Human Rights Council

(i) Human rights education and training

33. In its resolution 6/10, the Human Rights Council requested the Advisory Committee to prepare a draft declaration on human rights education and training. In its resolution 10/28, the Council also requested the Committee to submit the draft declaration to the Council for consideration at its thirteenth session.

34. At its fourth session, the Advisory Committee endorsed the draft declaration on human rights education and training prepared by its drafting group consisting of Mr. Decaux (Rapporteur), Mr. Fix Fierro, Mr. Kartashkin, Ms. Quisumbing and Ms. Warzazi (Chairperson), and transmitted it to the Human Rights Council (A/HRC/13/41).

35. In its resolution 13/15, the Human Rights Council established an open-ended intergovernmental working group with the mandate of negotiating and submitting to the Council the draft declaration on the basis of the draft submitted by the Advisory Committee, to which the Rapporteur of the Advisory Committee drafting group was invited.

36. In its resolution 16/1, the Human Rights Council adopted the United Nations Declaration on Human Rights Education and Training finalized during the meeting of the above-mentioned working group (9 – 11 January 2011), and recommended that the General Assembly adopt it. It also invited Governments, agencies and organizations of the United Nations system and intergovernmental and non-governmental organizations to intensify their efforts to disseminate the Declaration and to promote universal respect and understanding thereof.

(ii) Elimination of discrimination against persons affected by leprosy and their family members

37. In its resolution 8/13, the Human Rights Council requested OHCHR 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, medical experts, as well as representatives of persons affected by leprosy, and their family members, on measures to eliminate leprosy-based discrimination, and to transmit a report thereon to the Council and the Advisory Committee (A/HRC/10/62). The Council also requested the Committee to examine the report and to formulate a draft set of principles and guidelines to eliminate discrimination against persons affected by leprosy and their family members, and to submit it to the Council for its consideration by September 2009.

38. In its recommendation 1/5, the Advisory Committee designated Mr. Sakamoto to formulate the above-mentioned draft set of principles and guidelines. The Committee, in its recommendation 5/3, endorsed the draft set of principles and guidelines to eliminate discrimination against persons affected by leprosy and their family members, and transmitted it to the Council (A/HRC/15/30) pursuant to Council resolution 12/7.

39. In its resolution 15/10, the Human Rights Council took note with appreciation of the Principles and Guidelines submitted to it by the Committee and invited the General Assembly to consider the issue, as appropriate. It also requested OHCHR to disseminate them, as appropriate. In its resolution 65/215, the Assembly noted with appreciation the Principles and Guidelines.

(iii) Missing persons

40. Following a panel discussion held on the question of missing persons at its ninth session, the Human Rights Council adopted decision 9/101, in which it requested the Advisory Committee to prepare a study on the best practices in the matter of missing persons and to submit it to the Council at its twelfth session. The Committee entrusted a drafting group, which included Mr. Burney, Ms. Chung, Mr. Heinz and Mr. Hüseyinov, with the task of preparing the above-mentioned study.

41. In its decision 12/117, the Human Rights Council requested the Advisory Committee to submit the study to the Council at its fourteenth session. At its fourth session, the Committee endorsed the progress report prepared on the issue by its drafting group (A/HRC/14/42), and transmitted it to the Council for its consideration at its fourteenth session.

42. In its decision 14/118, the Human Rights Council took note of the above-mentioned progress report and requested the Advisory Committee to finalize the study.

43. In its recommendation 6/1, the Advisory Committee transmitted the final report on the issue to the Human Rights Council (A/HRC/16/70). In President's statement PRST 16/1, the Council noted that recommendation 6/1 could be addressed in the context of the Council at its future sessions.

Item 4

Implementation of sections III and IV of the annex to Human Rights Council resolution 5/1 of 18 June 2007

(a) Review of methods of work

44. At its fifth and sixth sessions, Advisory Committee members exchanged views on the review of the methods of work of the Committee in the context of the review of the work and functioning of the Human Rights Council.

(b) Agenda and annual programme of work, including new priorities

45. In its resolution 15/22, the Human Rights Council decided to hold a panel discussion at its eighteenth session on a thematic study to be prepared by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, with the assistance of OHCHR, on the realization of the right to health of older persons. Members of OHCHR, the World Health Organization, the Advisory Committee and other relevant United Nations bodies and agencies will participate in the panel discussion.

46. At its sixth session, the Advisory Committee requested Ms. Chung and Mr. Sakamoto to attend the above-mentioned panel discussion.

(c) Follow-up to Advisory Committee recommendation 1/11

47. The Advisory Committee designated some of its members to follow the work of other subsidiary bodies of the Human Rights Council. However, since the Council did not take relevant action entailing budgetary implications in this regard, the secretariat of the Committee has been unable to implement the above-mentioned recommendation.

(d) Appointment of members of the Working Group on Communications

48. During its first session, Mr. Miguel Alfonso Martínez, Mr. Chen, Mr. Decaux, Mr. Kartashkin and Ms. Warzazi were appointed as members to the Working Group on Communications for a period of three years, in accordance with the provisions contained in paragraphs 91 and 93 of the annex to Human Rights Council resolution 5/1. Following the demise of Mr. Alfonso Martínez, the Advisory Committee, at its fifth session in August 2010, appointed Mr. Bengoa Cabello as member to the Working Group on Communications. At the current meeting, in accordance with paragraph 93 providing for their mandate to be renewable only once, the Committee will proceed with the appointment of members of the Working Group on Communications.

**Item 5
Report of the Advisory Committee on its seventh session**

49. The Advisory Committee will have before it for adoption a draft report on its seventh session, prepared by the Rapporteur.
