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Human Rights Council

Advisory Committee

Eleventh session

12 – 16 August 2013

Item 1 of the provisional agenda

Adoption of the agenda and organization of work

Annotations to the provisional agenda

Note by the Secretary-General

1. Pursuant to paragraph 37 of the annex to Human Rights Council resolution 16/21, the first annual session of the Committee is convened immediately prior to the March session of the Council, while the second session is held in August. The Committee therefore held its tenth session from 18 to 22 February 2013, and will hold its eleventh session from 12 to 16 August 2013. The officers elected by acclamation at the first meeting of the tenth session of the Committee, held on 18 February 2013, also serve as officers at the eleventh session.
2. Furthermore, pursuant to paragraph 38 of the annex to resolution 16/21, the annual report of the Advisory Committee will be submitted to the Council at its September session and be the subject of an interactive dialogue with the Committee Chairperson. Therefore, the reports of the Committee on its tenth and eleventh sessions will be considered by the Council at its twenty-fourth session.
3. In its decision 18/121, the Human Rights Council decided that the cycle of the Advisory Committee would be adjusted to run from 1 October to 30 September. Terms of membership will therefore end on 30 September of each year.

Item 1

Adoption of the agenda and organization of work

Adoption of the agenda

4. The Advisory Committee will have before it the provisional agenda (A/HRC/AC/11/1) proposed by the Secretary-General, and the present annotations relating to the items included in the provisional agenda.

Organization of work

5. 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.17). 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 eleventh session.

Composition of the Advisory Committee

6. The composition of the Advisory Committee and the term of membership of each expert is as follows (see also paragraph 3 above):¹ Saeed Mohamed Al Faihani (Bahrain, 2015); José Antonio Bengoa Cabello (Chile, 2013); Laurence Boisson de Chazournes (France, 2014); Chung Chinsung (Republic of Korea, 2013); Mario L. Coriolano (Argentina, 2015); Wolfgang Stefan Heinz (Germany, 2013); Latif Hüseyinov (Azerbaijan, 2014); Alfred Ntunduguru Karokora (Uganda, 2013); Vladimir Kartashkin (Russian Federation, 2013); Obiora Chinedu Okafor (Nigeria, 2014); Katharina Pabel (Austria, 2015); Anantonia Reyes Prado (Guatemala, 2014); Cecilia Rachel V. Quisumbing

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

(Philippines, 2014); Shigeki Sakamoto (Japan, 2013); Dheerujlall Seetulsingh (Mauritius, 2014); Ahmer Bilal Soofi (Pakistan, 2014); Imeru Tamrat Yigezu (Ethiopia, 2015); and Mona Zulficar (Egypt, 2013).

Item 2

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

(a) Requests currently under consideration by the Committee

(i) Integration of a gender perspective

7. 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.

8. At its second, fourth and tenth sessions, the Advisory Committee held discussions on the matter.

(ii) Promotion of a democratic and equitable international order

9. In its resolutions 8/5 and 18/6, the Human Rights Council requested, inter alia, the Advisory Committee to pay due attention, within its respective mandate, to the resolution and to make contributions towards its implementation. In resolution 18/6, the Council also decided to establish, for a period of three years, a new special procedures mandate of independent expert on the promotion of a democratic and equitable international order.

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

11. At its nineteenth session, the Human Rights Council appointed Alfred de Zayas (United States of America) as Independent Expert on the promotion of a democratic and equitable international order. The Independent Expert presented his first report to the Council at its twenty-first session (A/HRC/21/45 and Corr.1).

(iii) Integration of the perspective of persons with disabilities

12. 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.

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

(iv) Promotion and protection of human rights in post-disaster and post-conflict situations

14. In its resolution 22/16, the Human Rights Council requested the Advisory Committee to prepare a research-based report on best practices and main challenges in the promotion and protection of human rights in post-disaster and post-conflict situations, with a focus on human rights mainstreaming in relief, recovery and reconstruction efforts, while respecting the humanitarian principles of humanity, impartiality, neutrality and

independence and the needs-based approach of humanitarian assistance, in particular to foster the capacity of States in such efforts.

15. In the same resolution, the Human Rights Council also requested the Advisory Committee to seek the views and inputs of Member States, relevant international and regional organizations, United Nations agencies, funds and programmes, and relevant human rights special procedures, as well as agencies and organizations that work in post-disaster and post-conflict situations, and civil society representatives when elaborating the above-mentioned report. It also encouraged the Committee to take into account, as appropriate, the work done on the issue by competent United Nations bodies and mechanisms within their respective mandates.

16. The Human Rights Council requested the Advisory Committee to present a progress report at its twenty-sixth session and to submit the final report to the Council at its twenty-eighth session.

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

(i) Right to food

17. 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 acknowledged the work undertaken by the Committee on the right to food and also requested it 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.

18. 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. Subsequently, Mr. Karakora joined the drafting group.

19. In its resolution 16/27, the Council welcomed the final study on discrimination in the context of the right to food (A/HRC/16/40) and, taking into account recommendation 6/2 of the Advisory Committee, requested it 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.

Rights of peasants

20. In its resolution 13/4, the Human Rights Council requested the Advisory Committee 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.

21. In its resolution 19/7, the Human Rights Council took note of the final study of the Advisory Committee on the advancement of the rights of peasants and other people working in rural areas (A/HRC/19/75).

22. In its resolution 21/19, the Human Rights Council took note of the draft declaration on the rights of peasants and other people working in rural areas prepared by the Advisory Committee (A/HRC/19/75, annex), and decided to establish an open-ended intergovernmental working group with the mandate of negotiating, finalizing and submitting to the Council a draft United Nations declaration on the rights of peasants and other people working in rural areas, on the basis of the draft submitted by the Committee, and without prejudging relevant past, present and future views and proposals. The Council also requested the President of the Council to invite the Rapporteur of the Committee drafting group on the draft declaration to participate in the first session of the working group, which will be held from 15 to 19 July 2013.

(ii) Promotion of the right of peoples to peace

23. In its resolution 14/3, the Human Rights Council 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.

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

25. In its resolution 20/15, the Human Rights Council took note of the draft declaration prepared by the Advisory Committee (A/HRC/20/31) and established an open-ended intergovernmental working group with the mandate of progressively negotiating a draft United Nations declaration on the right to peace, on the basis of the draft submitted by the Committee. The Chairperson of the Committee drafting group on the draft declaration participated in the first session of the working group, which was held from 18 to 21 February 2013.

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

26. 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 United Nations High Commissioner for Human Rights 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.

27. At its fifth session, the Advisory Committee 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. Subsequently, Ms. Boisson de Chazournes replaced Mr. Decaux as Rapporteur of the drafting group.

28. In its resolution 19/33, the Human Rights Council took note of the study of the Advisory Committee on the enhancement of international cooperation in the field of human rights (A/HRC/19/74), and requested Office of the High Commissioner (OHCHR) to organize a seminar, before its twenty-second session, with the participation of a member of the Committee to build upon the study prepared by the Committee, including the recommendations contained therein.

29. At its ninth session, the Advisory Committee designated Mr. Seetulsingh to participate in the seminar, which was held on 15 February 2013. Ms. Boisson de Chazournes also participated in the seminar. A summary of the seminar will be submitted to the Human Rights Council at its twenty-third session.

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

30. 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.

31. At its seventh session, the Advisory Committee designated Ms. Boisson de Chazournes, Mr. Chen, Ms. Chung, Mr. Karakora, Mr. Kartashkin (Rapporteur), Mr. Okafor, Ms. Reyes Prado, Mr. Seetulsingh and Mr. Soofi (Chairperson) as members of a drafting group established to prepare the above-mentioned study.

32. At its eighth session, the Advisory Committee considered the preliminary study prepared by Mr. Kartashkin (A/HRC/AC/8/4). At its ninth session, the Committee considered the revised preliminary study (A/HRC/AC/9/2).

33. In its resolution 21/3, the Human Rights Council accorded the Advisory Committee additional time to finalize the study in accordance with its own recommendation. The final report (A/HRC/22/71) was submitted to the Council at its twenty-second session.

(v) Human rights and issues related to terrorist hostage-taking

34. In its resolution 18/10, the Human Rights Council took note of the summary prepared by OHCHR of the panel discussion held at its sixteenth session on the issue of human rights in the context of action taken to address terrorist hostage-taking (A/HRC/18/29). In resolution 18/10, the Council requested the Advisory Committee to prepare a study on the issue of terrorist hostage-taking for the purposes of promoting awareness and understanding, paying particular attention to its impact on human rights and the role of regional and international cooperation in this field. It also encouraged the Committee, when elaborating the above-mentioned study, to take into account, as appropriate, and to refrain from duplicating the work done on the issue by competent United Nations bodies and mechanisms. The Council requested the Committee to present an interim report at its twenty-first session and to submit the study to the Council at its twenty-third session.

35. At its eighth session, the Advisory Committee established a drafting group comprising Mr. Heinz (Rapporteur), Mr. Hüseyinov (Chairperson), Mr. Okafor, Mr. Sakamoto, Mr. Soofi and Mr. Ziegler. Subsequently, Ms. Quisumbing joined the drafting group.

36. At its ninth session, the Advisory Committee considered the preliminary study prepared by the drafting group. The Committee requested the drafting group to finalize the study in the light of contributions received and the discussions held at the ninth session, and to submit a draft final report to the Committee at its tenth session.

37. At its tenth session, the Advisory Committee considered the draft final report prepared by the drafting group (A/HRC/AC/10/2), which was submitted as an interim report to the Human Rights Council at its twenty-second session (A/HRC/22/70).

38. The final study will be submitted to the Human Rights Council at its twenty-fourth session.

Item 3
Implementation of sections III and IV of the annex to Human Rights Council resolution 5/1 of 18 June 2007, and of section III of the annex to Council resolution 16/21 of 25 March 2011

(a) Review of methods of work

39. According to paragraph 77 of the annex to Human Rights Council resolution 5/1, the Advisory Committee may 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.

40. In paragraphs 35 to 39 of section III of the annex to its resolution 16/21, the Human Rights Council made reference to the Advisory Committee. In paragraph 39 of the same resolution, the Council provided that the Committee should endeavour to enhance intersessional work between its members in order to give effect to the provisions of paragraph 81 of the annex to Council resolution 5/1.

41. At its eleventh session, the Advisory Committee may address issues related to its methods of work.

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

42. In paragraph 35 of section III of the annex to Human Rights Council resolution 16/21, the Council provided that it should, within existing resources, strengthen its interaction with the Advisory Committee and engage more systematically with it through work formats, such as seminars, panels and working groups, and sending feedback to the inputs of the Committee. Several members of the Committee participated or will participate in seminars or working groups mandated by the Council (see paragraphs 22, 25 and 28 above).

43. At its seventh session, the Chairperson, on behalf of the Advisory Committee, sent a letter to the President of the Human Rights Council in which he transmitted a number of research proposals, namely, youth, globalization and human rights; impact of the use of new information technologies, including the Internet and social networking, on human rights; discrimination against the poor and other marginalized groups in the context of access to justice; human rights strategies in the fight against corruption; and price speculation on corn, rice and wheat in the context of the right to food.² The Council did not take any action with regard to the above proposals.

44. At its ninth session, the Advisory Committee proposed the following research proposals to the Human Rights Council for its consideration and approval, namely, access to justice and the fight against corruption; local government and human rights; globalization, human rights and youth; human rights and humanitarian action; and a model law on equal opportunities and non-discrimination. Concept papers on each proposal were annexed to the report of the Committee on its ninth session (A/HRC/AC/9/6, annex IV). At its twenty-first session, the President of the Council made an oral statement in which he declared that the Council had taken note of the afore-mentioned research proposals.

² A/HRC/AC/7/4, annex IV.

45. At its eleventh session, the Advisory Committee may continue its discussions under this item, including on new priorities.

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

46. In accordance with paragraphs 91 to 93 of the annex to Human Rights Council resolution 5/1, the Advisory Committee shall appoint five of its members, one from each regional group, with due consideration for gender balance, to constitute the Working Group on Communications. In the event of a vacancy, the Committee shall appoint an independent and highly qualified expert from the same regional group from the 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 shall be appointed for three years. Their mandate is renewable once only.

47. The current members of the Working Group on Communications were appointed by the Advisory Committee at its seventh and ninth sessions (see A/HRC/AC/7/4, para. 34 and A/HRC/AC/9/6, para. 24). At its eleventh session, the Advisory Committee will appoint four new members to replace four of the current members of the Working Group: one from the Group of Asian States, one from the Group of Eastern European States, one from the Group of Latin American and Caribbean States, and one from the Group of Western European and other States, whose term of membership with the Committee expires on 30 September 2013 (see also paragraph 6 above).

Item 4

Report of the Advisory Committee on its eleventh session

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