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ANNOTATIONS TO THE PROVISIONAL AGENDA

Prepared by the Secretary-General

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* The third session of the Council will be opened immediately following the conclusion of its resumed second session, which will be convened on 27 November 2006.

Item 1 - Adoption of the agenda and organization of work

Adoption of the agenda

1. The Council will have before it the provisional agenda (A/HRC/3/1) proposed by the President of the Human Rights Council as well as the present annotations relating to the items included in the provisional agenda.

Organization of the work of the session

2. At its first session, in decision 1/105 of 30 June 2006, the Council adopted the draft framework for its programme of work for the first year, in which it was envisaged that the third session of the Council would be held from 27 November to 8 December 2006. In view of the subsequent decision of the Council to convene its resumed second session on 27 November 2006 (see paragraph 23 below), the third session of the Council will be opened immediately following the conclusion of its resumed second session. The segments of the programme of work scheduled for consideration at the third session of the Council are referred to in more details in connection with item 2 (see paragraphs 5 to 23 below).

3. 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.15). Accordingly, the Council will have before it for approval a draft timetable showing the order and distribution of meeting time for each agenda item/segment of its programme of work for the session.

Composition of the Human Rights Council

4. The composition of the Council for 2006 is the following. The term of membership of each State expires in the year indicated in brackets: Algeria (2007); Argentina (2007); Azerbaijan (2009); Bahrain (2007); Bangladesh (2009); Brazil (2008); Cameroon (2009); Canada (2009); China (2009); Cuba (2009); Czech Republic (2007); Djibouti (2009); Ecuador (2007); Finland (2007); France (2008); Gabon (2008); Germany (2009); Ghana (2008); Guatemala (2008); India (2007); Indonesia (2007); Japan (2008); Jordan (2009); Malaysia (2009); Mali (2008); Mauritius (2009); Mexico (2009); Morocco (2007); Netherlands (2007); Nigeria (2009); Pakistan (2008); Peru (2008); Philippines (2007); Poland (2007); Republic of Korea (2008); Romania (2008); Russian Federation (2009); Saudi Arabia (2009); Senegal (2009); South Africa (2007); Sri Lanka (2008); Switzerland (2009); Tunisia (2007); Ukraine (2008); United Kingdom of Great Britain and Northern Ireland (2008); Uruguay (2009); Zambia (2008).

Item 2 - Implementation of General Assembly resolution 60/251 of 15 March 2006 entitled “Human Rights Council”

(a) Reports of mechanisms and mandates

5. Pursuant to decision 1/105 of 30 June 2006, no consideration of reports of special procedures and reports and other documents prepared by the Secretariat, the Office of the United Nations High Commissioner for Human Rights (OHCHR) or the Secretary-General was

scheduled to take place during the third session of the Council. However, as the Special Adviser to the Secretary-General on the Prevention of Genocide, Juan E. Mendez, could not be present at the second session of the Council, the presentation of the report on the implementation of the Five Point Action Plan to prevent genocide and on the activities of the Special Adviser (E/CN.4/2006/84), followed by an interactive dialogue with him, will take place at the present session of the Council.

(b) Review and institution-building

Progress reports and further discussion or decisions on the intersessional mechanism on the universal periodic review

6. In its resolution 60/251, the General Assembly decided, in its paragraph 5 (e), that the Council shall, inter alia, undertake a universal periodic review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States; the review shall be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs; such a mechanism shall complement and not duplicate the work of treaty bodies; the Council shall develop the modalities and necessary time allocation for the universal periodic review mechanism within one year after the holding of its first session.

7. At its first session, in decision 1/103, the Council decided to establish an intersessional open-ended intergovernmental working group to develop the modalities of the universal periodic review mechanism and requested the Working Group to report regularly to the Council starting in September 2006 on progress made in the development of modalities and necessary time allocation for the universal periodic review, as requested by the General Assembly in paragraphs 5 (e) and 9 of its resolution 60/251. The Council also decided that the Working Group shall have at its disposal ten days (or twenty 3-hour meetings) of fully serviced meetings and that it shall allow sufficient time and flexibility for the development of the universal periodic review mechanism.

8. At its second session, in decision 2/102, the Council noted the update provided on the progress of the informal consultations of the Working Group on the universal periodic review.

9. At the present session, the facilitator appointed by the President of the Council will report to the Council on the progress made by the Working Group on the universal periodic review, which met during the period from 13 to 24 November 2006.

Progress reports and further discussion or decisions on the intersessional mechanism on the review of mandates, mechanisms, functions and responsibilities

10. In its resolution 60/251, the General Assembly decided that the Council shall 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 special procedures, expert advice and a complaint procedure; the Council shall complete this review within one year after the holding of its first session (para. 6).

11. In its decision 1/104, the Council decided to establish an open-ended intergovernmental working group to formulate concrete recommendations on the issue of reviewing and, where necessary, improving and rationalizing all mandates, mechanisms, functions and responsibilities in order to maintain a system of special procedures, expert advice and a complaint procedure, in conformity with General Assembly resolution 60/251, through open-ended, intersessional, transparent, well-scheduled and inclusive consultations, with the participation of all stakeholders.

12. In the same decision, the Council also decided that the Working Group shall have at its disposal twenty days (or forty 3-hour meetings) of fully serviced meetings and that it shall allow sufficient time and flexibility for the fulfilment of its mandate. The Council requested the Working Group to report to it regularly, starting in September 2006, on progress made to allow for the completion of the review, as requested in paragraph 6 of General Assembly resolution 60/251.

13. At its second session, in decision 2/102, the Council noted the update provided on the progress of the informal consultations of the Working Group on implementation of paragraph 6 of General Assembly resolution 60/251. The Council also decided to transmit the views of the Sub-Commission on the Promotion and Protection of Human Rights on the Human Rights Council's future expert advice mechanism to the Working Group established pursuant to Council decision 1/104.

14. At the present session, the three facilitators appointed by the President of the Human Rights Council on the review of mandates, on expert advice, and on complaints procedure will report to the Council on the progress made in their respective areas of responsibility by the Working Group that met during the period from 13 to 24 November 2006.

Methods of work

15. In its resolution 60/251, the General Assembly decided that the methods of work of the Human Rights Council shall be transparent, fair and impartial and shall enable genuine dialogue, be results-oriented, allow for subsequent follow-up discussions to recommendations and their implementation and also allow for substantive interaction with special procedures and mechanisms (para. 12).

16. In accordance with Council decision 1/105, a segment on the methods of work is included in the programme of work of the Council for its third and fourth sessions.

Agenda

17. In accordance with Council decision 1/105, a segment on the agenda is included in the programme of work of the Council for its third and fourth sessions.

(c) Other substantive issues

Update by the United Nations High Commissioner for Human Rights

18. Pursuant to the Council's programme of work as contained in its decision 1/105, the High Commissioner for Human Rights will update the Council at its third session on her activities and will hold an interactive dialogue with the Council.

Other issues related to the promotion and protection of human rights, including initiatives/issues/decisions/resolutions

19. Pursuant to the Council's programme of work as contained in its decision 1/105, a segment on other issues related to the promotion and protection of human rights, including initiatives/issues/decisions/resolutions, is placed in the programme of work of the Council for its third session. In accordance with the above decision, such initiatives/issues/decisions/resolutions should be communicated by delegations through the Secretariat, if possible, a minimum of 15 days in advance of the session. As at 16 November 2006, no such proposals have been submitted to the Secretariat.

(d) Follow-up to decisions of the Human Rights Council

20. In accordance with Council decision 2/103, a segment on "Follow-up to decisions of the Human Rights Council" was added to the programme of work as contained in Council decision 1/105.

21. In its decision 1/106, the Council decided to incorporate the issue of the human rights violations and implications of the Israeli occupation of Palestine and other occupied Arab territories in following sessions. In resolution S-1/1 adopted by the Council 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.

22. Pursuant to resolution S-2/1 adopted by the Council at its second special session, the Council will have before it at the present session the report of the Commission of Inquiry on Lebanon (A/HRC/3/2) and will hold an interactive dialogue with the three Commissioners.

23. The present document does not refer to the draft resolutions and draft decisions that were submitted to the second session of the Human Rights Council. Upon a decision adopted by the Council at its 29th meeting on 6 October 2006, the consideration of and action on those draft proposals had been deferred to the resumed second session of the Council that will be convened on 27 November 2006 (see A/HRC/2/L.10, para. 10).

Item 3 - Report to the General Assembly on the third session of the Council

24. As at previous sessions, the Council will have before it for adoption a draft report prepared by the Rapporteur. The report will include decisions taken on any of the topics identified in the present annotated agenda. The report will also contain President's statements made, if any, as well as a technical summary of the proceedings held during the third session.
