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Advisory Committee

Thirteenth session

11 – 15 August 2014

Item 2 of the provisional agenda

Adoption of the agenda and organization of work

Annotations to the provisional agenda

Note by the Secretary-General

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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 twelfth session from 24 to 28 February 2014, and will hold its thirteenth session from 11 to 15 August 2014.

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 twelfth and thirteenth sessions will be considered by the Council at its twenty-seventh 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 proposed by the Secretary-General (A/HRC/AC/13/1) 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 thirteenth 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 para. 3 above):¹ Saeed Mohamed Al Fahani (Bahrain, 2015); Laurence Boisson de Chazournes (France, 2014); Mario Luis Coriolano (Argentina, 2015); Hoda Elsadda (Egypt, 2016); Karla Hananía de Varela (El Salvador, 2016); Latif Hüseyinov (Azerbaijan, 2014); Mikhail Lebedev (Russian Federation, 2016); Alfred Ntunduguru Karokora (Uganda, 2016); Kaoru Obata (Japan, 2016); Obiora Chinedu Okafor (Nigeria, 2014); Katharina Pabel (Austria, 2015); Anantonia Reyes Prado (Guatemala, 2014); Cecilia Rachel V. Quisumbing (Philippines, 2014); Dheerujlall Seetulsingh (Mauritius, 2014); Ahmer Bilal Soofi (Pakistan, 2014); Imeru Tamrat Yigezu (Ethiopia, 2015); Yishan Zhang (China, 2016); and Jean Ziegler (Switzerland, 2016).

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

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, tenth and eleventh sessions, the Advisory Committee held discussions on the issue.

(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, fourth and eleventh 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 second report to the Council at its twenty-fourth session (A/HRC/24/38).

(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, fourth and eleventh 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. Also in the same resolution, the Human Rights Council requested the Advisory Committee to present a progress report to the Council at its twenty-sixth session, and the final report at its twenty-eighth session.

17. At its eleventh session, the Advisory Committee established a drafting group, which currently comprises Mr. Hüseyinov, Mr. Lebedev, Ms. Pabel, Ms. Quisumbing, Ms. Reyes Prado, Mr. Soofi and Mr. Yigezu.

18. Also at its eleventh session, the drafting group and the full committee held meetings to discuss the topic and the questionnaires to be disseminated to Member States, relevant international and regional organizations, national human rights institutions and civil society representatives. The questionnaires were disseminated by the Committee in September 2013 to Governments, national human rights institutions and representatives of civil society.

19. At its twelfth session, the Advisory Committee decided to appoint Ms. Reyes Prado as Rapporteur and Mr. Hüseyinov as Chairperson of the drafting group. The Committee also decided to recommend that the Human Rights Council extend the time schedule envisaged to allow for better informed work by re-circulating the questionnaires to seek the views and inputs of the various stakeholders, and that the Committee be requested to submit its progress report to the Council at its twenty-seventh session and a final report at its twenty-eighth session. The questionnaires were re-circulated by the Committee in March 2014.

20. At its thirteenth session, the Advisory Committee will consider the draft final report prepared by the drafting group (A/HRC/AC/13/CRP.4) to be issued before the session, before its submission to the Human Rights Council at its twenty-eighth session.

(v) The negative impact of corruption on the enjoyment of human rights

21. In its resolution 23/9, the Human Rights Council requested the Advisory Committee to submit a research-based report to the Council at its twenty-sixth session on the issue of the negative impact of corruption on the enjoyment of human rights, and to make recommendations on how the Council and its subsidiary bodies should consider this issue.

22. In the same resolution, the Human Rights Council also requested the Advisory Committee, when preparing the above-mentioned report, to seek the views and inputs of Member States, relevant international and regional organizations dealing with the issue of corruption, in particular the United Nations Office on Drugs and Crime, the International Anti-Corruption Academy and the Office of the United Nations High Commissioner for Human Rights (OHCHR), as well as national human rights institutions, civil society and relevant academic institutions, and to take into account the specific mandate of the Council as well as the work done on the issue by competent United Nations bodies and mechanisms within their respective mandates.

23. At its eleventh session, the Advisory Committee established a drafting group, which currently comprises Mr. Al Faihani, Ms. Boisson de Chazournes, Mr. Coriolano, Ms. Elsadda, Mr. Hüseyinov, Mr. Karokora, Mr. Okafor, Ms. Pabel (Rapporteur), Ms. Quisumbing, Ms. Reyes Prado, Mr. Seetulsingh, Mr. Soofi and Mr. Yigezu (Chairperson).

24. Also at its eleventh session, the drafting group and the full committee held meetings to discuss the topic and the questionnaires to be disseminated to Member States, relevant international and regional organizations, national human rights institutions, civil society

representatives and academia. The questionnaires were disseminated by the Committee in September 2013 to the different stakeholders.

25. At its twelfth session, the Advisory Committee considered the draft progress report prepared by the drafting group (A/HRC/AC/12/CRP.3). The Committee also recommended that the Human Rights Council extend the time schedule envisaged to allow for better informed work by, inter alia, analysing the numerous received responses to the questionnaires, and that the Committee be requested to submit an interim report to the Council at its twenty-sixth session and a final report at its twenty-eighth session. The Committee submitted its interim report to the Council at its twenty-sixth session (A/HRC/26/42).

26. At its thirteenth session, the Advisory Committee will consider the draft final report prepared by the drafting group (A/HRC/AC/13/CRP.3) to be issued before the session, before its submission to the Human Rights Council at its twenty-eighth session.

(vi) Promoting human rights through sport and the Olympic ideal

27. In its resolution 24/1, the Human Rights Council requested the Advisory Committee to prepare a study on the possibilities of using sport and the Olympic ideal to promote human rights for all and to strengthen universal respect for them, bearing in mind both the value of relevant principles enshrined in the Olympic Charter and the value of good sporting example, and to present a progress report thereon to the Council before its twenty-seventh session.

28. In the same resolution, the Human Rights Council also requested the Advisory Committee to seek the views and inputs of States Members of the United Nations, international and regional organizations, national human rights institutions, civil society organizations and other relevant stakeholders in this regard.

29. At its twelfth session, the Advisory Committee established a drafting group, which currently comprises Mr. Al Faihani, Mr. Coriolano, Mr. Lebedev (Rapporteur), Mr. Seetulsingh (Chairperson) and Mr. Zhang.

30. Also at its twelfth session, the drafting group and the full committee held meetings to discuss the topic and the questionnaire to be disseminated to Member States, relevant international and regional organizations, national human rights institutions, civil society organizations. The questionnaire was disseminated by the Committee in March 2014 to the different stakeholders.

31. At the same session, the Advisory Committee also requested the drafting group to submit a draft progress report to the Committee, after circulating it to all members of the Advisory Committee for approval electronically, before the thirteenth session of the Committee, with a view to its submission to the Council at its twenty-seventh session, taking into account the replies to the questionnaire.

32. At its thirteenth session, the Advisory Committee will have before it the progress report prepared by the drafting group (A/HRC/AC/13/CRP.6).

(vii) Local government and human rights

33. In its resolution 24/2, the Human Rights Council requested the Advisory Committee to prepare, from within existing resources, a research-based report on the role of local government in the promotion and protection of human rights, including human rights mainstreaming in local administration and public services, with a view to compiling best practices and main challenges, and to present a progress report on the requested research-based report to the Council at its twenty-seventh session.

34. 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, OHCHR and relevant special procedures, as well as national human rights institutions and non-governmental organizations, in order to prepare the above-mentioned research-based report. It also encouraged the Committee, when elaborating the report, to take into account, as appropriate, the recommendations made by the human rights treaty bodies, at the universal periodic review and by the special procedures, as well as the work done on the issue by relevant United Nations agencies, funds and programmes within their respective mandates.

35. At its twelfth session, the Advisory Committee established a drafting group, which currently comprises Mr. Coriolano, Ms. Elsadda, Mr. Hüseyinov (Rapporteur), Ms. Reyes Prado, Mr. Seetulsingh (Chairperson) and Mr. Yigezu.

36. Also at its twelfth session, the drafting group and the full committee held meetings to discuss the topic and the questionnaires to be disseminated to Member States, local authorities, relevant international and regional organizations, intergovernmental organizations, national human rights institutions and non-governmental organizations. The questionnaires were disseminated by the Committee in March 2014 to the different stakeholders.

37. Also at the same session, the Advisory Committee requested the drafting group to submit a draft progress report to the Committee after having circulated electronically it to all members of the Committee for approval before the thirteenth session of the Committee, with a view to its submission to the Council at its twenty-seventh session, taking into account the replies to the questionnaires.

38. At its thirteenth session, the Advisory Committee will have before it the progress report prepared by the drafting group (A/HRC/AC/13/CRP.5).

(viii) Human rights and unilateral coercive measures

39. In its resolution 24/14, the Human Rights Council requested the Advisory Committee to prepare a research-based report containing recommendations on a mechanism to assess the negative impact of unilateral coercive measures on the enjoyment of human rights and to promote accountability, and to present a progress report of the requested research-based report to the Council at its twenty-eighth session.

40. In the same resolution, the Human Rights Council also requested OHCHR to organize, prior to the twenty-seventh session of the Council, a workshop on the impact of the application of unilateral coercive measures on the enjoyment of human rights by the affected populations, in particular their socioeconomic impact on women and children, in the States targeted, and to prepare a report on the proceedings of the workshop and to submit it to the Council at its twenty-seventh session.

41. At its twelfth session, the Advisory Committee established a drafting group, which currently comprises Mr. Lebedev, Mr. Okafor, Mr. Soofi, Mr. Yigezu (Rapporteur) and Mr. Ziegler (Chairperson).

42. Also at its twelfth session, the drafting group and the full committee held meetings to discuss the topic and the questionnaires to be disseminated to Member States, special procedures of the Human Rights Council, national human rights institutions and non-governmental organizations. The questionnaires were disseminated by the Committee in March 2014 to the different stakeholders.

43. Also at the same session, the Advisory Committee designated Mr. Okafor and Mr. Ziegler to participate in the workshop, scheduled to be held on 23 May 2014, and to be convened, pursuant to Human Rights Council resolution 24/14, by the High Commissioner.

44. At its thirteenth session, the Committee will consider the draft report prepared by the drafting group (A/HRC/AC/13/CRP.2) to be issued before the session, which takes into account the replies to the questionnaires, before its submission to the Human Rights Council at its twenty-eighth session.

(ix) Technical cooperation for the prevention of attacks against persons with albinism

45. In its resolution 24/33, the Human Rights Council underscored the need for effective action to combat and eliminate attacks against persons with albinism and to adopt specific measures to protect and preserve the rights to life and to security of persons with albinism, as well as their right not to be subject to torture and ill-treatment.

46. In the same resolution, the Human Rights Council requested the Advisory Committee to prepare a study on the situation of human rights of persons living with albinism and to submit a report thereon to the Council at its twenty-eighth session.

47. At its twelfth session, the Advisory Committee established a drafting group, which currently comprises Mr. Al Faihani, Ms. Boisson de Chazournes (Rapporteur), Mr. Coriolano, Mr. Hüseyinov, Mr. Obata and Mr. Okafor (Chairperson).

48. Also at its twelfth session, the drafting group and the full committee held meetings to discuss the topic and the questionnaires to be disseminated to Member States, special procedures of the Human Rights Council, OHCHR field presences, national human rights institutions and non-governmental organizations. The questionnaires were disseminated by the Committee in March 2014 to the different stakeholders.

49. At its thirteenth session, the Committee will consider the draft report prepared by the drafting group (A/HRC/AC/13/CRP.1) to be issued before the session, which takes into account the replies to the questionnaires, before its submission to the Human Rights Council at its twenty-eighth session.

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

(i) Right to food

Rights of peasants

50. 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.

51. 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).

52. 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 was held from 15 to 19 July 2013. The second session of the working group is scheduled to be held from 10 to 14 November 2014.

(ii) Promotion of the right of peoples to peace

53. 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.

54. 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.

55. 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. The second session of the working group is scheduled to be held from 30 June to 4 July 2014.

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

56. 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.

57. 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.

58. 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 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.

59. 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 was submitted to the Human Rights Council at its twenty-third session (A/HRC/23/20).

60. In its resolution 23/3, the Human Rights Council took note of the report of OHCHR containing the summary of the deliberations held during the seminar, and requested the Advisory Committee to prepare a more focused and in-depth study on the ways and means to enhance international cooperation in the field of human rights, including, but not limited to, the identification of areas where further progress could be made, taking also into account responses received further to the consultations as requested by the General Assembly in resolution 67/169.

61. In the same resolution, the Human Rights Council also requested the Advisory Committee to submit a progress report to the Council at its twenty-sixth session.

62. At its eleventh session, the Advisory Committee established a drafting group, which currently comprises Mr. Al Faihani, Ms. Boisson de Chazournes, Mr. Coriolano, Mr. Hüseyinov, Mr. Lebedev, Mr. Ntunduguru Karokora, Mr. Okafor (Rapporteur), Ms. Pabel, Mr. Seetulsingh (Chairperson) and Mr. Ziegler.

63. Also at its eleventh session, the drafting group and the full committee held meetings to discuss the topic and the questionnaire, which was disseminated to Member States in September 2013.

64. At its twelfth session, the Advisory Committee considered the draft progress report prepared by the drafting group (A/HRC/AC/12/CRP.2), which took into account the replies received to the questionnaire.

65. Also at its twelfth session, the Advisory Committee requested the drafting group to finalize its progress report to the Human Rights Council in the light of the discussion held by the Committee at its twelfth session after having circulated it electronically to all members of the Committee for approval, and to submit it to the Council at its twenty-sixth session. The Committee submitted the report to the Council at its twenty-sixth session (A/HRC/26/41).

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

66. 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.

67. 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.

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

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

69. 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 paras. 40, 52 and 58 above).

70. 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.

71. At its ninth session, the Advisory Committee presented the following research proposals to the Human Rights Council for its consideration and approval:

- (a) Access to justice and the fight against corruption;
- (b) Local government and human rights;
- (c) Globalization, human rights and youth;
- (d) Human rights and humanitarian action;
- (e) A model law on equal opportunities and non-discrimination.

72. Concept papers on each of the above-mentioned proposals 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 research proposals.

73. At its eleventh and twelfth sessions, the Advisory Committee held discussions on potential research proposals to the Human Rights Council, namely, a universal human rights court and citizens' security and human rights.

74. At its twelfth session, in accordance with paragraph 77 of Human Rights Council resolution 5/1, the Committee decided to propose for the Council's consideration and approval the two afore-mentioned research proposals, as contained in the concept papers reproduced in the report on its twelfth session (A/HRC/AC/12/2, annex IV).

75. At its thirteenth 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

76. 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.

77. The current members of the Working Group on Communications were appointed by the Advisory Committee at its ninth and eleventh sessions (see A/HRC/AC/9/6, para. 24, and A/HRC/AC/11/2, para. 29). At its thirteenth session, the Advisory Committee will appoint three new members to replace three of the current members of the Working Group:

² A/HRC/AC/7/4, annex IV.

one from the Group of African States, one from the Group of Asian States and one from the Group of Eastern European States, whose term of membership with the Committee expires on 30 September 2014 (see also para. 6 above).

Item 4
Report of the Advisory Committee on its thirteenth session

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