



General Assembly

Distr.: General
27 May 2016

Original: English

Human Rights Council

Advisory Committee

Seventeenth session

8-12 August 2016

Item 1 of the provisional agenda

Adoption of the agenda and organization of work


Annotations to the provisional agenda

Note by the Secretary-General

GE.16-08589(E)



* 1 6 0 8 5 8 9 *

Please recycle 



1. Adoption of the agenda and organization of work

Adoption of the agenda

The Advisory Committee will have before it the provisional agenda proposed by the Secretary-General (A/HRC/AC/17/1) and the present annotations relating to the items included in the provisional agenda.

Organization of work

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 seventeenth session.

Composition of the Advisory Committee

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.

The composition of the Advisory Committee and the term of membership of each expert are as follows:^{*} Ibrahim Abdulaziz Alsheddi (Saudi Arabia, 2018); Mohamed Bennani (Morocco, 2017); Laurence Boisson de Chazournes (France, 2017); Mario Luis Coriolano (Argentina, 2018); Laura-Maria Crăciunean (Romania, 2017); Hoda Elsadda (Egypt, 2016); Karla Hananía de Varela (El Salvador, 2016); Mikhail Lebedev (Russian Federation, 2016); Alfred Ntunduguru Karokora (Uganda, 2016); Kaoru Obata (Japan, 2016); Obiora Chinedu Okafor (Nigeria, 2017); Katharina Pabel (Austria, 2018); Anantonia Reyes Prado (Guatemala, 2017); Changrok Soh (Republic of Korea, 2017); Ahmer Bilal Soofi (Pakistan, 2017); Imeru Tamrat Yigezu (Ethiopia, 2018); Yishan Zhang (China, 2016); Jean Ziegler (Switzerland, 2016).

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

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

^{*} The year of expiry of the term of membership is shown in parenthesis.

against women, and to include in its reports information on and qualitative analysis of human rights of women and girls.

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

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 procedure mandate of independent expert on the promotion of a democratic and equitable international order. In its resolution 27/9, the Council decided to extend the mandate of the Independent Expert for another three years.

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

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 mandate holder will present his next report to the Council at its thirty-third session.

(iii) Integration of the perspective of persons with disabilities

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. In its resolution 26/20, the Council decided to establish, for a period of three years, a new special procedure mandate of Special Rapporteur on the rights of persons with disabilities.

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

At its organizational meeting, held on 6 November 2014, the Human Rights Council appointed Catalina Devandas Aguilar (Costa Rica) as Special Rapporteur on the rights of persons with disabilities. The mandate holder presented her latest report to the Council at its thirty-first session (A/HRC/31/62).

(iv) Activities of vulture funds and impact on human rights

In its resolution 27/30, the Human Rights Council requested the Advisory Committee to prepare a research-based report on the activities of vulture funds and the impact on human rights, and to present a progress report thereon to the Council at its thirty-first session (A/HRC/31/67).

Also in resolution 27/30, the Human Rights Council requested the Advisory Committee to seek the views and inputs of Member States, United Nations agencies, relevant international and regional organizations, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and relevant special procedures, including the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, as well as national human rights institutions and non-governmental organizations, in the preparation of the above-mentioned research-based report.

At its fourteenth session, the Advisory Committee established a drafting group for the preparation of the progress report to be submitted to the Human Rights Council at its thirty-first session, comprising Mr. Bennani, Mr. Coriolano, Mr. Lebedev, Mr. Soofi (Chair) and Mr. Ziegler (Rapporteur).

Also at the fourteenth 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 non-governmental organizations. The questionnaires were disseminated by the Committee in March 2015 to different stakeholders.

At its fifteenth session, the Committee considered the draft progress report (A/HRC/AC/15/CRP.1), which took into account the replies to the questionnaire on the issue. The Committee, in its action 15/1, recommended that the Human Rights Council extend the time schedule envisaged to allow for better informed work, and that the Committee be requested to submit a progress report to the Council at its thirty-third session, in September 2016, instead of at its thirty-first session, in March 2016 (see also A/HRC/31/67). At its thirtieth session, the Council adopted a statement by its President (A/HRC/PRST/30/1), wherein it took note of the reports of the Committee on its fourteenth and fifteenth sessions, including action 15/1.

At its sixteenth session, the Advisory Committee took note of the draft progress report (A/HRC/AC/16/CRP.1), and requested the drafting group to finalize its report, to be submitted to the Human Rights Council, in the light of the discussions held by the Committee at its sixteenth session, after circulating it electronically to all members of the Advisory Committee for approval, and to submit it to the Council at its thirty-third session. At its seventeenth session, the Advisory Committee will have before it the progress report (A/HRC/33/56).

(v) Unaccompanied migrant children and adolescents and human rights

In its resolution 29/12, the Human Rights Council requested the Advisory Committee to develop a research-based study on the global issue of unaccompanied migrant children and adolescents and human rights, in which it identified areas, reasons and cases where this issue arose in the world, and the ways in which human rights were threatened and violated, and made recommendations for the protection of the human rights of members of this population, and to submit it to the Council at its thirty-third session.

At its fifteenth session, the Advisory Committee established a drafting group for the preparation of the study to be submitted to the Council, currently comprising Mr. Alsheddi, Mr. Coriolano, Ms. Crăciunean, Ms. Elsadda, Ms. Hananía de Varela (Rapporteur), Mr. Okafor, Ms. Pabel, Ms. Reyes Prado (Chair) and Mr. Soh.

Also at the fifteenth 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 non-governmental organizations. The questionnaires were disseminated by the Committee in September 2015 to different stakeholders.

At its sixteenth session, the Advisory Committee took note of the preliminary study prepared by the drafting group (A/HRC/AC/16/CRP.3), and recommended that the Human Rights Council extend the time schedule envisaged to allow for better informed work by, inter alia, taking into account the work currently under way by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Committee on the Rights of the Child, which is scheduled to be finalized at the end of 2016, and that the Advisory Committee be requested to submit a progress report to the Council at

its thirty-third session and a final report at its thirty-sixth session. At its seventeenth session, the Advisory Committee will have before it the progress report (A/HRC/33/55).

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

In its resolution 29/5, the Human Rights Council requested the Advisory Committee to undertake a study in which it reviewed the implementation of the principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members, together with the obstacles thereto, and to submit a report containing practical suggestions for the wider dissemination and more effective implementation of the principles and guidelines in order to eliminate discrimination and the stigma associated with leprosy and to promote, protect and respect the human rights of those affected by leprosy and their family members to the Council at its thirty-fifth session.

Also in resolution 29/5, the Human Rights Council encouraged the Advisory Committee, when elaborating the above-mentioned report, to take into account the views of Member States, as appropriate, relevant international and regional organizations, including the World Health Organization, the Office of the High Commissioner and relevant special procedures, national human rights institutions and non-governmental organizations, as well as the work done on the issue by relevant United Nations bodies, specialized agencies, funds and programmes within their respective mandates.

At its fifteenth session, the Advisory Committee established a drafting group for the preparation of the report to be submitted to the Human Rights Council at its thirty-fifth session, currently comprising Ms. Boisson de Chazournes, Mr. Coriolano, Ms. Crăciunean, Mr. Obata (Chair), Mr. Okafor, Mr. Soh, Mr. Soofi, Mr. Yigezu (Rapporteur) and Mr. Zhang.

Also at the fifteenth 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 non-governmental organizations. The questionnaires were disseminated by the Committee in September 2015, and again in November 2015, to different stakeholders.

At its sixteenth session, the Advisory Committee took note of the preliminary report prepared by the drafting group (A/HRC/AC/16/CRP.2), and requested the drafting group to recirculate the questionnaire and to seek information on the work done on the issue by relevant United Nations bodies, specialized agencies, funds and programmes within their respective mandates that did not respond to the questionnaire, in order to allow for better informed work. The questionnaires were recirculated by the Committee to different stakeholders in April 2016.

Also at its sixteenth session, the Advisory Committee requested the drafting group to submit a progress report to the Committee at its seventeenth session with a view to submitting it to the Human Rights Council at its thirty-fifth session, taking into account the replies to the questionnaire that were recirculated after the sixteenth session of the Committee. At its seventeenth session, the Advisory Committee will consider the progress report (A/HRC/AC/17/CRP.1).

(vii) Negative impact of the non-repatriation of funds of illicit origin on the enjoyment of human rights

In its resolution 31/22, the Human Rights Council requested the Advisory Committee to conduct a comprehensive research-based study on the impact of flow of funds of illicit origin and the non-repatriation thereof to the countries of origin on the enjoyment of human rights, including economic, social and cultural rights, with a special

emphasis on the right to development, with a view to compiling relevant best practices and main challenges, and to make recommendations on tackling those challenges based on the best practices in question, and to present a progress report on the requested study to the Council at its thirty-sixth session for its consideration.

Also in resolution 31/22, the Human Rights Council requested the Advisory Committee to seek, if necessary, further views and the input of Member States, relevant international and regional organizations, the High Commissioner and relevant special procedures, national human rights institutions and non-governmental organizations in order to finalize the above-mentioned study, taking into account, inter alia, the final study on illicit financial flows, human rights and the 2030 Agenda for Sustainable Development of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights.

At its seventeenth session, the Advisory Committee will hold discussions on the impact of flow of funds of illicit origin and the non-repatriation thereof to the countries of origin on the enjoyment of human rights, and establish a drafting group for the preparation of the progress report, to be submitted to the Human Rights Council at its thirty-sixth session.

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

(i) Promotion of the right of peoples to peace

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.

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

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 Chair-Rapporteur 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.

In its resolution 23/16, the Human Rights Council requested the Chair-Rapporteur of the working group to prepare a new text on the basis of the discussions held during the first session of the working group and on the basis of the intersessional informal consultations, and to present it prior to the second session of the working group for consideration and further discussion thereat. The second session of the working group was held from 30 June to 4 July 2014.

In its resolution 27/17, the Human Rights Council decided that the working group would hold its third session in 2015 with the objective of finalizing the declaration. It requested the Chair-Rapporteur to conduct informal consultations and to prepare a revised text. The third session of the working group was held from 20 to 24 April 2015.

In its resolution 30/12, the Human Rights Council decided that the working group would hold its fourth session for five working days with the objective of finalizing the declaration, and requested the working group to prepare a report and to submit it to the

Council for consideration at its thirty-third session. The fourth session of the working group is scheduled to be held from 11 to 15 July 2016.

(ii) Human rights and unilateral coercive measures

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 thereon to the Council at its twenty-eighth session.

Also in resolution 24/14, the Human Rights Council 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 submit a report on the proceedings of the workshop to the Council at its twenty-seventh session.

At its twelfth session, the Advisory Committee established a drafting group to prepare the above-mentioned research-based report, comprising Mr. Lebedev, Mr. Okafor, Mr. Soofi, Mr. Yigezu (Rapporteur) and Mr. Ziegler (Chair).

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

In its resolution 27/21, the Human Rights Council reiterated its request to the Advisory Committee to prepare the research-based report and established, for a period of three years, the mandate of Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights.

Also in resolution 27/21, the Human Rights Council decided to organize a biennial panel discussion on the issue of unilateral coercive measures and human rights, with the participation of Member States, relevant United Nations bodies, agencies and other relevant stakeholders, and requested OHCHR to prepare and submit a report on the panel discussion to the Council.

At its twenty-eighth session, the Human Rights Council had before it the progress report of the Advisory Committee (A/HRC/28/74) and appointed Idriss Jazairy (Algeria) as Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. The mandate holder presented his first report to the Council at its thirtieth session (A/HRC/30/45).

At its thirtieth session, the Human Rights Council held its first biennial panel discussion in accordance with its resolution 27/21. The report of the panel discussion will be submitted to the Council at its thirty-third session.

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

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, and their right not to be subject to torture and ill-treatment.

Also in resolution 24/33, 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.

At its twelfth session, the Advisory Committee established a drafting group to prepare the study, comprising Mr. Al Faihani, Ms. Boisson de Chazournes (Rapporteur), Mr. Coriolano, Mr. Obata and Mr. Okafor (Chair).

At its twenty-eighth session, the Human Rights Council had before it the report of the Advisory Committee on the situation of human rights of persons living with albinism (A/HRC/28/75). In its resolution 28/6, the Council acknowledged the report of the Committee and the recommendations therein, including on establishing a special procedure mechanism, and established, for a period of three years, the mandate of Independent Expert on the enjoyment of human rights by persons with albinism.

At its twenty-ninth session, the Human Rights Council appointed Ikponwosa Ero (Nigeria) as Independent Expert on the enjoyment of human rights of persons with albinism. The mandate holder presented her first report to the Council at its thirty-first session (A/HRC/31/63).

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

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.

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.

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

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

At its fourteenth session, the Advisory Committee decided to produce reflection papers for its own use at every session of the Committee, which may be published on the OHCHR website as part of the Committee's reflection paper series.

At its fifteenth session, the Advisory Committee considered the following reflection papers prepared by Committee members:

- "Whistle-blowing and human rights in the context of corruption" (Katharina Pabel)
- "Climate-induced displacement and human rights" (Imeru Tamrat Yigezu)
- "Mainstreaming human rights in the post-2015 development agenda" (Laura-Maria Crăciunean)
- "Regional human rights regimes (protection mechanisms)" (Changrok Soh)

- “Global grievance forum for perceived defamation of religion” (Ahmer Bilal Soofi)

Also at its fifteenth session, the Advisory Committee decided to open its online discussion forum to representatives of non-governmental organizations and members of civil society to permit more frequent interactions and exchange, and appointed Mr. Coriolano as Rapporteur of the Committee to prepare a paper on the engagement with non-governmental organizations and national human rights institutions, and to report to the Committee thereon. At its seventeenth session, the Advisory Committee will consider the paper prepared by the Rapporteur.

At its sixteenth session, the Advisory Committee considered the following reflection papers prepared by Committee members, which it decided to transmit, in a letter from its Chair to the President of the Human Rights Council, as two priority research proposals for consideration by the Council:

- “Regional human rights regimes (protection mechanisms)” (Changrok Soh)
- “Youth and human rights and social cohesion” (Mario Luis Coriolano and Anantonia Reyes Prado)

Also at its sixteenth session, the Advisory Committee held discussions on the following topics, and decided to discuss them further at its seventeenth session with a view to possibly submitting them as research proposals for the consideration of the Council:

- Destruction of cultural heritage and its effects on the enjoyment of economic, social and cultural rights
- Climate-induced displacement and human rights
- Promotion of the rights to culture and social common heritage
- Assessment of the impact of the work of the Advisory Committee and its implementation

At its seventeenth session, the Advisory Committee will consider the above-mentioned topics and may also continue its discussions under item 3, including on new priorities.

4. Report of the Advisory Committee on its seventeenth session

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

Pursuant to paragraph 38 of the annex to Human Rights Council 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 Chair. The reports of the Committee on its sixteenth and seventeenth sessions will therefore be considered by the Council at its thirty-third session.