



General Assembly

Distr.: General
29 November 2016

Original: English

Human Rights Council

Advisory Committee

Eighteenth session

20-24 February 2017

Item 2 of the provisional agenda

Adoption of the agenda and organization of work


Annotations to the provisional agenda

Note by the Secretary-General

GE.16-21002(E)



* 1 6 2 1 0 0 2 *

Please recycle 



1. Election of officers

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

2. 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/18/1) 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. The 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); Lazhari Bouzid (Algeria, 2019); Mario Luis Coriolano (Argentina, 2018); Carla Hananía de Varela (El Salvador, 2019); Mikhail Lebedev (Russian Federation, 2019); Xincheng Liu (China, 2019); Kaoru Obata (Japan, 2019); Obiora Chinedu Okafor (Nigeria, 2017); Mona Omar (Egypt, 2019); 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); Jean Ziegler (Switzerland, 2019).

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

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

The Advisory Committee held a discussion on the issue at its second, fourth, tenth and eleventh sessions.

(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, which was thereafter extended by the Council for another three years in its resolution 27/9.

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 presented his latest report to the Council at its thirty-third session (A/HRC/33/40).

The Advisory Committee held a discussion on the issue at its first, second, fourth and eleventh sessions.

(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 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 will present her next report to the Council at its thirty-fourth session (A/HRC/34/58).

The Advisory Committee held a discussion on the issue at its first, second, fourth and eleventh sessions.

(iv) 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 United Nations High Commissioner for Human Rights 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 Laurence Boisson de Chazournes, Mario Luis Coriolano, Kaoru Obata (Chair), Obiora Chinedu Okafor, Changrok Soh, Ahmer Bilal Soofi and Imeru Tamrat Yigezu (Rapporteur).

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, 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 took note of the progress report (A/HRC/AC/17/CRP.1) and requested the drafting group to submit its draft final report to the Committee at its eighteenth session, taking into account the discussion held at the seventeenth session with a view to submitting the final report to the Human Rights Council at its thirty-fifth session.

At its eighteenth session, the Advisory Committee will consider the draft final report to be submitted to the Council at its thirty-fifth session (A/HRC/AC/18/CRP.1).

(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 Ibrahim

Abdul Aziz Alsheddi, Mario Luis Coriolano, Carla Hananía de Varela (Rapporteur), Obiora Chinedu Okafor, Katharina Pabel, Anantonia Reyes Prado (Chair) and Changrok 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 due to be finalized by the end of 2016, and that the Council request the Advisory Committee 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 took note of the progress report submitted to the Human Rights Council for consideration at its thirty-third session (A/HRC/33/53), and requested the drafting group to submit its draft final report to the Committee at its eighteenth session, taking into account the discussion held by the Committee at the seventeenth session with a view to submitting the final report to the Council at its thirty-sixth session.

In its resolution 33/7, the Human Rights Council noted the request made by the Advisory Committee at its sixteenth session to extend the time schedule envisaged to allow for better informed work, and requested the Committee to submit a final report on the global issue of unaccompanied migrant children and adolescents and human rights to the Council at its thirty-sixth session.

Also in resolution 33/7, the Human Rights Council decided to convene, at its thirty-fifth session, a panel discussion on the theme, “Unaccompanied migrant children and adolescents and human rights”, with the objective of identifying challenges and best practices by countries of origin, transit and destination and possible joint efforts at all levels to protect the human rights of unaccompanied migrant children and adolescents. It also requested the High Commissioner to prepare a report on the panel discussion in the form of a summary, and to submit to its thirty-sixth session. At its eighteenth session, the Advisory Committee will consider its draft final report on the global issue of unaccompanied migrant children and adolescents and human rights, to be submitted to the Council for consideration at its thirty-sixth session (A/HRC/AC/18/CRP.2).

(vi) 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 established a drafting group for the preparation of a progress report to be submitted to the Human Rights Council at its thirty-sixth session comprising Mario Luis Coriolano, Mikhail Lebedev, Obiora Chinedu Okafor (Co-Rapporteur), Ahmer Bilal Soofi (Chair) and Jean Ziegler (Co-Rapporteur).

Also at the seventeenth session, the drafting group and the full Committee held meetings to discuss the topic and 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 and recirculated in November 2016 to different stakeholders.

At its eighteenth session, the Advisory Committee will consider the draft progress report prepared by the drafting group, taking into account the replies to the questionnaires distributed, with a view to submitting the progress report to the Human Rights Council at its thirty-sixth session (A/HRC/AC/18/CRP.3).

(vii) Regional arrangements for the promotion and protection of human rights

In its decision 32/115, the Human Rights Council requested the Advisory Committee to prepare a report on regional arrangements for the promotion and protection of human rights, in particular on the progress made in the establishment of regional and subregional arrangements for the promotion and protection of human rights, and their achievements in all regions of the world, and on the role played by the Office of the High Commissioner, as well as on the role that it can play in the future in advancing cooperation between international and regional human rights mechanisms, and to identify ways to increase the role that regional arrangements play in promoting and protecting human rights and to reinforce universal human rights standards, including as contained in international human rights instruments, and to submit the report to the Human Rights Council before its thirty-ninth session.

Also in decision 32/115, the Human Rights Council encouraged the Advisory Committee, when preparing the above-mentioned report, to take into account the views of Member States, as appropriate, relevant international and regional organizations, the Office of the High Commissioner, national human rights institutions and non-governmental organizations and other relevant stakeholders.

At its seventeenth session, the Advisory Committee established a drafting group for the preparation of a report to be submitted to the Human Rights Council at its thirty-ninth session comprising Mohamed Bennani, Laurence Boisson de Chazournes, Mario Luis Coriolano, Carla Hananía de Varela, Mikhail Lebedev, Kaoru Obata, Katharina Pabel (Chair), Anantonia Reyes Prado, Changrok Soh (Rapporteur) and Imeru Tamrat Yigezu.

Also at the seventeenth session, the drafting group and the full Committee held meetings to discuss the topic and 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 and recirculated in November 2016 to different stakeholders.

In its resolution 30/3, the Human Rights Council requested the High Commissioner to hold, in 2016, a workshop on regional arrangements for the promotion and protection of human rights to take stock of developments since the workshop held in 2014, including a thematic discussion on interactions with civil society and human rights defenders, based on concrete

and practical experience of regional mechanisms, in order to share information on best practices, lessons learned and new possible forms of cooperation, with the participation of relevant experts from international, regional, subregional and interregional human rights mechanisms, as well as Member States, observers, national human rights institutions and non-governmental organizations.

The member of the drafting group tasked with preparing the report on regional arrangements for the promotion and protection of human rights, Mr. Coriolano, participated in the workshop, which was organized by the Office of the High Commissioner on 4 and 5 October 2016 pursuant to Council resolution 30/3. A report containing a summary of the discussions held at the workshop and on the progress towards the implementation of the said resolution will be submitted to the Human Rights Council at its thirty-fourth session.

At its eighteenth session, the Advisory Committee will consider the draft progress report prepared by the drafting group, taking into account the replies to the questionnaires distributed, with a view to submitting the progress report to the Human Rights Council at its thirty-sixth session (A/HRC/AC/18/CRP.4).

(b) Follow-up to reports of the Committee submitted to the Human Rights Council: local government and human rights

In its resolution 24/2, the Human Rights Council requested the Advisory Committee to prepare 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 thereon to the Council at its twenty-seventh session.

At its twelfth session, the Advisory Committee established a drafting group comprising Mario Luis Coriolano, Hoda Elsadda, Latif Hüseyinov (Rapporteur), Anantonia Reyes Prado, Dheerujall Seetulsingh (Chair) and Imeru Tamrat Yigezu.

At its thirteenth session, the Advisory Committee considered the progress 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, submitted to the Human Rights Council at its twenty-seventh session (A/HRC/27/59). The Committee designated Ms. Elsadda to replace Mr. Hüseyinov as Rapporteur and Ms. Pabel to replace Mr. Seetulsingh as Chair of the drafting group, and recommended that the Council request the Committee to submit a final report to the Council at its thirtieth session.

In its resolution 27/4, the Human Rights Council took note with appreciation of the progress report presented by the Advisory Committee to the Council at its twenty-seventh session, and requested the Committee to continue its research and to submit a final report on the role of local government in the promotion and protection of human rights to the Council at its thirtieth session. The final report was accordingly submitted by the Committee to the Council at its thirtieth session (A/HRC/30/49).

In its resolution 33/8, the Human Rights Council, taking note with appreciation of the final report of the Advisory Committee, decided to convene between its thirty-fifth and thirty-sixth sessions a panel discussion on the role of local government in the promotion and protection of human rights, the objective of which would be to identify ways in which local government can promote, protect and fulfil human rights effectively, particularly in the context of implementing the 2030 Agenda for Sustainable Development, in close cooperation with the national Government.

Also in resolution 33/8, the Human Rights Council requested the High Commissioner to prepare a report on the panel discussion in the form of a summary, and to submit the report to the Council at its thirty-eighth session.

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

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

In paragraph 35 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. A member of the Committee participated in a workshop held pursuant to resolution Council 16/21 (see sect. 3(a)(vii) above).

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

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. The Advisory Committee considered the paper prepared by the Rapporteur at its seventeenth session.

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:

- “The destruction of cultural heritage and its effects on the enjoyment of economic, social and cultural rights” (Jean Ziegler)
- “Climate-induced displacement and human rights” (Imeru Tamrat Yigezu)
- “Promotion of the rights to culture and a common social heritage” (Mohamed Bennani)
- “Assessment of the impact of the work of the Advisory Committee and its implementation” (Kaoru Obata)

At its seventeenth session, the Advisory Committee also discussed, in addition to the above-mentioned topics, the following reflection papers:

- “Access to justice: principles and guidelines” (Mario Luis Coriolano)
- “Budgets and human rights” (Mario Luis Coriolano)

Also at its seventeenth session, the Advisory Committee decided to resubmit for the consideration of the Human Rights Council the research proposal “Youth, human rights and social cohesion” (Mario Luis Coriolano and Anantonia Reyes Prado), and a new research proposal entitled “Climate-induced displacement and human rights” (Imeru Tamrat Yigezu).

Concept papers on the two afore-mentioned proposals were annexed to the report of the Committee on its seventeenth session (A/HRC/AC/17/2, annex IV). At its thirty-third session, the Human Rights Council adopted statement PRST/33/1 by its President wherein it took note of the reports of the Advisory Committee on its sixteenth and seventeenth sessions, and noted that the Committee had made certain research proposals.

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

5. Report of the Advisory Committee on its eighteenth session

The Advisory Committee will have before it for adoption a draft report on its eighteenth 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 eighteenth and nineteenth sessions will therefore be considered by the Council at its thirty-sixth session.