



# General Assembly

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## Human Rights Council

### Advisory Committee

#### Nineteenth session

7-11 August 2017

Item 1 of the provisional agenda

#### Adoption of the agenda and organization of work

## Provisional agenda and annotations

### Provisional agenda

1. Adoption of the agenda and organization of work.
2. Requests addressed to the Advisory Committee stemming from Human Rights Council resolutions and currently under consideration by the Committee:
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  - (b) Promotion of a democratic and equitable international order;
  - (c) Integration of the perspective of persons with disabilities;
  - (d) Elimination of discrimination against persons affected by leprosy and their family members;
  - (e) Unaccompanied migrant children and adolescents and human rights;
  - (f) Negative impact of the non-repatriation of funds of illicit origin on the enjoyment of human rights;
  - (g) Regional arrangements for the promotion and protection of human rights;
  - (h) Negative effects of terrorism on the enjoyment of human rights;
  - (i) Activities of vulture funds and the impact on human rights.
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;
  - (b) Agenda and annual programme of work, including new priorities.
4. Report of the Advisory Committee on its nineteenth session.



## Annotations

### 1. Adoption of the agenda and organization of work

#### *Adoption of the agenda*

The Advisory Committee will have before it the provisional agenda (A/HRC/AC/19/1) 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 nineteenth 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:<sup>1</sup> 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); Ion Diaconu (Romania, 2018); Carla Hananía de Varela (El Salvador, 2019); Mikhail Lebedev (Russian Federation, 2019); Xinsheng 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).

### 2. Requests addressed to the Advisory Committee stemming from Human Rights Council resolutions and currently under consideration by the Committee

#### (a) 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, eleventh and eighteenth sessions.

#### (b) 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 resolutions and to make contributions towards their implementation. In its 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

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<sup>1</sup> The year of expiry of the term of membership is shown in parenthesis.

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.

**(c) 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 presented her latest 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.

**(d) 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), Xingshen Liu, Obiora Chinedu Okafor, Changrok Soh, Ahmer Bilal Soofi and Imeru Tamrat Yigezu (Rapporteur).

At its eighteenth session, the Committee considered the draft final report presented by the drafting group and adopted it *ad referendum*, entrusting the Rapporteur with its finalization, with a view to submitting the final report to the Council at its thirty-fifth session.

At its nineteenth session, the Advisory Committee will have before it the final report submitted to the Council at its thirty-fifth session (A/HRC/35/38).

**(e) 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, Lazhari Bouzid, Mario Luis Coriolano, Carla Hananía de Varela (Rapporteur), Obiora Chinedu Okafor, Katharina Pabel, Anantonia Reyes Prado (Chair) and Changrok Soh.

At its eighteenth session, the Advisory Committee took note of the draft final report prepared by the drafting group and requested the drafting group to finalize the report in the light of the discussion held by the Advisory Committee at the session, after circulating it electronically to all members of the Committee for approval, with a view to submitting it to the Council at its thirty-sixth session

At its nineteenth session, the Advisory Committee will have before it the final report submitted to the Council for consideration at its thirty-sixth session (A/HRC/36/51).

**(f) 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 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), Mona Omar, Ahmer Bilal Soofi (Chair) and Jean Ziegler (Co-Rapporteur).

At its eighteenth session, the Advisory Committee took note of the draft progress report prepared by the drafting group, taking into account the replies to the questionnaires circulated and requested the drafting group to finalize the progress report in the light of the discussion held by the Advisory Committee at the session, after circulating it electronically to all members of the Committee for approval, with a view to submitting it to the Council at its thirty-sixth session.

In its resolution 34/11, the Human Rights Council requested the Advisory Committee to conduct a study, in continuation of the study requested by the Council in its resolution 31/22, on the possibility of utilizing non-repatriated illicit funds, including through monetization and/or the establishment of investment funds, while completing the necessary legal procedures, and in accordance with national priorities, with a view to supporting the achievement of the Goals of the 2030 Agenda for Sustainable Development, contributing to the enhancement of the promotion of human rights and in accordance with obligations under international human rights law, and to submit the requested study to the Council at its thirty-ninth session.

Also in resolution 34/11, 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, United Nations bodies, including the United Nations Office on Drugs and Crime, national human rights institutions and non-governmental organizations in order to finalize the above-mentioned study.

At its nineteenth session, the Advisory Committee will have before it the progress report submitted to the Human Rights Council at its thirty-sixth session (A/HRC/36/52) pursuant to Council resolution 31/22 and will continue its discussion on the topic in the light of resolution 34/11.

**(g) 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 currently comprising Mohamed Bennani, Laurence Boisson de Chazournes, Mario Luis Coriolano, Carla Hananía de Varela, Mikhail Lebedev, Xinsheng Liu, Kaoru Obata, Katharina Pabel (Chair), Anantonia Reyes Prado, Changrok Soh (Rapporteur) and Imeru Tamrat Yigezu.

At its nineteenth session, the Advisory Committee will consider the draft progress report to be submitted to the Council at its thirty-ninth session.

**(h) Negative effects of terrorism on the enjoyment of human rights**

In its resolution 34/8, the Human Rights Council requested the Advisory Committee to conduct a study and prepare a report on the negative effects of terrorism on the enjoyment of all human rights and fundamental freedoms, with a particular focus on economic, social and cultural rights, including as a result of diverting foreign direct investment, reducing capital inflows, destroying infrastructure, limiting foreign trade, disturbing financial markets, negatively affecting certain economic sectors and impeding economic growth, and to recommend actions to be taken by Governments, United Nations human rights mechanisms, regional and international organizations and civil society organizations in this regard, and to present the report to the Human Rights Council at its thirty-ninth session.

At its nineteenth session, the Advisory Committee will hold discussions on this topic and establish a drafting group for the preparation of the report to be submitted to the Human Rights Council at its thirty-ninth session.

**(i) Activities of vulture funds and the impact on human rights**

In its resolution 34/3, the Human Rights Council took note with appreciation of the progress report of the Advisory Committee on the activities of vulture funds and their impact on human rights (A/HRC/33/54), and requested the Committee to present a final report thereon to the Council at its thirty-ninth session for its consideration.

At its nineteenth session, the Advisory Committee will hold discussions on this topic and establish a drafting group for the preparation of the report to be submitted to the Human Rights Council at its thirty-ninth session.

**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 nineteenth 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 drafting group tasked with preparing the report on regional arrangements for the promotion and protection of human rights participated in a workshop 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 made towards the implementation of the resolution was submitted to the Council at its thirty-fourth session (A/HRC/34/23).

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 eighteenth session, the Advisory Committee held a discussion on the following reflection papers:

- "Assessment of the impact of the work of the Advisory Committee and its implementation" (Kaoru Obata)
- "Access to justice: principles and guidelines" (Mario Luis Coriolano)
- "Destruction of cultural heritage and its effects on the enjoyment of economic, social and cultural rights" (Jean Ziegler)
- "Engagement with non-governmental organizations and national human rights institutions" (Mario Luis Coriolano)
- "Budget and human rights" (Mario Luis Coriolano)
- "The promotion and protection of intangible social heritage" (Mohamed Bennani)

Also at its eighteenth session, the Advisory Committee decided to submit a new research proposal on the destruction of cultural heritage and its effects on the enjoyment of economic, social and cultural rights to the Human Rights Council for its consideration.

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

**4. Report of the Advisory Committee on its nineteenth session**

The Advisory Committee will have before it for adoption a draft report on its nineteenth 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.

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