



# General Assembly

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## Human Rights Council

Advisory Committee

Eighth session

20-24 February 2012

Item 1 of the provisional agenda

Adoption of the agenda and organization of work

## Annotations to the provisional agenda

Note by the Secretary-General

1. The Human Rights Council Advisory Committee, established pursuant to Human Rights Council resolution 5/1, held its seventh session from 8 to 12 August 2011. It elected Latif Hüseyinov as Chairperson, Anantonia Reyes Prado, Jean Ziegler and Mona Zulficar as Vice-Chairpersons, and Chinsung Chung as Rapporteur for its seventh and eighth sessions.
2. Pursuant to paragraph 37 of the annex to Human Rights Council resolution 16/21, in order to provide a proper setting for a better interaction between the Council and its Committee, 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 Advisory Committee will therefore hold its eighth session from 20 to 24 February 2012, and its ninth session from 6 to 10 August 2012.
3. Furthermore, pursuant to paragraph 38 of the annex to Human Rights Council resolution 16/21, the annual report of the Committee will be submitted to the Council at its September session and be the subject of an interactive dialogue with the Committee.
4. 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 to ensure that the annual reporting of the Committee to the Council and the interactive dialogue thereon would take place at the end of the cycle. It also decided that, as a transitional measure, the period of office of members of the Advisory Committee ending in March 2012 would be exceptionally extended until 30 September 2012.
5. As the term of membership of the members of the Advisory Committee has been exceptionally extended until 30 September 2012, the report of the Committee on its seventh session will be considered by the Human Rights Council at its twenty-first session, together with the annual report of the Committee, consisting of its reports at its eighth and ninth sessions.

## **Item 1**

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

#### **Adoption of the agenda**

6. The Advisory Committee will have before it the provisional agenda (A/HRC/AC/8/1) proposed by the Secretary-General and the present annotations relating to the items included in the provisional agenda.

#### **Organization of work**

7. 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.16). 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 eighth session.

## Composition of the Advisory Committee

8. The composition of the Advisory Committee and the term of membership of each expert<sup>1</sup> is as follows: José Antonio Bengoa Cabello (Chile – 2013); Laurence Boisson de Chazournes (France – 2014); Shiqiu Chen (China – 2012); Chinsung Chung (Republic of Korea – 2013); Miguel d’Escoto Brockmann (Nicaragua – 2012); Wolfgang Stefan Heinz (Germany – 2013); Latif Hüseyinov (Azerbaijan – 2011); Vladimir Kartashkin (Russian Federation – 2013); Alfred Ntunduguru Karokora (Uganda – 2013); Obiora Chinedu Okafor (Nigeria – 2014); Purificación V. Quisumbing (Philippines – 2011); Anantonia Reyes Prado (Guatemala – 2014); Shigeki Sakamoto (Japan – 2013); Dheerujall Seetulsingh (Mauritius – 2011); Ahmer Bilal Soofi (Pakistan – 2014); Halima Embarek Warzazi (Morocco – 2012); Jean Ziegler (Switzerland – 2012); and Mona Zulficar (Egypt – 2013).

9. In its decision 18/121, the Human Rights Council decided that, as a transitional measure, the period of office of members of the Advisory Committee ending in March 2012 would be exceptionally extended until 30 September 2012 (see paragraph 4 above).

## Item 2

### Requests addressed to the Advisory Committee stemming from Human Rights Council resolutions

#### (a) Requests currently under consideration by the Committee

##### (i) Right to food

10. In its resolution 7/14, the Human Rights Council requested the Advisory Committee to consider potential recommendations for approval by the Council on possible further measures to enhance the realization of the right to food, bearing in mind the priority importance of promoting the implementation of existing standards. In its resolution 10/12, the Council also requested the Advisory Committee to undertake a study on discrimination in the context of the right to food, including identification of good practices of anti-discriminatory policies and strategies.

11. At its first session, the Advisory Committee established a drafting group consisting of Mr. Bengoa Cabello, Ms. Chung, Mr. Hüseyinov, Mr. Ziegler and Ms. Zulficar. Subsequently, Mr. Karakora joined the drafting group.

12. In its resolution 13/4, the Human Rights Council acknowledged the work carried out by the Advisory Committee on the right to food and welcomed the submission to the Council of its preliminary study on discrimination in the context of the right to food (A/HRC/13/32). The Council also requested the Advisory Committee to continue to work on the issue of discrimination in the context of the right to food and, in that regard, 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, and to report thereon to the Council at its sixteenth session.

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

13. At its sixth session, the Advisory Committee considered the final study on discrimination in the context of the right to food, prepared by its drafting group, and through its recommendation 6/2 submitted it to the Human Rights Council (A/HRC/16/40). The Committee also considered the preliminary study on the advancement of the rights of peasants and other people working in rural areas, and through recommendation 6/5 submitted it to the Council (A/HRC/16/63).

14. In its resolution 16/27, the Human Rights Council welcomed the final study on discrimination in the context of the right to food and, taking into account recommendation 6/2 of the Committee, requested it to undertake, as appropriate, comprehensive studies on (a) the urban poor and their enjoyment of the right to food, including strategies to improve their protection and best practices; (b) rural women and their enjoyment of the right to food, including patterns of discrimination, strategies and policies for their protection and best practices, with a special focus on female-headed households and temporary or seasonal workers; and (c) the relationship between severe malnutrition and childhood diseases, taking children affected by noma as an example, and ways to improve the protection of malnourished children.

15. In its resolution 16/27, the Human Rights Council also requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to collect the views and comments of all Member States, all relevant United Nations special agencies and programmes and all other relevant stakeholders on the above-listed topics, in order that the Advisory Committee may take them into account for the conclusion of its comprehensive studies.

16. In resolution 16/27, the Human Rights Council also took note of the 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. It also requested OHCHR to collect the views and comments of all Member States, all relevant United Nations special agencies and programmes, in particular the Food and Agriculture Organization of the United Nations, and all other relevant stakeholders on the preliminary study, in order that the Advisory Committee may take them into account in the preparation of the final study to be presented to the Council at its nineteenth session. On 6 April 2011, OHCHR sent a note verbale in this regard to all relevant stakeholders.

#### *Rights of peasants*

17. At its seventh session, the Advisory Committee welcomed the comments by States and other stakeholders on the preliminary study on the advancement of the rights of peasants and other people working in the rural areas (A/HRC/16/63). The Committee assigned the completion of the study to the drafting group on the right to food, for it to be presented to the Committee at its eighth session for submission to the Human Rights Council at its nineteenth session.

#### *Children affected by noma*

18. Also at its seventh session, the Advisory Committee welcomed the preliminary study prepared by the drafting group on the right to food on severe malnutrition and childhood diseases, with children affected by noma as an example (A/HRC/AC/7/CRP.2). The Committee invited OHCHR to collect the views and comments on the preliminary study of all Member States, all relevant United Nations special agencies and programmes and all other relevant stakeholders, as requested by the Human Rights Council, so that the Advisory Committee may take them into account in the preparation of the final study. Furthermore, the Committee assigned the completion of the study on severe malnutrition

and childhood diseases, with children affected by noma as an example, to the drafting group on the right to food, to be presented to the Committee at its eighth session for submission to the Council at its nineteenth session.

*Urban poor*

19. At its seventh session, the Advisory Committee welcomed the concept note entitled “Promoting the human rights of the urban poor: Strategies and best practices”, prepared by Ms. Chung, and assigned the preparation of a preliminary study on that topic to the drafting group on the right to food, to be presented to the Committee at its eighth session (A/HRC/AC/8/5).

*Rural women*

20. Also at its seventh session, the Advisory Committee assigned the preparation of a preliminary study on rural women and their enjoyment of the right to food to the drafting group on the right to food, to be presented to the Committee at its ninth session.

**(ii) Integration of a gender perspective**

21. 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.

22. At its second and fourth sessions, the Advisory Committee held discussions on the matter.

**(iii) Promotion of a democratic and equitable international order**

23. In its resolution 8/5, the Human Rights Council requested the human rights treaty bodies, OHCHR, the mechanisms of the Council and the Advisory Committee to pay due attention, within their respective mandates, to the resolution and to make contributions towards its implementation.

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

25. In its resolution 18/6, the Human Rights Council requested the human rights treaty bodies, OHCHR, the special mechanisms extended by the Council and the Advisory Committee to pay due attention, within their respective mandates, to the resolution and to make contributions to its implementation.

**(iv) Integration of the perspective of persons with disabilities**

26. 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.

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

**(v) Human rights and international solidarity**

28. In its resolutions 9/2 and 12/9, the Human Rights Council requested the Advisory Committee to prepare inputs to contribute to the elaboration by the independent expert on

human rights and international solidarity of a draft declaration on the right of peoples and individuals to international solidarity, and to the further development of guidelines, standards, norms and principles with a view to promoting and protecting this right.

29. In its resolution 15/13, the Human Rights Council reiterated its request to the Advisory Committee to prepare, in close cooperation with the independent expert on human rights and international solidarity, inputs to contribute to the elaboration of the draft declaration on the right of peoples and individuals to international solidarity, and to the further development of guidelines, standards, norms and principles with a view to promoting and protecting this right.

30. At its fifth and sixth sessions, Mr. Chen, the Chairperson/Rapporteur of the drafting group, established to work on this issue, consisting of Ms. Chung, Mr. d'Escoto Brockmann, Mr. Hüseyinov, Mr. Seetulsingh and Ms. Warzazi, presented the work to be undertaken.

31. At its seventh session, the Advisory Committee took note of the draft outline prepared by Mr. Chen as Chairperson/Rapporteur of the drafting group, and encouraged the drafting group to cooperate closely with the independent expert on human rights and international solidarity and to submit the outcome of its work to the Committee at its eighth session.

**(vi) Promotion of the right of peoples to peace**

32. In its resolution 14/3, the Human Rights Council took note with satisfaction of the report of the United Nations High Commissioner for Human Rights on the outcome of the workshop on the right of peoples to peace (A/HRC/14/38), and 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, and to report on the progress thereon to the Council at its seventeenth session.

33. 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.

34. At its sixth session, the Advisory Committee considered the progress report presented by the drafting group, and through recommendation 6/3 submitted it to the Human Rights Council for its consideration at its seventeenth session (A/HRC/17/39). The Committee also requested the drafting group to prepare a questionnaire in order to consult with Member States, civil society, academia and all relevant stakeholders. The questionnaire was transmitted by OHCHR to all stakeholders by means of a note verbale dated 1 April 2011.

35. In its resolution 17/16, the Human Rights Council requested the Advisory Committee, in consultation with -Member States, civil society, academia and all relevant stakeholders, to present a draft declaration on the right of peoples to peace and to report on progress thereon to the Council at its twentieth session.

36. At its seventh session, the Advisory Committee took note of the second progress report submitted by the drafting group (A/HRC/AC/7/3), and welcomed the responses received to the questionnaire.

37. At the present session, the Advisory Committee will consider a draft declaration prepared by its drafting group on the right of peoples to peace, as revised in the light of comments received and discussions held at the seventh session (A/HRC/AC/8/2).

**(vii) Enhancement of international cooperation in the field of human rights**

38. 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 High Commissioner 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.

39. At its fifth session, the Advisory Committee adopted recommendation 5/4, in which it 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 for consideration by the Committee at its sixth session.

40. At its sixth session, the Advisory Committee held a meeting with the sponsors of resolution 13/23 and considered a preliminary working paper prepared by the drafting group on the issue (A/HRC/AC/6/CRP.4), as reflected in its recommendation 6/4.

41. In its resolution 16/22, the Human Rights Council took note of the discussions held in the Advisory Committee in fulfilment of its mandate.

42. At its seventh session, the Advisory Committee took note of the progress report presented by Mr. Seetulsingh, Chairperson of the drafting group (A/HRC/AC/7/2), and the questionnaire to be disseminated to seek further views from States and relevant stakeholders for the preparation of final proposals. Ms. Boisson de Chazournes replaced Mr. Decaux as Rapporteur of the drafting group.

43. At the present session, the Advisory Committee will consider proposals submitted by the drafting group (A/HRC/AC/8/3).

**(viii) Promoting human rights and fundamental freedoms through a better understanding of traditional values of humankind**

44. In its resolution 16/3, the Human Rights Council requested the Advisory Committee to prepare a study on how a better understanding and appreciation of traditional values of dignity, freedom and responsibility could contribute to the promotion and protection of human rights, and to present that study to the Council before its twenty-first session.

45. At its seventh session, the Advisory Committee designated Ms. Boisson de Chazournes, Mr. Chen, Ms. Chung, Mr. Karakora, Mr. Kartashkin (Rapporteur), Mr. Okafor, Ms. Reyes Prado, Mr. Seetulsingh and Mr. Soofi (Chairperson) as members of a drafting group established to prepare the above-mentioned study for submission to the Committee at its ninth session.

46. At the present session, the Advisory Committee will have before it the preliminary research on the study submitted by the drafting group (A/HRC/AC/8/4).

**(ix) Human rights and issues related to terrorist hostage-taking**

47. In its resolution 18/10, the Human Rights Council requested the Advisory Committee to prepare a study on the issue of terrorist hostage-taking for the purposes of promoting awareness and understanding, paying particular attention to its impact on human rights and the role of regional and international cooperation in this field.

48. In resolution 18/10, the Human Rights Council also requested the Advisory Committee to submit the study to the Council at its twenty-third session and to present an interim report thereon at its twenty-first session.

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

- (i) Human rights education and training**
- (ii) Elimination of discrimination against persons affected by leprosy and their family members**
- (iii) Missing persons**

49. None of the above sub-items will be discussed at the current session.

**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**

50. 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 (see also paragraphs 1 to 5 above).

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

51. In its resolution 15/22, the Human Rights Council decided to hold a panel discussion at its eighteenth session on a thematic study to be prepared by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, with the assistance of OHCHR, on the realization of the right to health of older persons. Members of OHCHR, the World Health Organization, the Advisory Committee and other relevant United Nations bodies and agencies were to participate in the panel discussion.

52. At its seventh session, the Advisory Committee requested Ms. Chung to attend the above-mentioned panel discussion.

**(c) Follow-up to Advisory Committee recommendation 1/11**

53. The Advisory Committee designated some of its members to follow the work of other subsidiary bodies of the Human Rights Council. However, since the Council did not take relevant action entailing budgetary implications in this regard, the secretariat of the Committee has been unable to implement the above-mentioned recommendation.

**Item 4**

**Report of the Advisory Committee on its eighth session**

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