



# General Assembly

Distr.: General  
10 February 2010

Original: English

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## Human Rights Council

Advisory Committee

Fourth session

25–29 January 2010

Agenda item 4

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

## **Report of the Advisory Committee on its fourth session**

Geneva, 25–29 January 2010

*Rapporteur:* Latif Hüseyinov

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## **I. Recommendations adopted by the Advisory Committee at its fourth session**

### **4/1. Draft set of principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members**

*The Human Rights Council Advisory Committee,*

*Recalling* Human Rights Council resolutions 8/13 of 18 June 2008 and 12/7 of 1 October 2009 on the elimination of discrimination against persons affected by leprosy and their family members,

1. *Welcomes* the views of the relevant actors on the draft set of principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members;

2. *Requests* Mr. Sakamoto to take into consideration these views and to submit the revised draft set of principles and guidelines to the Advisory Committee for consideration at its fifth session;

3. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide Mr. Sakamoto with all the assistance necessary to enable him to accomplish the above-mentioned task.

*Adopted by consensus  
8<sup>th</sup> meeting  
29 January 2010*

### **4/2. Draft United Nations declaration on human rights education and training**

*The Human Rights Council Advisory Committee,*

*Bearing in mind* the mandate set out in Human Rights Council resolution 6/10 of 28 September 2007 requesting the Advisory Committee to prepare a draft declaration on human rights education and training, as well as Human Rights Council resolution 10/28 of 27 March 2009,

*Recalling* its recommendations 1/1 of 14 August 2008, 2/1 of 30 January 2009 and 3/3 of 7 August 2009 on the work of the drafting group on human rights education and training, as well as the preparatory documents submitted by the rapporteur of the drafting group,<sup>1</sup>

*Welcoming* the particularly high response to the questionnaire sent by the drafting group to all stakeholders, who provided the drafting group with a wealth of information for its work,

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<sup>1</sup> A/HRC/AC/2/CRP.1, A/HRC/AC/3/CRP.4 and Corr.1, and A/HRC/AC/4/3.

*Welcoming* the contribution of the various stakeholders to the debate, including at the seminar on a draft United Nations declaration on human rights education and training, held in Marrakech, Morocco, on 16 and 17 July 2009, which was attended by the Chairperson and rapporteur of the drafting group,

*Expressing its gratitude* for the steadfast support of the States members of the Platform for Human Rights Education and Training,

*Highlighting* the active participation of national human rights institutions at each stage of the collective debate,

*Expressing its satisfaction* with the continued work of the drafting group, and particularly the draft declaration submitted by the special rapporteur of the drafting group in document A/HRC/AC/4/3,

*Desiring* to pursue the close cooperation with the United Nations, the United Nations Educational, Scientific and Cultural Organization and other relevant international and regional organizations in the work in progress,

*Taking due note* of the in-depth discussions on the draft declaration during the interactive debate at the fourth session of the Advisory Committee, as well as the further work carried out by the drafting group at the same session,

1. *Endorses* the draft declaration on human rights education and training annexed to this recommendation, as revised;

2. *Transmits* the draft declaration to the Human Rights Council for consideration at its thirteenth session, in accordance with the request contained in Human Rights Council resolutions 6/10 and 10/28;

3. *Recommends* that the draft declaration be disseminated widely and encourages further initiatives by the various stakeholders to promote collective consultations on the draft declaration;

4. *Expresses the hope* that the rapporteur of the drafting group on human rights education and training, Mr. Decaux, will be able to participate in the discussions of the Human Rights Council on the draft declaration submitted to it;

5. *Recommends* that the drafting group be kept informed of the follow-up to the work of the Human Rights Council and that it might be involved, in appropriate ways, in the ongoing debate and in the work of awareness-raising in the area of human rights education and training.

## **Annex**

### **Proposed draft declaration on human rights education and training, as revised by the rapporteur of the drafting group of the Human Rights Council Advisory Committee**

[*The General Assembly*]

*Bearing in mind* Article 13 of the Charter of the United Nations, which charges the General Assembly with “promoting international co-operation in the ... cultural, [and] educational ... fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion”,

*Recalling* the Universal Declaration of Human Rights, which sets “a common standard of achievement for all peoples and all nations, to the end that every individual and

every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance”,

*Drawing on* article 26 of the Universal Declaration of Human Rights, which affirms in paragraph 1 that “everyone has the right to education” and stipulates in paragraph 2 that “education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms”,

*Reaffirming* that, as set out in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and other human rights instruments, States are required to ensure that education is directed to the strengthening of respect for human rights and fundamental freedoms,

*Aware* of the international commitments of States under the various universal and regional human rights treaties and various international instruments,

*Aware*, in particular, of the Vienna Declaration and Programme of Action adopted on 25 June 1993 by the World Conference on Human Rights, which addresses the implementation of the right to education both as a right inherent in the dignity of the human person and as a means of promoting and ensuring respect for all human rights,

*Stressing* that the World Conference on Human Rights called on “all States and institutions to include human rights, humanitarian law, democracy and rule of law as subjects in the curricula of all learning institutions”, stating that “human rights education should include peace, democracy, development and social justice, as set forth in international and regional human rights instruments, in order to achieve common understanding and awareness with a view to strengthening universal commitment to human rights”,

*Taking into account* the progress made in the United Nations Decade for Human Rights Education (1995–2004) and the World Programme for Human Rights Education through the implementation of the plan of action for the first phase (2005–2007), which was extended to 2009, and the launch of a new phase of the World Programme for the period 2010–2014,

*Encouraging* the effective implementation of the goals set for 2015 in the Millennium Declaration, including equal access for girls and boys to all levels of education,

*Recalling* the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms,

*Bearing in mind* the numerous initiatives undertaken within the framework of the United Nations, the United Nations Educational, Scientific and Cultural Organization and other international and regional organizations, as well as at the domestic level by public authorities and civil society organizations,

*Recalling* the 2005 World Summit Outcome, in which Heads of State and Government supported “the promotion of human rights education and learning at all levels, including through the implementation of the World Programme for Human Rights Education”, and encouraged all States “to develop initiatives in this regard”,

*Recalling* General Assembly resolution 60/251 establishing the Human Rights Council, in particular paragraph 5 (a), on the importance of human rights education and learning,

*Recalling* General Assembly resolution 62/171 and Human Rights Council resolution 12/4 relating to human rights education and training,

*Desiring* to strengthen the efforts undertaken and to encourage awareness and a collective commitment by all stakeholders, by providing a coherent and practical overview of the guiding principles that should govern the effective provision of human rights education and training for all, without distinction,

*Motivated by* the desire to send a strong signal to the international community about the fundamental importance of human rights education and training in the promotion and protection of human rights,

*Hereby declares:*

## **I. Definitions and principles**

1. Human rights education and training comprises all educational, training, information and learning activities aimed at promoting a universal culture of human rights.
2. The right to human rights education and training is a fundamental right inherent in the dignity of the human person and is intimately related to the effective enjoyment of all human rights, in accordance with the principles of universality, indivisibility and interdependence of human rights.
3. Human rights education and training concerns all levels — preschool, primary, secondary and university — and all forms of education, training and learning, whether in a public or private, formal, informal or non-formal setting. It includes vocational training, particularly the training of trainers, continuing education, popular education, and public information and awareness activities.
4. Human rights education and training is an essential component of the right to education for all, as recognized in both the international and regional framework and the domestic law of different States. It is related to the full implementation of the right to education, particularly free compulsory primary education, and the widespread provision of basic education for all, including for illiterate persons, as well as to the development of secondary education, including technical and vocational education, and higher education.
5. Human rights education and training should be based on the principles of the Universal Declaration of Human Rights and other relevant instruments, with the aim of:
  - (a) Raising awareness of human rights, including international, regional and national standards, principles, legislation and applicable guarantees;
  - (b) Pursuing the realization of all human rights;
  - (c) Developing a universal culture of human rights, in which everyone is aware of their own rights and duties in respect of the rights of others, and promoting the development of the individual as a responsible member of a free, peaceful, pluralist and tolerant society;
  - (d) Ensuring equal opportunities, through access for all to a quality education, without any discrimination; and
  - (e) Ensuring that education is developed in a spirit of participation, inclusion and responsibility that addresses both the content and the methods.
6. Human rights education and training is based on the principle of equality, particularly equality between girls and boys and between women and men, including in access to school, in accordance with the Millennium Development Goals.

7. Human rights education and training should take full account of vulnerable groups, including persons with disabilities, persons living in poverty, foreigners and migrants, by ensuring effective access to basic education, as well as to human rights education, in order to eliminate the causes of exclusion or marginalization and to enable everyone to exercise all their rights effectively.
8. Human rights education and training should also take into consideration the specific expectations of indigenous peoples, as well as those of persons from national or ethnic, religious and linguistic minorities.
9. Human rights education and training is an ongoing process that begins at school or preschool age and that concerns all ages, all situations and all parts of society.
10. Human rights education and training should embrace and enrich the diversity of civilizations, religions, cultures and traditions, which contribute to the universality of human rights.
11. Human rights education and training should use languages and methods suited to the target groups and should take into account the basic needs of the population, stressing the interdependence of all human rights so as to become a development tool.
12. Human rights education and training is closely related to the implementation of freedom of expression and the right to information. It should promote access for all to, and the participation of everyone in the development of, the media, including the press, radio and television, and the strengthening of the educational function of these different media.
13. Human rights education and training should embrace the possibilities of the digital age so as to encourage the development of new educational forums, with a view to achieving true equality in access to information and communications technologies.
14. Human rights education and training involves close links between schools, families, local communities and society as a whole, so as to create a favourable environment for the promotion and protection of human rights.
15. Human rights education and training contributes to the prevention of human rights violations and aims to eradicate domestic violence, particularly against women and girls, and other forms of social violence such as violence in schools, as well as discrimination, stereotyping and hate speech.

## **II. Implementation measures at the country level**

16. The State has primary responsibility in respect of the right to human rights education and training. The State has not only an obligation to respect the right to human rights education and training, but also an obligation to achieve progressively the full realization of this right by all appropriate means, including particularly the adoption of legislative measures. It has an obligation to incorporate universal standards in its legislation and to pursue actively policies to fulfil its commitments in the area of human rights education and training, through its institutions and officials.
17. The State also has an obligation to protect and implement human rights education and training, by setting out the legal framework for the action of other public or private entities, including schools and universities, ensuring the professional training of trainers, establishing minimum guarantees and promoting best practices, particularly in the areas of non-discrimination and true equality.
18. The State has a particular responsibility for ensuring the effective enjoyment of the right to human rights education and training by vulnerable groups, by mobilizing its resources according to the criteria of accessibility, acceptability, adequate funding and suitability of the education and training.

19. The State also has responsibility for the initial and continuing professional training of its own officials, including judges, police officers, prison guards and all law enforcement officers. It should also ensure adequate training for members of its armed forces and uniformed services, including in international humanitarian law and international criminal law. It should also concern itself with private personnel acting on behalf of the State.
20. All members of the educational community, including educational institutions and teachers, pupils and students, as well as their families, have an important role to play in helping to better realize the right to human rights education and training through their own initiatives or through joint projects with the public authorities.
21. Human rights education and training, which is an important factor in democratization and knowledge-sharing, must be supported by a strong political will, as clearly demonstrated by an overall implementation strategy and the mobilization of human and financial resources, with specific commitments and goals.
22. The full implementation of such a strategy, drawn up on the basis of the country's needs and priorities, implies effective inter-ministerial coordination and the establishment of specialized administrative bodies.
23. The development and strengthening of national human rights institutions should enable them to play a particularly useful leading role in raising awareness and mobilizing all public and private actors, as well as, where necessary, a coordinating and evaluation role.
24. The conception, implementation and monitoring of this strategy should involve all stakeholders, including civil society bodies, by promoting, where appropriate, multi-stakeholder coalitions.
25. Human rights education and training requires the mobilization of the public authorities, particularly local authorities, and all organs of society, civil society and the private sector. The various actors of civil society, religious institutions, community associations, non-governmental organizations, trade unions, professional associations, youth workers and pupils' parents also have a vital role to play. Companies, especially multinational companies, cultural institutions and industries, the media and new media should assume their full responsibility in the area of human rights education and training.
26. Human rights education and training must be seen as a long-term exercise; its effective implementation will require progressive and continuous efforts aimed at achieving long-term goals.
27. Human rights education and training should aim for the participation of every person and the strengthening of their capabilities, taking into account different economic, social and cultural circumstances, while promoting local initiatives in order to encourage ownership of the common goal of the fulfilment of all human rights for all.
28. An ongoing assessment of action taken at the national level is vital to the effectiveness of human rights education and training, and requires the establishment of specific goals and quantitative and qualitative indicators.
29. Progress in human rights education and training is nurtured by the initial and in-service training of teachers at all educational levels and by theoretical and practical research in the fields of education and teaching methods, as well as international human rights law, thanks to cooperation and networking among specialized institutes and research centres, with a view to producing a definition of common concepts and teaching methods.
30. Particular care must be taken to guarantee the academic freedoms and protect the human rights of those responsible for human rights education and training, in their role as human rights defenders, whether in the formal, informal or non-formal sector.

31. Human rights education and training should draw on the cultural and traditional riches of different countries. The arts, including the theatre, music, the graphic arts and audio-visual works, should be encouraged as a means of training and raising awareness in the field of human rights.

32. Human rights education and training is a matter of communication. As such, it should feature prominently in the field of new technologies, through awareness campaigns suited to a networked world.

### **III. Implementation measures at the international level**

33. The United Nations should promote human rights education and training for its civil and military personnel. It has a special responsibility in crisis situations to make human rights education and training a priority in its peacebuilding and State reconstruction programmes, including in respect of the rule of law and a democratic culture.

34. International and regional organizations should promote human rights education and training for their civil and military personnel. They should, in their sphere of responsibility, include human rights education and training in their activities and cooperation programmes.

35. International non-governmental organizations also have an important role to play in human rights education and training, both internally, with regard to their membership, and in their programmes in the field.

36. International cooperation at the multilateral and bilateral levels, including decentralized cooperation, should support and reinforce national efforts through incentives and pilot schemes, as an extension of the World Programme for Human Rights Education.

37. The full implementation of human rights education and training, as well as of the right to education itself, requires complementary international, regional, national and local efforts, with a constant focus on coordination, coherence, synergies and interdependence.

38. International follow-up to the full implementation of human rights education and training entails the universal ratification of the international human rights instruments and the implementation of a true mainstreaming process by the competent bodies and mechanisms.

39. The treaty-monitoring bodies should, inter alia, adopt general comments on human rights education and training, if they have not already done so, and systematically highlight human rights education and training in the list of issues submitted to States parties and in their concluding observations.

40. Human rights education and training should also be given due prominence in the universal periodic review of the Human Rights Council, as well as in the guidelines on the information required and in the commitments and recommendations made. The process could be strengthened by involving experts in progress assessments.

41. An international centre for human rights education and training could also be set up to facilitate and coordinate the implementation and monitoring of the present Declaration.

42. The establishment of a voluntary international fund for human rights education and training should help finance initiatives and innovative projects in the field.

43. International or national goodwill ambassadors, celebrities, artists and sports men and women can also make a useful contribution to the promotion of a culture of human rights among very different audiences.

*Adopted by consensus  
8<sup>th</sup> meeting  
29 January 2010*

### **4/3. Preliminary study on discrimination in the context of the right to food**

*The Human Rights Council Advisory Committee,*

*Recalling* Human Rights Council resolution 10/12 of 26 March 2009, which requested the 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, and to report thereon to the Council at its thirteenth session,

*Also recalling* its recommendations 1/8, 2/7 and 3/4 on the right to food,

*Taking note* of the discussions of the drafting group established by the Advisory Committee at its first session regarding the structure and content of the study on discrimination in the context of the right to food,

*Taking note* of the preliminary background papers prepared by Mr. Ziegler entitled “The tragedy of Noma”<sup>2</sup> and “Peasant farmers and the right to food: a history of discrimination and exploitation”,<sup>3</sup> on certain aspects of discrimination to be addressed in the context of Council resolution 10/12,

*Also taking note with appreciation* of the report by the Special Rapporteur on the right to food (A/64/170) and the recommendations made therein,

*Having due regard* for the discussions and statements made at the plenary session of the Advisory Committee at its third and fourth sessions,

*Expressing its deep concern* that more than 1 billion people are suffering from undernourishment worldwide, and that the existing inequalities between the world’s regions and the vulnerability of the poorest members of developing countries are deepening as a result of three concomitant crises, namely, the food, economic and environmental crises,

*Expressing* its concern also that many individuals and groups suffer from hunger and malnutrition as a result of political, legal, economic, social or cultural discrimination and exclusion, in particular peasants, the urban poor, women, children, refugees, indigenous people and minorities,

*Welcoming* the good practices and anti-discriminatory policies and strategies put forward by Governments and other actors in order to address discrimination in the context of the right to food of vulnerable individuals and groups,

*Underlining* the importance of multiplying and diversifying the positive steps undertaken,

*Recalling* the provisions of the Universal Declaration of Human Rights and those of the International Covenant on Economic, Social and Cultural Rights aimed at protecting the right to food,

*Recalling also* the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security to which States have committed themselves, notably with respect to the identification of vulnerable groups and the elimination of discrimination in the context of the right to food,

1. *Submits* herewith to the Human Rights Council a preliminary study on discrimination in the context of the right to food prepared by the drafting group on the right

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<sup>2</sup> A/HRC/AC/3/CRP.3.

<sup>3</sup> A/HRC/AC/3/CRP.5.

to food, as revised in the plenary discussions of the Advisory Committee (A/HRC/AC/4/2/Rev.1);

2. *Recommends* that the Council authorize the Office of the United Nations High Commissioner for Human Rights to request all Member States of the United Nations, all relevant United Nations bodies, special agencies and programmes, in particular the Food and Agriculture Organization, and other international organisations, as well as non-governmental organizations to give their views and comments on the good practices and anti-discriminatory policies and strategies set out in the preliminary study to address discrimination in the context of the right to food of vulnerable individuals and groups, so that such views can be taken into account in the preparation of the final study;

3. *Also recommends* that the Council consider requesting the Advisory Committee to undertake a study on the rights of peasants, particularly rural women, and other people living in rural areas, including those engaged in traditional fishing, hunting and herding activities.

*Adopted by consensus*  
8<sup>th</sup> meeting  
29 January 2010

#### **4/4. The human rights of older persons**

*The Human Rights Council Advisory Committee,*

*Recalling* the Vienna International Plan of Action on Ageing (1982), the United Nations Principles for Older Persons (1991), the Madrid International Plan of Action on Ageing (2002), General Assembly resolutions 46/91 of 16 December 1991 and 64/140 of 18 December 2009, the Secretary-General's report on follow-up to the Second World Assembly on Ageing,<sup>4</sup> and the report of the expert group meeting on the rights of older persons organized by the Division for Social Policy and Development of the United Nations Department of Economic and Social Affairs, held in Bonn, Germany, from 5 to 7 May 2009,<sup>5</sup>

*Bearing in mind* that the elderly population is the fastest growing segment of society in both developing and developed countries,

*Noting* that millions of older persons across the world face unequal treatment or denial of their basic rights, particularly in the form of chronic poverty, unemployment, violence and abuse, limited access to justice and lack of social and political participation, and are neglected in disease-prevention or disaster-assistance programmes,

*Considering* that the impact on older persons of such treatment differs according to their gender, geographic location, socio-economic status and physical and mental abilities,

*Considering further* that women tend to outlive men and that older women are more susceptible to poverty and more vulnerable to abuse and violence, and thus require special care,

*Recognizing* that efforts are being made to protect the human rights of older persons at the domestic, regional and international levels by Governments, civil society organizations and international organizations, including the United Nations,

<sup>4</sup> A/64/127.

<sup>5</sup> Available from [www.un.org/esa/socdev/ageing/](http://www.un.org/esa/socdev/ageing/).

*Reaffirming* that the human rights of older persons should be addressed in all mechanisms for the monitoring and implementation of human rights, including the treaty-monitoring bodies of the United Nations and the universal periodic review process,

*Welcoming* the working paper submitted by Ms. Chin-Sung Chung to the Human Rights Council Advisory Committee on “The necessity of a human rights approach and effective United Nations mechanism for the human rights of the older person”,<sup>6</sup>

*Mindful* of the Advisory Committee’s role in suggesting research proposals, within the scope of the work set out by the Human Rights Council, for the latter’s consideration and approval, as set out in Human Rights Council resolution 5/1 of 18 June 2007,<sup>7</sup>

1. *Expresses the hope* that the Human Rights Council will consider entrusting the Advisory Committee with the preparation of a study on the application to older persons of existing United Nations human rights instruments and on any possible gaps in the current legal framework.

*Adopted by consensus*  
*8<sup>th</sup> meeting*  
*29 January 2010*

#### **4/5. Missing persons**

*The Human Rights Council Advisory Committee,*

*Recalling* Human Rights Council decision 9/101 of 24 September 2008 entitled “Missing persons”, in which the Council requested the Advisory Committee to prepare a study on best practices in the matter of missing persons and to submit it to the Council at its twelfth session,

*Recalling* also decision 12/117 of 1 October 2009 in which the Human Rights Council requested the Advisory Committee to submit the study to its fourteenth session,

*Noting* that the Advisory Committee, at its fourth session held from 25 to 29 January 2010, continued its deliberations on the issue of missing persons and endorsed the progress report on the issue prepared by its drafting group on missing persons,<sup>8</sup>

*Welcoming* the exchange of views with a representative of the Working Group on Enforced or Involuntary Disappearances at its fourth session;

1. *Decides* to submit the progress report to the Human Rights Council for consideration at its fourteenth session;

2. *Recommends* that the Human Rights Council consider adopting the following decision:

*“The Human Rights Council,*

1. *Takes note* of the progress report on best practices in the matter of missing persons submitted by the Advisory Committee and encourages the Committee to finalize the report in the light of the discussions on the subject by the Council and comments received from States and other stakeholders;

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<sup>6</sup> A/HRC/AC/4/CRP.1.

<sup>7</sup> Annex, part III, sect. C, para. 77.

<sup>8</sup> A/HRC/AC/4/CRP.2/Rev.1.

2. *Invites* States that have not already done so to respond to the questionnaire on missing persons transmitted by note verbale of 2 November 2009 by the secretariat, emphasizing the crucial importance of their responses for the finalization of the study;

3. *Requests* the Advisory Committee to submit the final report to the Council at the ...th session of the Council.”

*Adopted by consensus  
8<sup>th</sup> meeting  
29 January 2010*

#### **4/6. Protection of the human rights of civilians in armed conflict**

*The Human Rights Council Advisory Committee,*

*Recalling* Human Rights Council resolutions 9/9 and 12/5 on the protection of the human rights of civilians in armed conflict,

*Noting* that, further to the first expert consultation on the issue of protecting the human rights of civilians in armed conflict organized by the Office of the United Nations High Commissioner for Human Rights, the Council has invited the Office to convene a second expert consultation on this question,

*Considering* that in its resolution 9/9 the Council expressed its intention to consider requesting the Advisory Committee to elaborate a study with potential recommendations on the protection of the human rights of civilians in armed conflict, while taking into account the work of the Sub-Commission on the Promotion and Protection of Human Rights on this subject,

*Recommends* that the Council consider authorizing Ms. Mona Zulficar, member of the Advisory Committee, to attend the second expert consultation in order to acquire information that would be instrumental in the preparation of such a study.

*Adopted by consensus  
8<sup>th</sup> meeting  
29 January 2010*

## **II. Officers, adoption of the agenda and organization of work**

### **A. Opening and duration of the session**

1. The Human Rights Council Advisory Committee, established pursuant to Human Rights Council resolution 5/1, held its fourth session at the United Nations Office at Geneva from 25 to 29 January 2010. The session was opened by the Chairperson of the Advisory Committee, Ms. Halima Embarek Warzazi.

2. Mr. Bacre Waly Ndiaye made a statement on behalf of the United Nations High Commissioner for Human Rights at the 1st meeting, on 25 January 2010.

3. At the same meeting, the President of the Human Rights Council addressed the Advisory Committee.

## B. Composition of the Advisory Committee

4. In accordance with Council resolution 5/1 and Council decision 6/102, 18 members of the Advisory Committee were elected at the seventh session of the Council on 26 March 2008. At the tenth session of the Council, four members of the Advisory Committee were re-elected. The names of the members are as follows<sup>9</sup>: Mr. Miguel Alfonso Martínez (Cuba, 2012); Mr. José Antonio Bengoa Cabello (Chile, 2010); Mr. Ansar Ahmed Burney (Pakistan, 2011); Mr. Shiqiu Chen (China, 2012); Ms. Chinsung Chung (Republic of Korea, 2010); Mr. Emmanuel Decaux (France, 2011); Mr. Héctor Felipe Fix Fierro (Mexico, 2011); Mr. Wolfgang Stefan Heinz (Germany, 2010); Mr. Latif Hüseyinov (Azerbaijan, 2011); Mr. Baba Kura Kaigama (Nigeria, 2011); Mr. Vladimir Kartashkin (Russian Federation, 2010); Mr. Bernards Andrews Nyamwaya Mudho (Kenya, 2010); Ms. Purificacion V. Quisumbing (Philippines, 2011); Mr. Shigeki Sakamoto (Japan, 2010); Mr. Dheerujall Seetulsingh (Mauritius, 2011); Ms. Halima Embarek Warzazi (Morocco, 2012); Mr. Jean Ziegler (Switzerland, 2012); and Ms. Mona Zulficar (Egypt, 2010).

## C. Attendance

5. The session was attended by members of the Advisory Committee, observers for States Members of the United Nations, observers for non-Member States and for intergovernmental organizations, United Nations bodies, specialized agencies, other organizations, national human rights institutions and non-governmental organizations. Two members of the Advisory Committee, Mr. Martínez and Ms. Quisumbing, were unable to attend the fourth session for medical reasons. Another member of the Advisory Committee, Mr. Kaigama, was also absent.

## D. Meetings and documentation

6. The Advisory Committee held seven plenary meetings, three closed meetings and three meetings of drafting groups. The Advisory Committee adopted six recommendations (see chap. I).

## E. Officers

7. In accordance with rule 103 of the rules of procedure of the General Assembly, at its 1st meeting of its third session, on 3 August 2009, the Advisory Committee elected the following officers by acclamation, who also served as officers for the fourth session:

<i>Chairperson:</i>	Halima Embarek Warzazi (Morocco)
<i>Vice Chairpersons:</i>	José Antonio Bengoa Cabello (Chile) Purificacion V. Quisumbing (Philippines) Jean Ziegler (Switzerland)
<i>Rapporteur:</i>	Latif Hüseyinov (Azerbaijan)

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<sup>9</sup> The year in brackets indicates when the term of office of the members expires.

## **F. Adoption of the agenda**

8. At its 1st meeting, on 25 January 2010, before the adoption of the agenda, the Advisory Committee observed a minute of silence for the victims of human rights violations around the world, and for the victims of the natural disaster in Haiti, at the suggestion of the Chairperson.

9. At the same meeting, the Advisory Committee had before it a note by the Secretary-General containing the provisional agenda for the fourth session (A/HRC/AC/4/1). The annotations to the provisional agenda are contained in document A/HRC/AC/4/1/Add.1.

10. Also at the same meeting, the agenda was adopted by consensus (see annex I).

## **G. Organization of work and conduct of business**

11. The Advisory Committee considered item 1 of the agenda at its 1st meeting, on 25 January.

12. At the same meeting, the modalities with respect to the organization of work and conduct of business were recalled by the Chairperson on the basis of the modalities applied at the previous sessions of the Committee.

13. The modalities of the fourth session of the Advisory Committee followed the practice of its three previous sessions: members of the Advisory Committee would be entitled to make one or more statements of 10 minutes maximum for each item or sub-item. Statements on procedural matters were not to exceed two minutes. Experts entrusted with the preparation of any report or working paper could speak for a maximum of 20 minutes, to be divided between the introduction of the report and concluding remarks.

14. Government observers and observers for intergovernmental organizations, United Nations bodies, national human rights institutions and other organizations, as well as observers for non-governmental organizations, would be limited to one statement of seven minutes for each item or sub-item.

15. It was agreed that the deadline for submitting draft recommendations was 27 January.

16. At the same meeting, statements were made by members of the Advisory Committee (see annex II).

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

17. The Advisory Committee considered agenda item 2 at its 1st and 2nd meetings, on 25 January; at its 3rd and 4th meetings, on 26 January; at its 6th meeting, on 27 January; and at its 7th meeting, on 28 January.

### **A. Human rights education and training**

18. At its 1st and 2nd meetings, on 25 January, the Advisory Committee, pursuant to Council resolutions 6/10 and 10/28, held a discussion on the draft declaration on human rights education and training. The rapporteur of the drafting group on human rights educations and training, Mr. Decaux, made a presentation (A/HRC/AC/4/3). During the ensuing discussion, statements were made by members of the Advisory Committee and by

observers for Governments, national human rights institutions and non-governmental organizations (see annex II).

19. The drafting group on human rights education and training, consisting of Mr. Decaux, Mr. Fix Fierro, Mr. Kartashkin, Mr. Seetulsingh and Mrs. Warzazi, held a closed meeting on 25 January, which was attended by all members of the Advisory Committee.

#### **Draft declaration on human rights education and training**

20. At its 8th meeting, on 29 January, Mr. Decaux introduced draft recommendation A/HRC/AC/4/L.2, sponsored by Mr. Bengoa, Mr. Chen, Ms. Chung, Mr. Decaux, Mr. Fix Fierro, Mr. Heinz, Mr. Hüseyinov, Mr. Kartashkin, Mr. Mudho, Mr. Sakamoto, Mr. Seetulsingh, Ms. Warzazi, Mr. Ziegler, and Ms. Zulficar. Subsequently, Mr. Burney joined the sponsors.

21. At the same meeting, Mr. Chen, Mr. Decaux, Mr. Kartashkin, Mr. Seetulsingh, Ms. Warzazi and Ms. Zulficar made statements in relation to the draft recommendation.

22. Also at the same meeting, the draft recommendation, as orally revised, was adopted by consensus (for the text as adopted, see chap. I, recommendation 4/2).

### **B. Right to food**

23. At its 6th meeting, on 27 January, the Advisory Committee, pursuant to Council resolutions 7/14 and 10/12, held a discussion on the right to food. Mr. Ziegler made a presentation on the preliminary study on the issue (document A/HRC/AC/4/2, as revised, to be transmitted to the Council in document A/HRC/13/32). Mr. Bengoa, Ms. Chung and Ms. Zulficar, as members of the drafting group, also took the floor. During the ensuing discussion, statements were made by members of the Advisory Committee and observers for non-governmental organizations (see annex II).

24. The drafting group on the right to food, consisting of Mr. Bengoa, Ms. Chung, Mr. Hüseyinov, Mr. Ziegler and Ms. Zulficar, held two closed meetings on 25 January and one closed meeting on 26 January.

#### **Study on discrimination in the context of the right to food**

25. At the 8th meeting, on 29 January, Ms. Zulficar introduced draft recommendation A/HRC/AC/4/L.3, sponsored by Mr. Bengoa, Ms. Chung, Mr. Ziegler and Ms. Zulficar. Subsequently, Mr. Burney, Mr. Chen, Mr. Decaux, Mr. Heinz, Mr. Hüseyinov, Mr. Kartashkin, Mr. Mudho and Mr. Seetulsingh joined the sponsors.

26. At the same meeting, Mr. Kartashkin and Mr. Seetulsingh made statements in relation to the draft recommendation.

27. Also at the same meeting, the draft recommendation, as orally revised, was adopted by consensus (for the text as adopted, see chap. I, recommendation 4/3).

### **C. Human rights of women**

28. At its 7th meeting, on 28 January, the Advisory Committee, pursuant to Council resolution 6/30, held a discussion on the human rights of women. Ms. Zulficar, as a member of the drafting group, made a presentation. During the ensuing discussion, the Chairperson made remarks, and statements were made by members of the Advisory Committee (see annex II).

## **D. Promotion of a democratic and equitable international order**

29. At its 7th meeting, on 28 January, the Advisory Committee, pursuant to Council resolution 8/5, held a discussion on the promotion of a democratic and equitable international order. During the ensuing discussion, the Chairperson made remarks, and an observer for a non-governmental organization made a statement (see annex II).

## **E. Missing persons**

30. At its 4th meeting, on 26 January, the Advisory Committee, pursuant to Council resolution 7/28 and Council decisions 9/101 and 12/117, held a discussion on missing persons. Mr. Heinz and Mr. Hüseyinov made presentations (A/HRC/AC/4/CRP.2/Rev.1). At the same meeting, Mr. Osman El Hajje made a statement on behalf of the United Nations Working Group on Enforced or Involuntary Disappearances. During the ensuing discussion, statements were made by members of the Advisory Committee and by observers for Governments (see annex II).

### **Missing persons**

31. At its 8th meeting, on 29 January, Mr. Hüseyinov introduced draft recommendation A/HRC/AC/4/L.5, sponsored by Mr. Bengoa, Ms. Chung, Mr. Decaux, Mr. Fix Fierro, Mr. Heinz, Mr. Hüseyinov, Mr. Mudho, Mr. Sakamoto, Mr. Seetulsingh and Ms. Zulficar. Subsequently, Mr. Burney, Mr. Chen, Mr. Kartashkin and Mr. Ziegler joined the sponsors.

32. At the same meeting, the draft recommendation, as orally revised, was adopted by consensus (for the text as adopted, see chap. I, recommendation 4/5).

## **F. Human rights of persons with disabilities**

33. At its 7th meeting, on 28 January, the Advisory Committee, pursuant to Council resolution 7/9, held a discussion on the human rights of persons with disabilities. During the ensuing discussion statements were made by members of the Advisory Committee (see annex II).

## **G. Elimination of discrimination against persons affected by leprosy and their family members**

34. At its 3rd meeting, on 26 January, the Advisory Committee, pursuant to Council resolutions 8/13 and 12/7, held a discussion on the elimination of discrimination against persons affected by leprosy and their family members. Mr. Sakamoto made a presentation on the views received on the draft set of principles and guidelines (A/HRC/AC/3/2, recommendation 3/1, annex), pursuant to Council resolution 12/7. During the ensuing discussion, statements were made by members of the Advisory Committee, a Government observer and an observer for a non-governmental organization (see annex II).

### **Draft set of principles and guidelines on the elimination of discrimination against persons affected by leprosy and their family members**

35. At its 8th meeting, on 29 January, Mr. Sakamoto introduced draft recommendation A/HRC/AC/4/L.1, sponsored by Mr. Bengoa, Mr. Chen, Ms. Chung, Mr. Decaux, Mr. Fix Fierro, Mr. Heinz, Mr. Hüseyinov, Mr. Kartashkin, Mr. Mudho, Mr. Sakamoto, Mr. Seetulsingh, Ms. Warzazi, Mr. Ziegler and Ms. Zulficar. Subsequently, Mr. Burney joined the sponsors.

36. At the same meeting, Mr. Bengoa made a statement in relation to the draft recommendation.

37. At the same meeting, the draft recommendation was adopted by consensus (for the text as adopted, see chap. I, recommendation 4/1).

## **H. Human rights and international solidarity**

38. At its 7th meeting, on 28 January, the Advisory Committee, pursuant to Council resolutions 9/2 and 12/9, held a discussion on human rights and international solidarity, taking into account, inter alia, the working paper of the Sub-Commission on the Promotion and Protection of Human Rights (E/CN.4/SUB.2/2004/43) and the report of the independent expert on human rights and international solidarity (A/HRC/12/27). During the ensuing discussion, statements were made by members of the Advisory Committee (see annex II).

## **IV. Implementation of sections III and IV of the annex to Human Rights Council resolution 5/1 of 18 June 2007**

39. At its 5th meeting, on 27 January, the Advisory Committee considered agenda item 3.

### **Agenda and annual programme of work, including new priorities**

40. At its 5th meeting, on 27 January, the Advisory Committee discussed its agenda and annual programme of work, including new priorities. Ms. Chung made a presentation (A/HRC/AC/4/CRP.1). During the ensuing discussion, statements were made by members of the Advisory Committee (see annex II).

#### **The human rights of older persons**

41. At its 8th meeting, on 29 January, Ms. Chung introduced draft recommendation A/HRC/AC/4/L.4, sponsored by Mr. Bengoa, Mr. Chen, Ms. Chung, Mr. Decaux, Mr. Fix Fierro, Mr. Heinz, Mr. Hüseyinov, Mr. Kartashkin, Mr. Sakamoto, Mr. Seetulsingh and Ms. Zulficar. Subsequently, Mr. Burney, Mr. Mudho and Mr. Ziegler joined the sponsors.

42. At the same meeting, Mr. Hüseyinov, Mr. Kartashkin and Ms. Zulficar made statements in relation to the draft recommendation.

43. At the same meeting, the draft recommendation, as orally revised, was adopted by consensus (for the text as adopted, see chap. I, recommendation 4/4).

#### **Protection of the human rights of civilians in armed conflict**

44. At the 8th meeting, on 29 January, Ms. Zulficar introduced draft recommendation A/HRC/AC/4/L.6, sponsored by Mr. Chen, Ms. Chung, Mr. Sakamoto, Mr. Ziegler and Ms. Zulficar. Subsequently, Mr. Bengoa, Mr. Burney, Mr. Decaux, Mr. Heinz, Mr. Hüseyinov and Mr. Kartashkin joined the sponsors.

45. At the same meeting, the draft recommendation, was adopted by consensus (for the text as adopted, see chap. I, recommendation 4/6).

**Other**

46. At its 6th meeting, on 27 January, Advisory Committee members exchanged preliminary views on the methods of work of the Committee in view of the upcoming review of the work and functioning of the Council, and agreed to make an inventory of its working methods.

**V. Report of the Advisory Committee on its fourth session**

47. At its 8th meeting, on 29 January, the Advisory Committee considered agenda item 4.

48. At that meeting, the Rapporteur of the Advisory Committee presented the draft report on its fourth session (A/HRC/AC/4/4 (future)).

49. At the same meeting, statements in relation to the draft report were made by Mr. Decaux, Mr. Mudho and Mr. Ziegler.

50. Also at the same meeting, the Advisory Committee adopted the draft report ad referendum and decided to entrust the Rapporteur with its finalization.

## Annex I

### Agenda

1. Adoption of the agenda and organization of work.
2. Requests addressed to the Advisory Committee stemming from Human Rights Council resolutions:
  - (a) Human rights education and training;
  - (b) Right to food;
  - (c) Human rights of women;
  - (d) Promotion of a democratic and equitable international order;
  - (e) Missing persons;
  - (f) Human rights of persons with disabilities;
  - (g) Elimination of discrimination against persons affected by leprosy and their family members;
  - (h) Human rights and international solidarity.
3. Implementation of sections III and IV of the annex to Human Rights Council resolution 5/1 of 18 June 2007:
  - (a) Methods of work;
  - (b) Agenda and annual programme of work, including new priorities;
  - (c) Follow-up to Advisory Committee recommendation 1/11.
4. Report of the Advisory Committee on its fourth session.

## Annex II

### List of speakers

<i>Agenda item</i>	<i>Meeting and date</i>	<i>Speakers</i>
<b>1</b> <b>Adoption of the agenda and organization of work</b>	<b>1st meeting</b> <b>25 January 2010</b>	<b>Members:</b> Ms. Chung, Mr. Decaux, Mr. Kartashkin, Ms. Zulficar <b>Secretariat of the Advisory Committee</b>
<b>2</b> <b>Request to the Advisory Committee stemming from Human Rights Council resolutions</b>	<b>2 (a)</b> <b>Human rights education and training</b>	<b>1st meeting</b> <b>25 January 2010</b> <b>Members:</b> Mr. Bengoa, Mr. Chen, Ms. Chung, Mr. Decaux, Mr. Heinz, Mr. Kartashkin, Mr. Seetulsingh, Mr. Ziegler, Ms. Zulficar <b>Government observers:</b> Italy (also on behalf of Costa Rica, Morocco, the Philippines, Senegal, Slovenia and Switzerland), Mexico, Pakistan, Spain (on behalf of the European Union)
		<b>2nd meeting</b> <b>25 January 2010</b> <b>Members:</b> Mr. Decaux, Mr. Bengoa <b>Government observer:</b> Philippines <b>Observer for national human rights institutions:</b> International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights <b>Observers for non-governmental organizations:</b> Amnesty International (AI), European Disability Forum (EDF), Indian Council of South America (MITA), International Organization for the Right to Education and Freedom of Education (OIDEI) (also on behalf of International Catholic Child Bureau (ICCB), Dominicans for Justice and Peace (Order of Preachers), Istituto Internazionale Maria Ausiliatrice (IIMA), International Federation for Family Development (IFFD), Pro Dignitate Foundation For Human Rights, International Volunteerism Organization for Women, Education and Development – VIDES, Women's Board Educational Cooperation Society, Soka Gakkai International (SGI)), New Humanity, Soka Gakkai International (SGI) (also on behalf of the International Organization for the Right to Education and Freedom of Education (OIDEI)), World Peace Council (WPC) (also on behalf of the Indian Movement Tupaj Amaru (MITA))

Agenda item	Meeting and date	Speakers
2 (b) Right to food	6th meeting 27 January 2010	<p><b>Members:</b> Mr. Bengoa, Ms. Chung, Mr. Decaux, Mr. Seetulsingh, Ms. Warzazi, Mr. Ziegler, Ms. Zulficar</p> <p><b>Observers for non-governmental organizations:</b> Indian Council of South America (CISA) (also on behalf of the International Council for Human Rights and the Indigenous Peoples and Nations Coalition), Indian Movement Tupaj Amaru (MITA) (also on behalf of the World Peace Council (WPC)), Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), Europe Third-World Centre (also on behalf of La Via Campesina)</p> <p><b>Secretariat of the Advisory Committee</b></p>
2 (c) Human rights of women	7th meeting 28 January 2010	<p><b>Members:</b> Mr. Decaux, Mr. Kartashkin, Mr. Seetulsingh, Ms. Warzazi, Ms. Zulficar</p>
2 (d) Promotion of a democratic and equitable international order	7th meeting 28 January 2010	<p><b>Observer for non-governmental organizations:</b> Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos</p>
2 (e) Missing persons	4th meeting 26 January 2010	<p><b>Members:</b> Mr. Chen, Ms. Chung, Mr. Decaux, Mr. Heinz, Mr. Hüseyinov, Mr. Kartashkin, Mr. Seetulsingh</p> <p><b>Government observers:</b> Algeria, Azerbaijan, Mexico, Pakistan</p> <p><b>Working Group on Enforced or Involuntary Disappearances</b> (delivered by Mr. Osman El Hajje)</p>
2 (f) Human rights of persons with disabilities	7th meeting 28 January 2010	<p><b>Members:</b> Mr. Decaux, Mr. Kartashkin, Ms. Warzazi</p>

<i>Agenda item</i>	<i>Meeting and date</i>	<i>Speakers</i>
<p><b>2 (g)</b>  <b>Elimination of discrimination against persons affected by leprosy and their family</b></p>	<p><b>3rd meeting</b>  <b>26 January 2010</b></p>	<p><b>Members:</b> Mr. Bengoa, Mr. Chen, Ms. Chung, Mr. Decaux, Mr. Kartashkin, Mr. Mudho, Mr. Sakamoto, Mr. Seetulsingh, Ms. Warzazi, Ms. Zulficar</p> <p><b>Government Observer:</b> Japan</p> <p><b>Observers for non-governmental organizations:</b> International Association for Integration, Dignity and Economic Advancement (IDEA) (also on behalf of International Federation of Anti Leprosy Associations)</p>
<p><b>2 (h)</b>  <b>Human rights and international solidarity</b></p>	<p><b>7th meeting</b>  <b>28 January 2010</b></p>	<p><b>Members:</b> Mr. Chen, Ms. Chung, Mr. Decaux, Mr. Heinz, Mr. Kartashkin, Mr. Sakamoto, Mr. Seetulsingh, Ms. Warzazi</p>
<p><b>3</b>  <b>Implementation of sections III and IV of the annex to Human Rights Council resolution 5/1 of 18 June 2007</b></p>	<p><b>3 (b)</b>  <b>Agenda and annual programme of work, including new priorities</b></p> <p><b>5th meeting</b>  <b>27 January 2010</b></p>	<p><b>Members:</b> Mr. Bengoa, Mr. Chen, Ms. Chung, Mr. Decaux, Mr. Heinz, Mr. Kartashkin, Mr. Mudho, Mr. Sakamoto, Mr. Seetulsingh, Ms. Warzazi, Ms. Zulficar</p>

## Annex III

### List of documents issued for the fourth session of the Advisory Committee

#### *Documents issued in the general series*

<i>Symbol</i>	<i>Agenda item</i>	<i>Title</i>
A/HRC/AC/4/1	1	Provisional agenda
A/HRC/AC/4/1/Add.1	1	Annotations to the provisional agenda
A/HRC/AC/4/2 <sup>a</sup>	2	Report on discrimination in the context of the right to food
A/HRC/AC/4/3	2	Working paper on the draft declaration on human rights education and training prepared by Mr. Emmanuel Decaux
A/HRC/AC/4/4	4	Report of the Advisory Committee on its fourth session

#### *Documents issued as conference room papers*

<i>Symbol</i>	<i>Agenda item</i>	<i>Title</i>
A/HRC/AC/4/CRP.1	3	The necessity of a human rights approach and effective United Nations mechanism for the human rights of the older person: working paper prepared by Ms. Chinsung Chung
A/HRC/AC/4/CRP.2/Rev.1	2	Study on best practices on the issue of missing persons: interim report prepared by Mr. Latif Hüseyinov, Rapporteur of the drafting group of the Human Rights Council Advisory Committee

#### *Documents issued in the limited series*

<i>Symbol</i>	<i>Agenda item</i>	<i>Title</i>
A/HRC/AC/4/L.1	2	Draft set of principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members
A/HRC/AC/4/L.2	2	Draft United Nations declaration on human rights education and training
A/HRC/AC/4/L.3	2	Preliminary study on discrimination in the context of the right to food
A/HRC/AC/4/L.4	2	The human rights of older persons
A/HRC/AC/4/L.5	2	Missing persons
A/HRC/AC/4/L.6	2	Protection of the human rights of civilians in armed conflict

<sup>a</sup> A/HRC/AC/4/2, as revised, to be issued after the session.

*Documents issued in the limited series*

<i>Symbol</i>	<i>Agenda item</i>	<i>Title</i>
A/HRC/AC/4/NGO/1	2	Exposé écrit présenté par le Cercle De Recherche Sur Les Droits et Les Devoirs de la Personne Humaine (CRED), organization non gouvernementale dotée du statut consultatif spécial
A/HRC/AC/4/NGO/2	2	Written statement submitted by Rehabilitation International, a non-governmental organization in special consultative status
A/HRC/AC/4/NGO/3	3	Joint written statement submitted by Commission of the Churches on International Affairs of the World Council of Churches (CCIA/WCC), Zonta International, non-governmental organizations in general consultative status, Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos (España), Union of Arab Jurists, International Federation of Family Associations of Missing Persons from Armed Conflict (IFFAMPAC), International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), non-governmental organizations in special consultative status, International Society for Human Rights (ISHR), Institute for Planetary Synthesis (IPS), non-governmental organizations on the roster