



# General Assembly

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**Human Rights Council**  
**Sixteenth session**  
Agenda item 1  
**Organizational and procedural matters**

## **Annotations to the agenda for the sixteenth session of the Human Rights Council**

**Note by the Secretary-General\***

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\* Late submission.

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## 1. Organizational and procedural matters

### Date and venue of the session

1. In accordance with its annual programme of work, as considered on 21 June 2010 at the organizational meeting for the fifth cycle of the Council, the Human Rights Council will hold its sixteenth session from 28 February to 25 March 2011 at the United Nations Office at Geneva.
2. In accordance with rule 8 (b) of the rules of procedure of the Council, as contained in section VII of the annex to resolution 5/1 of 18 June 2007, the organizational meeting for the sixteenth session will be held on 14 February 2011.

### Agenda of the session

3. The agenda of the Council is contained in section V of the annex to Council resolution 5/1. The Council will have before it the present annotations relating to items included in the agenda for the sixteenth session.

### Composition of the Human Rights Council

4. The composition of the Council at its sixteenth session is as follows:<sup>1</sup> Angola (2013); Argentina (2011); Bahrain (2011); Bangladesh (2012); Belgium (2012); Brazil (2011); Burkina Faso (2011); Cameroon (2012); Chile (2011); China (2012); Cuba (2012); Djibouti (2012); Ecuador (2013); France (2011); Gabon (2011); Ghana (2011); Guatemala (2013); Hungary (2012); Japan (2011); Jordan (2012); Kyrgyzstan (2012); Libyan Arab Jamahiriya (2013); Malaysia (2013); Maldives (2013); Mauritania (2013); Mauritius (2012); Mexico (2012); Nigeria (2012); Norway (2012); Pakistan (2011); Poland (2013); Qatar (2013); Republic of Korea (2011); Republic of Moldova (2013); Russian Federation (2012); Saudi Arabia (2012); Senegal (2012); Slovakia (2011); Spain (2013); Switzerland (2013); Thailand (2013); Uganda (2013); Ukraine (2011); United Kingdom of Great Britain and Northern Ireland (2011); United States of America (2012); Uruguay (2012); Zambia (2011).

### Bureau of the Human Rights Council

5. The composition of the Bureau of the Council for its fifth year, until 18 June 2011, is as follows: President of the Council, Sihasak Phuangketkeow (Thailand); Vice-Presidents, Arcanjo Maria Do Nascimento (Angola), Rodolfo Reyes Rodríguez (Cuba) and Fedor Rosocha (Slovakia); Vice-President and Rapporteur, Bente Angell-Hansen (Norway).

### Selection and appointment of mandate holders

6. In accordance with paragraph 47 of the annex to Council resolution 5/1 and the requirements set out in Council decision 6/102, the consultative group composed of Hannu

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<sup>1</sup> The term of membership of each State expires in the year indicated in parenthesis.

Himanen (Finland), Maria Ciobanu, (Romania), Alvaro Navarro Brin (Panama), Gopinathan Achamkulangare (India) and Darlington Mwape (Zambia) will propose to the President of the Council a list of candidates for the mandates for which new members are to be appointed at the sixteenth session: Working Group on Discrimination against Women in Law and in Practice (five members); Special Rapporteur on the rights to freedom of peaceful assembly and of association; Working Group of Experts on People of African Descent (one member). In accordance with the procedure stipulated in paragraphs 52 and 53 of the annex to Council resolution 5/1, the appointment of special procedures mandate holders will be completed upon the subsequent approval of the Council. The mandate holders in question shall be appointed before the end of the sixteenth session.

### **Selection and appointment of members of the Expert Mechanism on the Rights of Indigenous Peoples**

7. In its resolution 6/36, the Council decided to establish a subsidiary expert mechanism to provide the Council with thematic expertise on the rights of indigenous peoples in the manner and form requested by the Council. The Council decided that the expert mechanism would consist of five independent experts, the selection of which would be carried out in accordance with the procedure established in paragraphs 39 to 53 of the annex to Council resolution 5/1, and strongly recommended that, in the selection and appointment process, the Council should give due regard to experts of indigenous origin.

8. Accordingly, the consultative group will propose to the President of the Council a list of candidates to replace the five independent experts of the Expert Mechanism, whose three-year term is due to expire in 2011. Their appointment will be completed upon the subsequent approval of the Council before the end of the sixteenth session.

### **Election of members of the Human Rights Council Advisory Committee**

9. At its seventh session, the Council elected the 18 members of the Advisory Committee, of whom four members for a one-year term, seven for a two-year term and seven for a three-year term.

10. The mandate of the seven members elected for a three-year term (two for the group of African States, two for the group of Asian States, one for the group of Eastern European States, one for the Group of Latin American and Caribbean States and one for Western European and other States) will expire in 2011. . According to the annual programme of work of the Council, the seven new members will be elected at the sixteenth session.

11. Paragraph 70 of the annex to Council resolution 5/1 provides that the Council shall elect the members of the Advisory Committee, in secret ballot, from the list of candidates whose names have been presented in accordance with the agreed requirements.

12. Pursuant to paragraph 67 of the annex to resolution 5/1, the Council adopted decision 6/102 containing the technical and objective requirements for the submission of candidatures for members of the Human Rights Council Advisory Committee, with the aim of ensuring that the best possible expertise is made available to the Council.

13. In accordance with paragraph 71 of the annex to Council resolution 5/1, the list of candidates and relevant information is made available to Member States and to the public in a note by the Secretary-General (A/HRC/16/19).

## Report of the session

14. At the end of its session, the Council will have before it for adoption a draft report prepared by the Rapporteur. The report will include resolutions and decisions adopted by the Council and the President's statements, as well as a technical summary of the proceedings of the sixteenth session.

## 2. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

15. All reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner (OHCHR) and the Secretary-General are submitted under agenda item 2, which remains an open-ended item throughout the session. These reports will be considered at the time of consideration of relevant agenda items, as appropriate. Specific timing of their introduction will be reflected in the programme of work.

### *Report of the United Nations High Commissioner for Human Rights and follow-up to the World Conference on Human Rights*

16. The General Assembly, in its resolution 48/141, decided to create the post of United Nations High Commissioner for Human Rights and, inter alia, requested the High Commissioner to report annually on his/her activities. The Council will consider the annual report of the High Commissioner (A/HRC/16/20) and the reports on the activities of her offices in Guatemala and Bolivia (Plurinational State of) (A/HRC/16/20/Add.1 and Add.2).

### *Composition of the staff of the Office of the United Nations High Commissioner for Human Rights*

17. In its resolution 13/1, the Council requested the High Commissioner to submit a comprehensive and updated report to the Council at its sixteenth session, in accordance with its annual programme of work, following the structure and scope of her report and with a special focus on further measures taken to correct the imbalance in geographical composition of the staff of the Office. The Council will consider the report of the High Commissioner (A/HRC/16/35).

### *Question of human rights in Cyprus*

18. Pursuant to Council decision 2/102 and Commission on Human Rights decision 2005/103, the Council will have before it the note by the Secretary-General transmitting the report of OHCHR on this subject (A/HRC/16/21).

### *Situation of human rights in the Islamic Republic of Iran*

19. In its resolution 65/226, the General Assembly requested the Secretary-General to report to it at its sixty-sixth session on the progress made in the implementation of the resolution, including options and recommendations to improve its implementation, and to submit an interim report to the Human Rights Council at its sixteenth session. The Council will have before it the interim report of the Secretary-General (A/HRC/16/75).

### *Situation of human rights in Colombia*

20. Pursuant to Council decision 2/102 and the statement concerning the situation of human rights in Colombia made on behalf of the Commission by the Chairperson of the

sixty-first session on 22 April 2005, the Council will have before it the report of the High Commissioner (A/HRC/16/22).

*Follow-up to the report of the international fact-finding mission on the incident of the humanitarian flotilla*

21. In paragraph 3 of its resolution 15/1, the Council endorsed the conclusions contained in the report of the fact-finding mission (A/HRC/15/21) and called upon all concerned parties to ensure their immediate implementation. It also requested the High Commissioner to prepare a report on the status of the implementation of paragraph 3 of that resolution. The Council will consider the report of the High Commissioner (A/HRC/16/73).

*The protection of human rights in the context of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS)*

22. In its resolution 12/27, the Council requested the Secretary-General to prepare an analytical study on the steps taken to promote and implement programmes to address HIV/AIDS-related human rights, as referred to in the Guidelines, the Declaration of Commitment on HIV/AIDS of 2001, the Political Declaration on HIV/AIDS of 2006 and the resolution, in the context of efforts towards the goal of universal access to HIV prevention, treatment, care and support, and to submit, in consultation with interested parties, a progress report to the Council for consideration at its sixteenth session. The Council will consider the analytical study of the Secretary-General (A/HRC/16/69) (see also paragraph 60 below).

*Human rights of persons with disabilities*

23. In its resolution 13/11, the Council requested OHCHR to prepare a study to enhance awareness of the role played by international cooperation in support of national efforts for the realization of the purpose and objectives of the Convention on the Rights of Persons with Disabilities, and to make it available on the OHCHR website, in an accessible format, prior to the sixteenth session. The Council will consider the study (A/HRC/16/38) (see also paragraph 52 below).

*Rights of persons belonging to national or ethnic, religious and linguistic minorities*

24. In its resolution 13/12, the Council requested the High Commissioner to present an annual report to the Council containing information on relevant developments of United Nations human rights bodies and mechanisms, as well as on the activities undertaken by OHCHR at Headquarters and in the field that contribute to the promotion of and respect for the provisions of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. It also requested OHCHR to prepare a compilation of existing manuals, guides, training material and other tools dealing with minority issues by various United Nations entities, and to present the compilation to the Council at its sixteenth session. The Council will have before it the annual report of the High Commissioner (A/HRC/16/39) and the compilation (A/HRC/16/29).

*Promotion and protection of human rights and fundamental freedoms while countering terrorism*

25. In its resolution 13/26, the Council requested the High Commissioner to present her report to the Council at its sixteenth session, bearing in mind the content of the resolution. The Council will consider the report of the High Commissioner (A/HRC/16/50) (see also paragraph 61 below).

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

26. In its resolution 12/21, the Council requested the High Commissioner to convene, in 2010, a workshop for an exchange of views on how a better understanding of traditional values of humankind underpinning international human rights norms and standards can contribute to the promotion and protection of human rights and fundamental freedoms and to present to the Council a summary of the discussions held at the workshop. The Council will have before it the report of the High Commissioner on the discussions of the workshop held in Geneva on 4 October 2010 (A/HRC/16/37) (see paragraph 89 below).

*Integrating the human rights of women into the human rights mechanisms of the United Nations*

27. Pursuant to Council decision 2/102 and resolution 6/30, the attention of the Council is drawn to the report of the Secretary-General transmitting the joint workplan of the Division for the Advancement of Women and OHCHR prepared pursuant to resolution 39/5 of the Commission on the Status of Women and resolution 1997/43 of the Commission on Human Rights (A/HRC/16/33) (see also paragraph 58 below).

*Elimination of violence against women*

28. Pursuant to Council decision 2/102 and General Assembly resolution 50/166, the Council will have before it a note by the Secretary-General transmitting the report of the United Nations Development Fund for Women on the elimination of violence against women (A/HRC/16/34) (see also paragraph 59 below).

*United Nations Voluntary Fund for Victims of Torture*

29. Pursuant to Council decision 2/102 and General Assembly resolution 64/153, the Council will consider the report of the Secretary-General on the operations of the United Nations Voluntary Fund for Victims of Torture (A/HRC/16/31) (see also paragraph 74 below).

*Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*

30. Pursuant to General Assembly resolution 64/153, the Council will have before it a note by the Secretariat on the Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/HRC/16/74) (see also paragraph 75 below).

*Effective implementation of international human rights instruments*

31. In its resolution 9/8 entitled "Effective implementation of international human rights instruments", the Council requested the Secretary-General to report annually on measures taken to implement the resolution and on obstacles to its implementation. The Council will have before it the report of the Secretary-General on this subject, including recommendations for, harmonizing, reforming and further improving the effectiveness of the treaty body system (A/HRC/16/32) (see also paragraph 76 below). The report contains information on the results of the 22nd meeting of chairpersons of human rights treaty bodies, held in Brussels on 1 and 2 July 2010, as well as on the eleventh inter-committee meeting, held in Geneva from 28 to 30 June 2010.

*Conclusions and recommendations of the special procedures*

32. Pursuant to Council decision 2/102, the Council will have before it the report of the Secretary-General containing references to the conclusions and recommendations in the reports submitted by the special procedures (A/HRC/16/30) (see also paragraph 77 below).

*Human rights in the occupied Syrian Golan*

33. In its resolution 13/5, the Council requested the Secretary-General to report on the situation of human rights in the occupied Syrian Golan to the Council at its sixteenth session. The Council will consider the report of the Secretary-General (A/HRC/16/25) (see also paragraph 87 below).

*National institutions for the promotion and protection of human rights*

34. Pursuant to Council decision 2/102 and Commission on Human Rights resolution 2005/74, the Council will consider the reports of the Secretary-General on national institutions for the promotion and protection of human rights (A/HRC/16/76) and on the process currently utilized by the International Coordinating Committee of National Institutions to accredit national institutions in compliance with the Paris Principles, and to ensure that the process is strengthened with appropriate periodic review and on ways and means of enhancing participation of national human rights institutions in the work of the Council (A/HRC/16/77) (see also paragraph 90 below).

*Advisory services and technical cooperation in the field of human rights*

35. Pursuant to Council decision 2/102 and Commission on Human Rights resolution 2004/81, the Council will consider the report of the Secretary-General on advisory services and technical cooperation in the field of human rights (A/HRC/16/66) (see also paragraph 94 below).

*Technical cooperation in the field of human rights in Afghanistan*

36. In its decision 2/113, the Council requested the High Commissioner to continue, in cooperation with the United Nations Assistance Mission in Afghanistan, to monitor the human rights situation in Afghanistan, provide and expand advisory services and technical cooperation in the field of human rights and the rule of law, and to report regularly to the Council on the situation of human rights in Afghanistan, paying special attention to the rights of women, and on the achievements of technical assistance in the field of human rights. The Council will consider the report of the High Commissioner (A/HRC/16/67) (see also paragraph 95 below).

*Technical cooperation and advisory services in the Democratic Republic of the Congo*

37. In its resolution 13/22, the Council invited the High Commissioner to report to the Council at its sixteenth session on developments in the situation of human rights in the Democratic Republic of the Congo and the activities carried out in the country by OHCHR. The Council will consider the report of the High Commissioner (A/HRC/16/27) (see also paragraph 98 below).

*Technical cooperation and advisory services in Nepal*

38. Pursuant to Council decision 2/102 and Commission on Human Rights resolution 2005/78, the Council will have before it the report of the High Commissioner on the human rights situation and activities of her office, including technical cooperation, in Nepal (A/HRC/16/23) (see also paragraph 99 below).

*Strengthening of technical cooperation and consultative services in Guinea*

39. In its resolution 13/21, the Council invited the High Commissioner to report to the Council at its sixteenth session on the situation of human rights and the work of her office in Guinea. The Council will consider the report of the High Commissioner (A/HRC/16/26) (see also paragraph 100 below).

*Assistance to Sierra Leone in the field of human rights*

40. Pursuant to Council decision 2/102 and Commission on Human Rights resolution 2005/76, the Council will have before it the report of the High Commissioner on assistance to Sierra Leone in the field of human rights (A/HRC/16/78) (see also paragraph 101 below).

### **3. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

#### **A. Economic, social and cultural rights**

*Adequate housing as a component of the right to an adequate standard of living*

41. In its resolutions 6/27 and 15/8, the Council requested the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living to submit a report to the Council, in accordance with its annual programme of work. The Council will consider the reports of the Special Rapporteur, Raquel Rolnik (A/HRC/16/42 and Add.1-4).

*Right to food*

42. In its resolution 13/4, the Council requested the Special Rapporteur on the right to food to submit a report on the implementation of that resolution at its sixteenth session. The Council will consider the reports of the Special Rapporteur on the right to food, Olivier De Schutter (A/HRC/16/49 and Add.1-3).

#### **B. Civil and political rights**

*Arbitrary detention*

43. In its resolution 6/4, the Council requested the Working Group on Arbitrary Detention to present an annual report on its activities, findings, conclusions and recommendations. The Council will consider the reports of the Working Group (A/HRC/16/47 and Add.1-3).

*Enforced or involuntary disappearances*

44. In its resolution 7/12, the Council encouraged the Working Group on Enforced or Involuntary Disappearances to submit a regular report on the implementation of its mandate to the Council, in accordance with its annual programme of work. The Council will consider the reports of the Working Group (A/HRC/16/48 and Add.1-2).

45. In its resolution 14/10, the Council also requested the Working Group to prepare a report for submission to the Council at its sixteenth session on best practices on enforced disappearances in domestic criminal legislation based on inputs solicited from Member States. The Council will have before the report of the Working Group (A/HRC/16/48/Add.3).

*Torture and other cruel, inhuman or degrading treatment or punishment*

46. In accordance with its resolutions 5/1, 8/8, 10/24 and 13/19, the Council will consider the reports of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan Ernesto Mendez (A/HRC/16/52 and Add.1-5).

*Freedom of religion or belief*

47. In accordance with its resolutions 6/37 and 14/11, the Council will consider the reports of the Special Rapporteur, Heiner Bielefeldt (A/HRC/16/53 and Add.1).

**C. Rights of peoples, and specific groups and individuals**

*Internally displaced persons*

48. In its resolution 14/6, the Council decided to extend the mandate of the special procedure on the human rights of internally displaced persons as a special rapporteur for a period of three years, and invited the Special Rapporteur to continue to submit annual reports on the implementation of his/her mandate, making suggestions and recommendations regarding the human rights of internally displaced persons, including on the impact of measures taken at the inter-agency level. The Council also decided to continue its consideration of the question in conformity with its annual programme of work. The Council will consider the reports of the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani (A/HRC/16/43 and Add.1-5).

*Situation of human rights defenders*

49. In its resolution 7/8, the Council requested the Special Rapporteur on the situation of human rights defenders to report regularly to the Council, and decided to continue consideration of this issue in accordance with its annual programme of work. The Council will consider the reports of the Special Rapporteur, Margaret Sekaggya (A/HRC/16/44 and Add.1-3).

*Minority issues*

50. In its resolution 7/6, the Council requested the independent expert on minority issues to submit annual reports on his/her activities to the Council, including recommendations for effective strategies for the better implementation of the rights of persons belonging to minorities. The Council will consider the reports of the independent expert, Gay McDougall (A/HRC/16/45 and Add.1-3). Reference is also made to the reports of the High Commissioner (see paragraph 24 above) and the Forum on Minority Issues (see paragraph 73 below).

*Human rights of persons with disabilities*

51. In its resolution 7/9, the Council decided to hold an annual interactive debate at one of its regular sessions on the rights of persons with disabilities. Pursuant to its resolution 13/11, the Council will hold the third annual interactive debate at its sixteenth session, with a focus on the role of international cooperation in support of national efforts to realize the purposes and objectives of the Convention on the Rights of Persons with Disabilities (see annex).

52. In its resolution 13/11, the Council requested OHCHR to prepare a study to enhance awareness of the role of international cooperation in support of national efforts to realize the purposes and objectives of the Convention on the Rights of Persons with Disabilities and to make it available on the OHCHR website, in an accessible format. The study is contained in document A/HRC/16/38 (see also paragraph 23 above).

*Rights of the child*

53. In its resolution 7/29, the Council decided to incorporate into its programme of work sufficient time, at a minimum an annual full-day meeting, to discuss different specific themes on the rights of the child, including the identification of challenges in the realization of the rights of the child, as well as measures and best practices that can be adopted by States and other stakeholders, and to assess the effective integration of the rights of the child in its work, beginning in 2009. The Council will hold the third full-day meeting at its sixteenth session which, pursuant to Council resolution 13/20, will focus on the rights of children working and/or living on the street (see annex).

54. In its resolution 13/20, the Council requested the High Commissioner to prepare a summary of the full-day meeting on the rights of the child, held at its thirteenth session, as a follow-up to Council resolution 7/29. The Council will have before it the summary prepared by the High Commissioner (A/HRC/16/55).

55. In resolution 13/20, the Council also invited the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Representative of the Secretary-General on violence against children to cooperate on themes of mutual interest within their respective mandates, and to report to the Council at its sixteenth session on effective and child-sensitive counselling, complaint and reporting mechanisms to which children can safely report incidents of violence. The Council will consider the joint report (A/HRC/16/56).

56. The Council also requested the Special Rapporteur on the sale of children, child prostitution and child pornography to present her report to the Council at its sixteenth session. The Councils will consider the reports of the Special Rapporteur, Najat Maalla M'jid (A/HRC/16/57 and Add.1-5).

57. In accordance with resolution 62/141 of the General Assembly, the Council will consider the annual report to the Council of the Special Representative of the Secretary-General on violence against children, Marta Santos Pais (A/HRC/16/54).

*Integrating the human rights of women into the human rights mechanisms of the United Nations*

58. Reference is made to the report of the Secretary-General transmitting the joint workplan of the Division for the Advancement of Women and OHCHR (A/HRC/16/33) (see also paragraph 27 above).

*Elimination of violence against women*

59. Reference is made to the note by the Secretary-General transmitting the report of the United Nations Development Fund for Women on the activities of the Fund to eliminate violence against women (A/HRC/16/34) (see also paragraph 28 above).

*The protection of human rights in the context of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS)*

60. Reference is made to the analytical study of the Secretary-General on the steps taken to promote and implement programmes to address HIV/AIDS-related human rights, prepared pursuant to Council resolution 12/27 (A/HRC/16/69) (see also paragraph 22 above).

## **D. Interrelation of human rights and human rights thematic issues**

### *Promotion and protection of human rights and fundamental freedoms while countering terrorism*

61. In its resolution 13/26, the Council requested the High Commissioner and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism to present their reports to the Council at its sixteenth session. The Council will consider the reports of the High Commissioner (A/HRC/16/50) and the Special Rapporteur (A/HRC/16/51 and Add.1-4) (see also paragraph 25 above).

### *Human rights and issues related to terrorist hostage-taking*

62. In its decision 15/116, the Council decided to convene, at its sixteenth session, a panel discussion on the issue of human rights in the context of action taken to address terrorist hostage-taking, with a special focus on the primary responsibility of States to promote and protect human rights for all in their jurisdiction, on the strengthening of international cooperation to prevent and combat terrorism and on the protection of the rights of all victims of terrorism involved (see annex).

## **4. Human rights situations that require the Council's attention**

### *Situation of human rights in the Democratic People's Republic of Korea*

63. In its resolution 13/14, the Council requested the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea to submit regular reports on the implementation of his mandate. The Council will consider the report of the Special Rapporteur, Marzuki Darusman (A/HRC/16/58).

### *Situation of human rights in Myanmar*

64. Pursuant to its resolution 13/25, the Council will consider the report of the Special Rapporteur on the situation of human rights in Myanmar, Tomas Ojea Quintana (A/HRC/16/59).

## **5. Human rights bodies and mechanisms**

### **A. Human Rights Council Advisory Committee**

65. In its resolution 5/1, the Human Rights Council, in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251, established the Human Rights Council Advisory Committee.

66. The Advisory Committee held its fifth session from 2 to 6 August 2010 and its sixth session from 17 to 21 January 2011. In accordance with paragraph 80 of the annex to resolution 5/1, the Council will have before it reports of the Advisory Committee on its fifth and sixth sessions (A/HRC/16/60 and A/HRC/16/61).

### *United Nations declaration on human rights education and training*

67. In its resolution 13/15, the Council decided to establish an open-ended intergovernmental working group with the mandate of negotiating, finalizing and submitting to the Council a draft United Nations declaration on human rights education and training on the basis of the draft submitted by the Advisory Committee, and also decided

that the working group would meet for a maximum of five working days before its sixteenth session. The working group held its session from 10 to 14 January 2011. The Council will have before it the report of the working group (A/HRC/16/41).

#### *Right to food*

68. At its thirteenth session, the Council considered the preliminary study submitted by the Advisory Committee on discrimination in the context of the right to food, including an identification of good practices of anti-discriminatory policies and strategies (A/HRC/13/32). In its resolution 13/4, it requested 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 good practices of anti-discriminatory policies and strategies set out in the preliminary study, so that the Advisory Committee could take them into account for the conclusion of the study. The Council will have before it the final study of the Advisory Committee on discrimination in the context of the right to food (A/HRC/16/40).

69. In resolution 13/4, the Council also requested the Advisory Committee 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. The Council will have before it the study by the Advisory Committee (A/HRC/16/63).

#### *Missing persons*

70. In its decision 14/118, the Council took note of the progress report of the Advisory Committee on best practices in the matter of missing persons and requested the Advisory Committee to finalize the study on this subject and to submit it to the Council at its sixteenth session. The Council will have before it the final study of the Advisory Committee (A/HRC/16/70).

## **B. Complaint procedure**

71. In its resolution 5/1, the Council established the complaint procedure as contained in section IV of the annex to that resolution. In paragraph 98 of the annex to resolution 5/1, the Working Group on Situations was requested, on the basis of the information and recommendations provided by the Working Group on Communications, to present the Council with a report on consistent patterns of gross and reliably attested violations of human rights and fundamental freedoms, and to make recommendations to the Council on the course of action to be taken. The Working Group on Situations met from 31 January to 4 February 2011. At its sixteenth session, the Council will consider the report of the Working Group on Situations in two closed meetings.

## **C. Social Forum**

72. In its resolution 13/17, the Council reaffirmed the Social Forum as a unique space for interactive dialogue between the United Nations human rights machinery and various stakeholders, including the contribution of civil society and grass-roots organizations. The 2010 Social Forum was held from 4 to 6 October 2010 and focused on three main issues, namely (a) the adverse effects of climate change on the full enjoyment of human rights, including the right to life and economic, social and cultural rights; (b) measures and actions

to address the impact of climate change on the full enjoyment of human rights at the local, national, regional and international levels, including on most vulnerable groups, particularly women and children; and (c) international assistance and cooperation in addressing the human rights-related impact of climate change. The Council will consider the report of that session (A/HRC/16/62).

#### **D. Forum on Minority Issues**

73. In its resolution 6/15, the Council decided to establish a forum on minority issues to provide a platform for promoting dialogue and cooperation on issues pertaining to persons belonging to national or ethnic, religious and linguistic minorities, and which should provide thematic contributions and expertise to the work of the independent expert on minority issues. The Forum on Minority Issues convened its third session on 15 and 16 December 2010. The Council will consider at its sixteenth session the recommendations from the Forum on the issue of minorities and effective participation in economic life (A/HRC/16/46) (see also paragraph 50 above).

#### **E. Other human rights bodies and mechanisms**

##### *United Nations Voluntary Fund for Victims of Torture*

74. Reference is made to the report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (A/HRC/16/31) (see also paragraph 29 above).

##### *Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*

75. Pursuant to General Assembly resolution 64/153, the Council will have before it a note by the Secretariat on the Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/HRC/16/74) (see also paragraph 30 below).

##### *Effective implementation of international human rights instruments*

76. Reference is made to the report of the Secretary-General on measures taken to implement Council resolution 9/8 and obstacles to its implementation (A/HRC/16/32) (see also paragraph 31 above).

##### *Conclusions and recommendations of the special procedures*

77. Reference is made to the report of the Secretary-General containing references to the conclusions and recommendations in the reports submitted by the special procedures (A/HRC/16/30) (see also paragraph 32 above).

### **6. Universal periodic review**

78. In its resolution 5/1, the Council established the universal periodic review mechanism as contained in section I of the annex to that resolution. The Working Group on the Universal Periodic Review held its ninth session from 1 to 12 November 2010. At its sixteenth session, the Council will consider and adopt the final outcome of the review of Liberia, Malawi, Mongolia, Panama, Maldives, Andorra, Bulgaria, Honduras, the United States of America, the Marshall Islands, Croatia, Jamaica, the Libyan Arab Jamahiriya, Micronesia (Federated States of), Lebanon and Mauritania (see A/HRC/12/50, annex VI).

79. Pursuant to the President's statement on modalities and practices for the universal periodic review process, agreed upon on 9 April 2008, the report of the Working Group, together with the views of the State under review concerning the recommendations and/or conclusions, as well as voluntary commitments made by the State under review and replies presented by the State under review, before the adoption of the outcome by the plenary, to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group, will constitute the outcome of the review, which shall be adopted by the Council at its plenary session through a standardized decision. It was also agreed that a summary of the views expressed on the outcome of the review by the State under review, and of Member and observer States of the Council, as well as general comments made by other relevant stakeholders, before the adoption of the outcome by the plenary, would be included in the report of the session of the Council.

80. As requested by the Council in its resolution 13/23 on the enhancement of international cooperation in the field of human rights, OHCHR will brief the Council at its sixteenth session on the progress achieved in operationalizing the universal periodic review Voluntary Trust Fund and the Voluntary Fund for Financial and Technical Assistance.

## **7. Human rights situation in Palestine and other occupied Arab territories**

### **A. Human rights violations and implications of the Israeli occupation of Palestine and other occupied Arab territories**

*Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem and in the occupied Syrian Golan*

81. In its resolution 13/7, the Council decided to continue the consideration of this question at its sixteenth session.

*The grave human rights violations by Israel in the Occupied Palestinian Territory, including East Jerusalem*

82. In its resolution 13/8, the Council decided to continue the consideration of this question at its sixteenth session.

*Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967*

83. In accordance with its resolution 5/1, the Council will consider the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Richard Falk (A/HRC/16/72).

*Follow-up to the report of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict*

84. In its resolution 13/9, the Council decided, in the context of the follow-up to the report of the Independent International Fact-Finding Mission, to establish a committee of independent experts in international humanitarian and human rights laws to monitor and assess any domestic, legal or other proceedings undertaken by both the Government of Israel and the Palestinian side, in the light of General Assembly resolution 64/254, including the independence, effectiveness and genuineness of these investigations and their conformity with international standards, and requested it to submit a report to the fifteenth session of the Council. At its fifteenth session, following the consideration of the above-

mentioned report, in its resolution 15/6, the Council decided to renew and resume the mandate of the Committee of independent experts and requested the Committee to submit a report to the Council at its sixteenth session. The Council will have before it the report of the Committee (A/HRC/16/24).

85. In its resolution 15/6, the Council requested the High Commissioner to present to the Council at its sixteenth session a report on the implementation of that resolution. The Council will have before it the report of the High Commissioner (A/HRC/16/28).

*Follow-up to special sessions*

86. In its resolution S-12/1 adopted at the twelfth special session, the Council requested the High Commissioner, pursuant to resolution S-9/1 and in the context of her periodic reports, to monitor, document and report on the state of implementation by Israel of its human rights obligations in and around East Jerusalem. Furthermore, the Council requested the High Commissioner to submit to the Council a report on the status of implementation of resolution S-12/1. The Council will have before it the third periodic report of the High Commissioner on the follow-up to the ninth special session of the Council and the report on the follow-up to the twelfth special session (A/HRC/16/71).

*Human rights in the occupied Syrian Golan*

87. Reference will be made to the relevant report of the Secretary-General (A/HRC/16/25) (see also paragraph 33 above).

**B. Right to self-determination of the Palestinian people**

88. In its resolution 13/6, the Council decided to continue consideration of the right to self-determination of the Palestinian people at its sixteenth session.

**8. Follow-up and implementation of the Vienna Declaration and Programme of Action**

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

89. Reference is made to the report of the High Commissioner on the discussions of the workshop on this subject (A/HRC/16/37) (see also paragraph 26 above).

*National institutions for the promotion and protection of human rights*

90. Reference is made to the reports of the Secretary-General on national human rights institutions (A/HRC/16/76 and A/HRC/16/77) (see also paragraph 34 above).

**9. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action**

*Follow-up to and implementation of the Durban Declaration and Programme of Action*

91. In its resolution 11/12, the Council decided to extend the mandate of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action for a further period of three years. In accordance

with resolution 14/16, the Working Group held its eighth session from 11 to 22 October 2010, of which two working days were dedicated to preparing for the commemoration of the tenth anniversary of the Durban Declaration and Programme of Action. The Council will have before it the report of the Working Group on its eighth session (A/HRC/16/64).

92. In its decision 3/103, the Council decided to establish an ad hoc committee on the elaboration of complementary standards and recommended that the committee should convene annual sessions of 10 working days to draw up the requisite legal instruments, and to report regularly to the Council on the actual progress in the elaboration of complementary standards. In its resolution 13/18, the Council decided that the Committee should convene its third session from 29 November to 10 December 2010. The Council will have before it a note by the Secretary-General (A/HRC/16/65).

*Human rights of people of African descent*

93. In its resolution 14/16, the Council decided to hold a panel discussion during the high-level segment of the sixteenth session focusing on the full enjoyment of the human rights of people of African descent, to mark the International Year for People of African Descent (see annex).

## 10. Technical assistance and capacity-building

*Advisory services and technical cooperation in the field of human rights*

94. Reference is made to the report of the Secretary-General on this subject (A/HRC/16/66) (see also paragraph 35 above).

*Technical cooperation in the field of human rights in Afghanistan*

95. Reference is made to the report of the High Commissioner on the situation of human rights in Afghanistan (A/HRC/16/67) (see also paragraph 36 above).

*Technical cooperation and advisory services in the Democratic Republic of the Congo*

96. In its resolution 13/22, the Council decided to continue to follow the human rights situation in the Democratic Republic of the Congo at its sixteenth session.

97. Pursuant to Council resolution S-8/1, seven thematic special procedures mandate holders mentioned in its resolution 7/20 submitted to the Council a joint report on technical assistance to the Government of the Democratic Republic of the Congo and an urgent examination of the situation in the east of the country at its thirteenth session (A/HRC/13/63). In its resolution 13/22, the Council invited the mandate holders to report on the development of the situation to the Council at its sixteenth session. The Council will have before it the combined report of the Special Rapporteur on violence against women, its causes and consequences, the Representative of the Secretary-General on the human rights of internally displaced persons, the Special Rapporteur on the independence of lawyers and judges, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, the Special Rapporteur on the situation of human rights defenders, the Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises and the Special Representative of the Secretary-General for children and armed conflict (A/HRC/16/68).

98. Reference is made to the report of the High Commissioner on the development of the situation of human rights in the Democratic Republic of the Congo and the activities carried out in the country by OHCHR (A/HRC/16/27) (see also paragraph 37 above).

*Technical cooperation and advisory services in Nepal*

99. Reference is made to the report of the High Commissioner on technical cooperation and advisory services in Nepal (A/HRC/16/23) (see also paragraph 38 above).

*Strengthening of technical cooperation and consultative services in Guinea*

100. Reference is made to the report of the High Commissioner on the situation of human rights and the work of her office in Guinea (A/HRC/16/26) (see also paragraph 39 above).

*Assistance to Sierra Leone in the field of human rights*

101. Reference is made to the report of the High Commissioner on assistance to Sierra Leone in the field of human rights (A/HRC/16/78) (see also paragraph 40 above).

*Technical assistance and cooperation on human rights for Kyrgyzstan*

102. In its resolution 14/4, the Council requested the High Commissioner to continue to provide technical assistance through her office in Bishkek and to work with the Government of Kyrgyzstan and other actors, as needed, to identify additional areas of assistance that would aid Kyrgyzstan in its ability to fulfil its human rights obligations, to brief the Council on progress and to submit a report thereon to the Council at its the seventeenth session. The High Commissioner will brief the Council on progress made in that regard at the sixteenth session.

## Annex

### Panels and discussions mandated to be held at the sixteenth session of the Human Rights Council

<i>Resolution/decision</i>	<i>Panel/discussion</i>
14/16, para. 2  From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance	Panel discussion, to be held during the high-level segment, on the full enjoyment of the human rights of people of African descent, to mark the International Year for People of African Descent
15/116, para. 1  Human rights and issues related to terrorist hostage-taking	Panel discussion on the issue of human rights in the context of actions taken to address terrorist hostage-taking
13/20, para. 20  Rights of the child: the fight against sexual violence against children	Annual full-day meeting, focusing on a holistic approach to the protection and promotion of the rights of children working and/or living on the street
13/11, para. 13  Human rights of persons with disabilities	Annual interactive debate, focusing on the role of international cooperation in support of national efforts to realize the purpose and objectives of the Convention