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Agenda item 1

Organizational and procedural matters

Annotations to the agenda for the nineteenth session of the Human Rights Council

Note by the Secretary-General*

* 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 2011 at the organizational meeting for the sixth cycle of the Council, the Human Rights Council will hold its nineteenth session from 27 February to 23 March 2012 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 nineteenth session will be held on 13 February 2012.

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 nineteenth session.

Composition of the Human Rights Council

4. The composition of the Council at its nineteenth session is as follows:¹ Angola (2013); Austria (2014); Bangladesh (2012); Belgium (2012); Benin (2014); Botswana (2014); Burkina Faso (2014); Cameroon (2012); Chile (2014); China (2012); Congo (2014); Costa Rica (2014); Cuba (2012); Czech Republic (2014); Djibouti (2012); Ecuador (2013); Guatemala (2013); Hungary (2012); India (2014); Indonesia (2014); Italy (2014); Jordan (2012); Kuwait (2014); Kyrgyzstan (2012); Libya² (2013); Malaysia (2013); Maldives (2013); Mauritania (2013); Mauritius (2012); Mexico (2012); Nigeria (2012); Norway (2012); Peru (2014); Philippines (2014); Poland (2013); Qatar (2013); Republic of Moldova (2013); Romania (2014); Russian Federation (2012); Saudi Arabia (2012); Senegal (2012); Spain (2013); Switzerland (2013); Thailand (2013); Uganda (2013); United States of America (2012); Uruguay (2012).

Bureau of the Human Rights Council

5. The composition of the Bureau of the Council for its sixth cycle which will run until 31 December 2012, is as follows: President of the Council, Laura Dupuy Lasserre (Uruguay); Vice-Presidents, Christian Strohal (Austria), Anatole Fabien Nkou (Cameroon), András Dékány (Hungary); Vice-President and Rapporteur, Gulnara Iskakova (Kyrgyzstan).

¹ The term of membership of each State expires in the year indicated in parenthesis.

² The rights of membership to the Human Rights Council of the Libyan Arab Jamahiriya were suspended by the General Assembly on 1 March 2011 and restored on 18 November 2011 to Libya.

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 Ambassador Peter Gooderham (United Kingdom of Great Britain and Northern Ireland), Ambassador Umunna H. Orjiako (Nigeria), Ambassador Fedor Rosocha (Slovakia), Ambassador Dian Triansyah Djani (Indonesia) and Ambassador Roberto Flores Bermúdez (Honduras) will propose to the President of the Council a list of candidates for the mandates of Independent Expert on the promotion of a democratic and equitable international order, Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Special Rapporteur on the situation of human rights in the Syrian Arab Republic and Independent Expert on the situation of human rights in the Sudan following the resignation of the current mandate-holder on 19 December 2011.

7. 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 nineteenth session.

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

8. In its resolution 6/36, the Council decided to establish a subsidiary expert mechanism to provide it 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.

9. Accordingly, the consultative group will propose to the President of the Council a list of candidates to replace one of the five independent experts of the Expert Mechanism, whose tenure is due to expire in March 2012. The appointment will be completed upon the approval of the Council before the end of the session.

Election of a member of the Human Rights Council Advisory Committee

10. Following the death of Purificación V. Quisumbing who had been elected for a three-year term on 23 March 2011, a note verbale was sent on 12 December 2011 to the Permanent Representative of Japan to the United Nations at Geneva in his capacity as the regional coordinator of the Group of Asian States, requesting nominations to fill the vacancy for the remainder of the term from among candidates proposed or endorsed by the Group.

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 requirements set out in Council decision 6/102. In accordance with paragraph 71 of the annex to Council resolution 5/1, the Secretariat will make available the list of candidates and relevant information to Member States and to the public at least one month prior to the election.

12. The Council is scheduled to hold elections to fill this vacancy before the end of the nineteenth session.

Review of the work and functioning of the Human Rights Council

13. Pursuant to the paragraph 42 of resolution 16/21, the Council will hold a high-level panel to interact with heads of United Nations agencies within their respective mandates on specific human rights themes with the objective of promoting the mainstreaming of human rights throughout the United Nations system.

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 nineteenth 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.

Annual report of the United Nations High Commissioner for 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/19/21), the reports on the activities of her offices in Guatemala, Bolivia (Plurinational State of) and Nepal and the reports on the situation of the human rights in Colombia and in Nepal (A/HRC/19/21/Add.1-4).

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

17. In its resolution 16/10, the Council requested the High Commissioner to submit a comprehensive and updated report to the Council at its nineteenth 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/19/24).

Question of human rights in Cyprus

18. Pursuant to Council decision 2/102, the Council will have before it the report of the High Commissioner on the question of human rights in Cyprus (A/HRC/19/22).

The progress achieved in operationalizing the universal periodic review Voluntary Trust Fund and the Voluntary Fund for Financial and Technical Assistance

19. In its resolution 16/22, the Council requested the Office of the High Commissioner to seek the views of States and relevant stakeholders on the contribution of the Voluntary

Fund for Financial and Technical Assistance, in particular with regard to its sustainability and accessibility, to the implementation of recommendations accepted by States as part of their universal periodic review that require financial support. In its resolution 16/22 and its decision 17/119, the Council requested the Office of the High Commissioner to provide a report on the operations of the Voluntary Fund for Financial and Technical Assistance in the Universal Periodic Review (A/HRC/19/50) and a report on the operations of the Voluntary Fund for participation in the universal periodic review (A/HRC/19/25) at its nineteenth session.

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

20. In its resolution 13/12, the Council requested the High Commissioner to present an annual report containing information on relevant developments of United Nations human rights bodies and mechanisms, as well as on the activities undertaken by the Office of the High Commissioner for Human Rights 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. The Council will have before it the annual report of the High Commissioner (A/HRC/19/27).

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

21. In its resolution 16/28, the Council requested the Office of the High Commissioner for Human Rights to engage actively with the 2011 General Assembly High-Level Meeting on AIDS, providing a human-rights based perspective, and to inform the Council thereon. The Council will consider the report of the High Commissioner (A/HRC/19/37).

Human rights of persons with disabilities

22. In its resolution 16/15, the Council requested the Office of the High Commissioner for Human Rights to prepare a study on the participation of persons with disabilities in political and public life, in consultation with relevant stakeholders, including States, regional organizations, regional integration organizations, United Nations agencies, the Special Rapporteur on disability of the Commission for Social Development of the Economic and Social Council, civil society organizations, organizations of persons with disabilities, and national human rights institutions. As requested the study contained in document A/HRC/19/36 is available on the website of the Office.

23. The Council also requested the Office of the High Commissioner to provide, within two years of the establishment of the United Nations partnership for the rights of persons with disabilities, information on the status and operation of the partnership. The Council will consider the report of the Office of the High Commissioner (A/HRC/19/80).

The rights of children working and/or living on the street

24. In its resolution 16/12, the Council requested the Office of the High Commissioner for Human Rights to conduct a study on challenges, lessons learned and best practices in a holistic, child rights and gender-based approach to protect and promote the rights of children working and/or living on the street, and to present the study at its nineteenth session. The Council will consider the report of the Office of the High Commissioner (A/HRC/19/35).

The human rights of victims of terrorism

25. In its decision 16/116, the Council requested the Office of the High Commissioner for Human Rights to prepare a report in the form of a summary on the outcome of the panel

discussion on the issue of the human rights of victims of terrorism held at its seventeenth session. The Council will have before it the report of the Office (A/HRC/19/38).

Right to development

26. In its decision 16/117, the Council requested the Office of the High Commissioner for Human Rights to prepare a summary of the panel discussion on “the way forward in the realization of the right to development: between policy and practice” held at its eighteenth session. The Council will have before it the report containing the summary (A/HRC/19/39).

27. In its resolution 65/219, the General Assembly requested the Secretary-General to submit an interim report to the Human Rights Council on the implementation of the Assembly resolution, including efforts undertaken at national, regional and international levels in the promotion and realization of the right to development. The Council will consider the consolidated report of the Secretary-General and the High Commissioner (A/HRC/19/45).

Promotion and protection of human rights in the context of peaceful protests

28. In its decision 17/120, the Council requested the Office of the High Commissioner for Human Rights to prepare a report on the outcome of the panel discussion on the promotion and protection of human rights in the context of peaceful protests held at its eighteenth session and to submit it at its nineteenth session. The Council will have before it the report (A/HRC/19/40).

Human rights, sexual orientation and gender identity

29. In its resolution 17/19, the Council requested the Office of the High Commissioner for Human Rights to submit a study documenting discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity, in all regions of the world, and how international human rights law can be used to end violence and related human rights violations based on sexual orientation and gender identity, at its nineteenth session. The Council will consider the report containing the study (A/HRC/19/41).

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

30. Pursuant to Council resolution 6/30, the attention of the Council is drawn to the report of the Secretary-General transmitting the joint workplan of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the Office of the High Commissioner for Human Rights prepared pursuant to resolution 39/5 of the Commission on the Status of Women and resolution 1997/43 of the Commission on Human Rights. The Council will consider the report of the Secretary-General (A/HRC/19/31).

Elimination of violence against women

31. Pursuant to General Assembly resolution 50/166, the Council will have before it a note by the Secretary-General transmitting the report of UN-Women on its activities to eliminate violence against women (A/HRC/19/30).

The negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights

32. In its resolution 17/23, the Council requested the Office of the High Commissioner for Human Rights to prepare a comprehensive study and, when necessary, to seek information from relevant international organizations and agencies on the negative impact

of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights, in particular economic, social and cultural rights, and to submit a report thereon to the Human Rights Council at its nineteenth session. The Council will consider the report (A/HRC/19/42).

United Nations Voluntary Fund for Victims of Torture

33. Pursuant to the General Assembly resolution 65/205, 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/19/26).

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

34. Pursuant to General Assembly resolution 65/204, the Council will have before it a note by the Secretary-General on the status of the Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/HRC/19/29).

The impact of arbitrary deprivation of nationality on human rights

35. In its resolution 13/2, the Council requested the Secretary-General to prepare a report on the impact that arbitrary deprivation of nationality may have on the enjoyment by persons of their human rights, including civil, political, economic, social and cultural rights, and to present it to the Council at its nineteenth session. The Council will consider the report of the Secretary-General (A/HRC/19/43).

Human rights and extreme poverty

36. In its resolution 15/19, the Council requested the Office of the High Commissioner for Human Rights to prepare and to submit, at its nineteenth session, an analytical compilation on the basis of the submissions received in writing and made at the consultation on the progress report on the draft guiding principles on extreme poverty and human rights submitted by the independent expert on the question of human rights and extreme poverty. The Council will consider the report of the Office containing the compilation (A/HRC/19/32).

Human rights and unilateral coercive measures

37. In its resolution 15/24, the Council requested the Office of the High Commissioner to prepare a study on the impact of unilateral coercive measures on the enjoyment of human rights, including recommendations on actions aimed at ending such measures, taking into account all previous reports, resolutions and relevant information available to the United Nations system in this regard, and to present the study at its eighteenth session. In its decision 18/120, the Council took note of the note by the Secretariat informing the Council that the above-mentioned study was under preparation and would be submitted at the nineteenth session. The Council will consider the report of the Office containing the study (A/HRC/19/33).

Human rights and environment

38. In its resolution 16/11, the Council requested the Office of the High Commissioner for Human Rights, in consultation with and taking into account the views of States Members of the United Nations, relevant international organizations and intergovernmental bodies, including the United Nations Environment Programme and relevant multilateral environment agreements, special procedures, treaty bodies and other stakeholders, to

conduct a detailed analytical study on the relationship between human rights and the environment and to submit it prior to its nineteenth session. The Council will consider the report of the Office of the High Commissioner containing the study (A/HRC/19/34).

The effective implementation of international human rights instruments

39. 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/19/28). The report contains information on the results of the 23rd meeting of chairpersons of human rights treaty bodies, held in Geneva on 30 June and 1 July 2011, as well as on the twelfth inter-committee meeting, held in Geneva from 27 to 29 June 2011.

Conclusions and recommendations of the special procedures

40. Pursuant to Commission on Human Rights resolution 2004/76, 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/19/23).

Human rights in the occupied Syrian Golan

41. In its resolution 16/17, the Council requested the Secretary-General to report on the situation of human rights in the occupied Syrian Golan to the Council at its nineteenth session. The Council will consider the report of the Secretary-General (A/HRC/19/46).

Technical cooperation in the field of human rights in Afghanistan

42. In its decision 2/113 and in its resolution 14/15, 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, on the achievements of technical assistance in the field of human rights and to increase the focus on the situation of girl school children. The Council will consider the report of the High Commissioner (A/HRC/19/47).

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

43. In its resolution 13/22, the Council invited the High Commissioner to report to the Council, at its nineteenth 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/19/48).

Strengthening of technical cooperation and consultative services in the Republic of Guinea

44. In its resolution 16/36, the Council invited the High Commissioner to report to the Council, at its nineteenth session, on the situation of human rights and the work of her office in the Republic of Guinea. The Council will consider the report of the High Commissioner (A/HRC/19/49).

Technical assistance and capacity-building in the field of human rights in Yemen

45. In its resolution 18/19, the Council requested the Office of the High Commissioner to present a progress report on the situation of human rights in Yemen and the follow-up to

the resolution at its nineteenth session. The Council will consider the report (A/HRC/19/51).

The human rights situation in the Syrian Arab Republic

46. In its resolution S-17/1 entitled “Situation of human rights in the Syrian Arab Republic” adopted at its seventeenth special session, the Council requested the High Commissioner to report on the implementation of that resolution at its nineteenth session. In its resolution S-18/1, the Council requested the Secretary-General to present a report on the implementation of the resolution at its nineteenth session. The Council will consider the reports of the High Commissioner (A/HRC/19/79) and the Secretary-General (A/HRC/19/81).

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

47. In its resolution 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/19/53 and Add.1-4).

Right to food

48. In its resolution 16/27, the Council requested the Special Rapporteur, as part of his mandate, to continue to monitor the evolution of the world food crisis and, in the context of his mandate and regular reports, to keep it informed of the impact of the crisis on the enjoyment of the right to food and to alert it to possible further actions in this regard on the right to food. The Council also requested the Special Rapporteur to submit a report on the implementation of that resolution at its nineteenth session. The Council will consider the reports of the Special Rapporteur on the right to food, Olivier De Schutter (A/HRC/19/59 and Add.1-6).

B. Civil and political rights

Arbitrary detention

49. In its resolutions 10/9 and 15/18, the Council stressed the importance of the work of the Working Group on Arbitrary Detention and decided to extend the mandate for a further period of three years, in accordance with Commission on Human Rights resolution 1991/42 and 1997/50 and with Council resolution 6/4. The Council requested the Working Group to present an annual report on its activities, findings, conclusions and recommendations and decided to continue its consideration in conformity with its programme of work. The Council will consider the reports of the Working Group (A/HRC/19/57 and Add.1-3).

Enforced or involuntary disappearances

50. In its resolutions 7/12 and 16/16, the Council decided to extend the mandate of the Working Group on Enforced or Involuntary Disappearances for a further period of three

years and encouraged the Working Group 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/19/58 and Add.1-4).

Torture and other cruel, inhuman or degrading treatment or punishment

51. In accordance with its resolution 16/23, the Council decided to extend the mandate of the Special Rapporteur on torture and other cruel, inhuman, or degrading treatment or punishment for a further period of three years, requesting him to report on all his activities, observations, conclusions and recommendations to the Council in accordance with its annual programme of work. The Council will consider the reports of the Special Rapporteur, Juan Ernesto Mendez (A/HRC/19/61 and Add.1-4).

Freedom of religion or belief

52. In accordance with its resolution 16/13, the Council requested the Special Rapporteur on freedom of religion or belief to submit a report annually in accordance with its annual programme of work and decided to continue consideration of measures to implement the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. The Council will consider the reports of the Special Rapporteur, Heiner Bielefeldt (A/HRC/19/60 and Add.1-3).

Freedom of expression on the Internet

53. In its decision 18/119, the Council decided to convene at its nineteenth session, a panel discussion on the promotion and protection of freedom of expression on the Internet, with a particular focus on the ways and means to improve its protection in accordance with international human rights law.

C. Right to development

54. Pursuant to Council resolution 15/25, the Working Group on the Right to Development will present the report of its twelfth session held from 14 to 18 November 2011. The Council will have before it the report of the Working Group (A/HRC/19/52).

D. Rights of peoples, and specific groups and individuals

Internally displaced persons

55. In its resolutions 6/32 and 14/6, the Council decided to extend the mandate of the Special Rapporteur on the human rights of internally displaced persons for a period of three years, and invited him to continue to submit annual reports on the implementation of his 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 will consider the reports of the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani (A/HRC/19/54 and Add.1-2).

Situation of human rights defenders

56. In its resolution 16/5, the Council decided to extend the mandate of the Special Rapporteur on the situation of human rights defenders for a period of three years and requested her to report regularly to the Council. The Council will consider the reports of the Special Rapporteur, Margaret Sekagya (A/HRC/19/55 and Add.1-2).

Minority issues

57. In its resolutions 6/15, 7/6 and 16/6, the Council decided to extend the mandate of the independent expert on minority issues for three years, decided also in 2007 to review the work of the Forum on Minority Issues after four years and requested the independent expert on minority issues to submit annual reports on 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, Rita Izsák (A/HRC/19/56 and Add.1-3). Reference is also made to the report of the Forum on Minority Issues (see paragraph 78).

The rights of persons belonging to national or ethnic, religious and linguistic minorities

58. In its resolution 18/3, the Council decided to convene a panel discussion to commemorate the twentieth anniversary of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities with a particular focus on its implementation as well as on achievements, best practices and challenges in this regard.

Human rights of persons with disabilities

59. 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 16/15, the Council will hold the annual interactive debate at its nineteenth session, with a focus on the participation of persons with disabilities in political and public life.

Rights of the child

60. 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 its full-day meeting at its nineteenth session which, pursuant to Council resolution 16/12, will focus on the rights of children and the administration of justice.

61. In its resolution 16/12, the Council decided to extend for a period of three years the mandate of the Special Rapporteur on the sale of children, child prostitution and child pornography, in accordance with Council resolution 7/13 of 27 March 2008. The Council will consider the reports of the Special Rapporteur, Najat Maalla M'jid (A/HRC/19/63 and Add.1-3).

62. In accordance with resolution 16/12, the Council will consider the annual report of the Special Representative of the Secretary-General on violence against children, Marta Santos Pais (A/HRC/19/64).

The protection of human rights in the context of HIV/AIDS

63. In its resolution 16/28, the Council decided to hold a panel discussion at its nineteenth session, within existing resources, in consultation with all regional groups, to give voice to people living with or affected by HIV/AIDS, in particular young people, women and orphaned children, with a view to taking into account their experiences in reinforcing the centrality of human rights in the response to HIV/AIDS, in the context of the timely achievement of Millennium Development Goal 6 and in compliance with the Political Declaration on HIV/AIDS and the Declaration of Commitment on HIV/AIDS.

E. Interrelation of human rights and human rights thematic issues

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

64. In its resolutions 6/28, 13/26 and 15/15, the Council decided to extend the mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism for a period of three years and to continue considerations of this question in conformity with its annual programme of work. The Council will have before it a note by the Secretariat on the report of the Special Rapporteur, Ben Emmerson (A/HRC/19/62).

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

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

65. In its resolution 16/8, the Council decided to extend the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea in accordance with its resolution 13/14 for a period of one year and requested the Special Rapporteur to submit regular reports on the implementation of his mandate. The Council will consider the report of the Special Rapporteur, Marzuki Darusman (A/HRC/19/65).

Situations of human rights in the Islamic Republic of Iran

66. In its resolution 16/9, the Council decided to appoint a Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and requested the Special Rapporteur to submit to it a report for its consideration at its nineteenth session. The Council will consider the report of the Special Rapporteur, Ahmed Shaheed (A/HRC/19/66).

Situation of human rights in Myanmar

67. In its resolution 16/24, the Council decided to extend the mandate of the Special Rapporteur on the situation of human rights in Myanmar for one year, requested the Special Rapporteur to submit a progress report and encouraged him to provide an assessment of any progress made by the Government in relation to its stated intention to transition to a democracy in accordance with its annual programme of work. The Council will consider the report of the Special Rapporteur, Tomas Ojea Quintana (A/HRC/19/67).

Situation of human rights in Libya³

68. In its resolution 17/17, the Council decided to extend the mandate of the commission of inquiry established in its resolution S-15/1 to investigate all alleged violations of international human rights law and requested the commission to provide an oral update at its eighteenth session and a final written report at its nineteenth session. The Council will consider the report of the Commission (A/HRC/19/68).

Situation of human rights in the Syrian Arab Republic

69. In its resolution S-17/1, the Council decided to dispatch an independent international commission of inquiry to investigate all alleged violations of international human rights law

³ Pursuant to a request of 16 September 2011 by the National Transitional Council, the official name was changed from "Libyan Arab Jamahiriya" to "Libya".

since March 2011 in the Syrian Arab Republic, requested that its report be made public before the end of November 2011 (A/HRC/S-17/2/Add.1) and also requested that the commission of inquiry present a written update to the report on the situation in the country (A/HRC/19/69) at the nineteenth session of the Council, in an interactive dialogue with the participation of the High Commissioner. The Council will hold an interactive dialogue with the commission.

70. Reference is also made to the reports of the High Commissioner for Human Rights and the Secretary-General on the situation of human rights in the Syrian Arab Republic (see paragraph 46).

5. Human rights bodies and mechanisms

A. Human Rights Council Advisory Committee

71. The Human Rights Council Advisory Committee, established pursuant to Council resolution 5/1, held its seventh session from 8 to 12 August 2011. It will hold its eighth session from 20 to 24 February 2012, and its ninth session from 6 to 10 August 2012, pursuant to Council resolution 16/21 (annex, para. 37).

72. Pursuant to the same resolution, the Council also decided that the annual report of the Committee will be submitted to the Council at its September session and be the subject of an interactive dialogue with the Committee (annex, para. 38). In its decision 18/121, the Council decided that the cycle of the Advisory Committee would be adjusted to run from 1 October to 30 September to ensure that the annual reporting of the Committee to the Council and the interactive dialogue thereon would take place at the end of the cycle. It also decided that, as a transitional measure, the period of office of members of the Advisory Committee ending in March 2012 would be exceptionally extended until 30 September 2012. Consequently, the report of the Committee on its seventh session will be considered by the Human Rights Council at its twenty-first session, together with the annual report of the Committee, consisting of its reports of its eighth and ninth sessions.

Enhancement of international cooperation in the field of human rights

73. In its resolution 13/23, the Council requested the Advisory Committee to explore ways and means to enhance cooperation in the field of human rights, taking into account the views contained in the report of the High Commissioner on the issue (A/HRC/13/19), and further views from States and relevant stakeholders, and to submit proposals in this regard at its nineteenth session. The Council will have before it the report of the Committee (A/HRC/19/74).

Right to food

74. In its resolution 16/27, the Council requested the Committee to undertake a comprehensive study on the relationship between severe malnutrition and childhood diseases, taking children affected by Noma as an example, and on ways to improve the protection of malnourished children. It also requested the Office of the High Commissioner to collect the views and comments of all Member States, all relevant United Nations specialized agencies and programmes and all other relevant stakeholders in order that the Committee may take them into account for the conclusion of its comprehensive study. The Council will have before it the final study of the Committee (A/HRC/19/73)

75. In its resolution 16/27, the Council took note of the Committee's 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 by directly working the land, traditional fishing, hunting and herding activities (A/HRC/16/63). The Council requested the Office of the High Commissioner to collect the views and comments of all Member States, all relevant United Nations specialized agencies and programmes, in particular the Food and Agriculture Organization of the United Nations, and all other relevant stakeholders on the aforementioned preliminary study, in order that the Advisory Committee may take them into account in the preparation of the final study to be presented to the Council at its nineteenth session. The Council will have before it the final study of the Advisory Committee (A/HRC/19/75).

B. Complaint procedure

76. 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 reliable attested violations of human rights and fundamental freedoms, and to make recommendations to the Council on the course of action taken. The Working Group on Situations met from 30 January to 3 February 2012. At its nineteenth session, the Council will consider the report of the Working Group on Situations in two closed meetings.

C. Social Forum

77. The 2011 Social Forum was held from 3 to 5 October 2011 and focused on (a) the promotion and effective realization of the right to development, in the context of the commemoration of the twentieth anniversary of the Declaration on the Right to Development; (b) measures and actions needed to make the right to development a reality for everyone at the local, national, regional and international levels, including the role and contribution of civil society and non-governmental organizations; (c) international assistance and cooperation, as well as the promotion of an enabling environment for the realization of the right to development. The Council will consider the report of that session (A/HRC/19/70).

D. Forum on Minority Issues

78. 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 fourth session on 29 and 30 November 2011. The Council will consider at its nineteenth session the recommendations of the Forum on guaranteeing the rights of minority women (A/HRC 19/71) (see also paragraph 57).

E. Other human rights bodies and mechanisms

Conclusions and recommendations of the special procedures

79. 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/19/23) (see also paragraph 40).

80. The Council will have before it the communications report of special procedures (A/HRC/19/44).

6. Universal periodic review

81. 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 twelfth session from 3 to 14 October 2011. At its nineteenth session, the Council will consider and adopt the final outcome of the review of Tajikistan (A/HRC/19/3), the United Republic of Tanzania (A/HRC/19/4), Antigua and Barbuda (A/HRC/19/5), Swaziland (A/HRC/19/6), Trinidad and Tobago (A/HRC/19/7), Thailand (A/HRC/19/8), Ireland (A/HRC/19/9), Togo (A/HRC/19/10), the Syrian Arab Republic (A/HRC/19/11), Venezuela (Bolivarian Republic of) (A/HRC/19/12), Iceland (A/HRC/19/13), Zimbabwe (A/HRC/19/14), Lithuania (A/HRC/19/15), Uganda (A/HRC/19/16), Timor-Leste (A/HRC/19/17), the Republic of Moldova (A/HRC/19/18), Haiti (A/HRC/19/19) and the Libyan Arab Jamahiriya⁴ (A/HRC/16/15).

82. Pursuant to the President's statement on modalities and practices for the universal periodic review process, agreed upon on 9 April 2008, the outcome of the review consists of the following: the report of the Working Group; 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. The outcome 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.

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

The situation of human rights in the Occupied Palestinian Territory, including East Jerusalem

83. In its resolution 16/29, the Council decided to continue the consideration of this question at its nineteenth session.

⁴ See footnote, paragraph 84.

84. In its resolutions S-9/1 and S-12/1, the Council requested the High Commissioner to submit periodical reports concerning the situations of human rights in Occupied Palestinian Territory especially in relation to East Jerusalem and the Gaza Strip. The Council will consider the report of the High Commissioner (A/HRC/19/20).

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

85. Reference is made to the note by the Secretariat on the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Richard Falk (A/HRC/19/76).

Human rights in the occupied Syrian Golan

86. In its resolution 16/17, the Council decided to continue the consideration of the human rights violations in the occupied Syrian Golan at its nineteenth session. Reference is made to the report of the Secretary-General on this subject (A/HRC/19/46) (see also paragraph 41).

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

87. In its resolution 16/31, the Council decided to continue the consideration of this question at its nineteenth session.

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

88. In its resolution 16/32, the Council decided to follow up on the implementation of that resolution at its nineteenth session.

B. Right to self-determination of the Palestinian people

89. In its resolution 16/30, the Council decided to continue the consideration of this question at its nineteenth session.

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

Human rights, sexual orientation and gender identity

90. In its resolution 17/19, the Council decided to convene a panel discussion to have a constructive and transparent dialogue on the issue of discriminatory laws and practice, and acts of violence against individuals based on their sexual orientation and gender identity.

91. Reference is made to the study of the High Commissioner documenting discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity (A/HRC/19/41).

Promoting awareness, understanding and application of the Universal Declaration of Human Rights through sport and the Olympic ideal

92. In its resolution 18/23, the Council decided to convene, at its nineteenth session, a high-level interactive panel discussion to highlight, examine and suggest ways in which sport and major sporting events, in particular the Olympic and Paralympic Games, can be

used to promote awareness and understanding of the Universal Declaration of Human Rights and the application of the principles enshrined therein.

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

93. 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. The Working Group held its ninth session from 17 to 28 October 2011. The Council will have before it the report of the Working Group (A/HRC/19/77).

94. 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 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. The note by the Secretariat on the report of the Committee is before the Council (A/HRC/19/78).

10. Technical assistance and capacity-building

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/19/47) (see also paragraph 42).

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

96. Reference is made to the report of the High Commissioner on the activities carried out in the Democratic Republic of the Congo by the Office of the High Commissioner for Human Rights (A/HRC/19/48) (see also paragraph 43).

Strengthening of technical cooperation and consultative services in the Republic of Guinea

97. Reference is made to the report of the High Commissioner on the situation of human rights and the work of her Office in the Republic of Guinea (A/HRC/19/49) (see also paragraph 44).

Technical assistance and capacity-building for Yemen in the field of human rights

98. Reference is made to the progress report of the Office of the High Commissioner for Human Rights on the situation of human rights in Yemen (A/HRC/19/51) (see paragraph 45 above).

Assistance to Côte d'Ivoire in the field of human rights

99. In its resolution 17/21, the Council decided to establish the mandate of independent expert on the situation of human rights in Côte d'Ivoire for a period of one year, who would be responsible for assisting the Government of Côte d'Ivoire and relevant actors in the follow-up to the implementation of the recommendations of the Commission of Inquiry and of its resolution, including the recommendations addressed to the international community, especially the Office of the High Commissioner and relevant United Nations agencies. The

Council also requested the independent expert to engage with the Ivorian authorities and human rights sectors of the Economic Community of West African States, the African Union and the United Nations Operation in Côte d'Ivoire, and to submit a report to the nineteenth session. The Council will consider the report of the independent expert, Doudou Diène (A/HRC/19/72).

The enhancement of technical assistance and capacity-building in the field of human rights

100. In its resolution 18/18, the Council decided to hold an annual thematic discussion to promote the sharing of experiences and best practices and technical cooperation in the promotion and protection of human rights. At its nineteenth session, the Council will hold a thematic discussion on “Sharing of best practices and promoting technical cooperation: paving the way toward the second cycle of the Universal Periodic Review”.

Annex

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

<i>Resolution/decision</i>	<i>Panel/discussion</i>
16/12 Rights of the Child	Annual full-day discussion focusing on children and the administration of justice
16/15 Role of international cooperation in support of national efforts for the realization of the rights of persons with disabilities	Annual interactive debate on the rights of persons with disabilities focusing on participation in political and public life
16/21 Review of the work and functioning of the Human Rights Council	Half-day high-level panel on human rights mainstreaming
16/28 The protection of human rights in the context of HIV/AIDS	Panel discussion to give voice to people living with or affected by HIV/AIDS, in particular young people, women and orphaned children
17/19 Human rights, sexual orientation and gender identity	Panel discussion on the issue of discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity
18/3 Panel to commemorate the twentieth anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities	Panel discussion to commemorate the twentieth anniversary of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities focusing on its implementation as well as on achievements, best practices and challenges in this regard
18/18 Enhancement of technical cooperation and capacity-building in the field of human rights	Annual thematic discussion to promote the sharing of experiences and best practices and technical cooperation: paving the way towards the second cycle of the universal periodic review

<i>Resolution/decision</i>	<i>Panel/discussion</i>
18/23	
Promoting awareness, understanding and application of the Universal Declaration of Human Rights through sport and the Olympic ideal	High-level panel discussion to promote awareness and application of the Universal Declaration of Human Rights through sport and the Olympic ideal
18/119	
Panel on freedom of expression on the Internet	Panel on the promotion and protection of freedom of expression on the Internet focusing on the ways and means to improve its protection in accordance with international human rights law
