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Organizational and procedural matters

Annotations to the agenda for the twentieth session of the Human Rights Council*

Note by the Secretary-General

* Late submission.

Contents

	<i>Paragraphs</i>	<i>Page</i>
1. Organizational and procedural matters	1–8	3
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	9–20	4
3. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development	21–39	6
A. Economic, social and cultural rights	21–26	6
B. Civil and political rights	27–31	7
C. Rights of peoples, and specific groups and individuals	32–38	8
D. Interrelation of human rights and human rights thematic issues	39	9
4. Human rights situations that require the Council’s attention	40–42	9
5. Human rights bodies and mechanisms	43–47	10
A. Human Rights Council Advisory Committee	43	10
B. Complaint procedure	44–46	10
C. Special procedures	47	10
6. Universal periodic review	48	10
7. Human rights situation in Palestine and other occupied Arab territories	49–51	10
8. Follow-up to and implementation of the Vienna Declaration and Programme of Action	52–53	11
9. Racism, racial discrimination, xenophobia and related forms of intolerance: follow-up to and implementation of the Durban Declaration and Programme of Action	54–56	11
10. Technical assistance and capacity-building	57–60	12
Annex		
Panel discussions to be held at the twentieth session of the Human Rights Council		13

1. Organizational and procedural matters

Date and venue of the session

1. In accordance with its annual programme of work, the Human Rights Council will hold its twentieth session from 18 June to 6 July 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 twentieth session will be held on 4 June 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 twentieth session.

Composition of the Human Rights Council

4. The composition of the Council at its twentieth 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); Libya (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).

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 Umunna Humphrey Orjiako (Nigeria), Dian Triansyah Djani (Indonesia), Fedor Rosocha (Slovak Republic), Roberto Flores Bermúdez (Honduras), and Harriet Berg (Norway) will

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

propose to the President of the Council a list of candidates for the mandate for which a new mandate-holder is to be appointed at the twentieth session: Independent Expert on the issue of human rights obligations related to the enjoyment of a safe, clean, healthy and sustainable environment.

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 holder in question shall be appointed before the end of the twentieth session.

Report of the session

8. 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 twentieth 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

9. 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.

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

10. In its resolution 17/10, the Council requested the High Commissioner to submit to the Council a concluding report on the status of the implementation of paragraph 3 of that resolution, calling for the parties concerned to ensure the immediate implementation of the conclusions contained in the report of the fact-finding mission (A/HRC/15/21). The Council will consider the report of the High Commissioner (A/HRC/20/3/Rev.1).

Realization in all countries of economic, social and cultural rights

11. In its resolution 14/13, the Council requested the High Commissioner to continue to prepare and submit to the Council an annual report on the question of the realization in all countries of economic, social and cultural rights. Reference is also made to resolution 19/5, calling upon all States to give full effect to economic, social and cultural rights. The Council will have before it the report of the High Commissioner (A/HRC/20/4 and Corr.1) (see also paragraph 25 below).

Violence against women and girls and disability

12. In its resolution 17/11, the Council invited the Office of the High Commissioner to prepare a thematic analytical study on the issue of violence against women and girls and disability, in consultation with the Special Rapporteur on violence against women, its causes and consequences, the Special Rapporteur on disability of the Commission for Social Development of the Economic and Social Council, other relevant special procedures mandate holders, States, United Nations entities, regional organizations, civil society

organizations and other relevant stakeholders. The Council will consider the thematic study of the Office of the High Commissioner (A/HRC/20/5 and Corr.1) (see also paragraphs 32 to 34 below).

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

13. Pursuant to resolution 18/3, the Council organized at its 19th session 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. The Council will have before it the report of the High Commissioner on the outcome of the panel discussion in the form of a summary (A/HRC/20/6).

Human rights and climate change

14. Pursuant to resolution 18/22, the Office of the High Commissioner convened from 23 to 24 February 2012 a seminar on addressing the adverse impacts of climate change on the full enjoyment of human rights. The Council will have before it the report on this seminar (A/HRC/20/7) for consideration of follow-up action.

Situation of human rights in Belarus

15. In its resolution 17/24, the Council requested the High Commissioner to present to the Human Rights Council, in an interactive dialogue, a comprehensive report on the human rights situation in Belarus. The Council will have before it the report of the High Commissioner (A/HRC/20/8).

Situation of human rights in the Syrian Arab Republic

16. In its resolution 19/22, the Council requested the Secretary-General to present a report to the Human Rights Council on the implementation of that resolution. The Council will have before it the report of the Secretary-General (A/HRC/20/37) (see also paragraph 41 below).

Operations of the Voluntary Fund for participation in the universal periodic review

17. 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 participation in the universal periodic review. The Council will have before it a report of the Office of the High Commissioner (A/HRC/20/39).

National institutions for the promotion and protection of human rights

18. Pursuant to resolution 17/9, the Council will consider the reports of the Secretary-General on national institutions for the promotion and protection of human rights (A/HRC/20/9) and on the activities of the International Coordinating Committee in accrediting national institutions (A/HRC/20/10).

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

19. Pursuant to resolution 18/23, the Council convened at its 19th 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, and requested the Office of the High Commissioner to prepare a report on the outcome of the panel discussion in the form of a

summary. The Council will have before it the report of the High Commissioner (A/HRC/20/11).

Technical assistance and cooperation on human rights for Kyrgyzstan

20. In its resolutions 14/14 and 17/20, 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. The Council will consider the report of the High Commissioner (A/HRC/20/12 and Corr.1).

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

Right of everyone to the enjoyment of the highest attainable standard of physical and mental health

21. In its resolution 15/22, the Council decided to extend the mandate of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health for a further period of three years and requested the Special Rapporteur to submit an annual report to the Council. The Council will consider the reports of the Special Rapporteur, Anand Grover (A/HRC/20/15 and Add.1-4).

Right to education

22. In its resolution 17/3, the Council requested the Special Rapporteur on the right to education to report to the Council on a yearly basis in accordance with its programme of work. The Council will consider the reports of the Special Rapporteur, Kishore Singh (A/HRC/20/21 and Add.1-3).

The effects of foreign debt and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights

23. In its resolutions 14/4 and 16/14, the Council requested the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights to explore, in an analytical annual report to the Human Rights Council, the interlinkages with trade and other issues, including HIV/AIDS, when examining the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights. In its resolution 17/7, the Council requested the Independent Expert to submit to the Council an analytical report on the implementation of that resolution and a revised draft of the guidelines in 2012 in accordance with its annual programme of work. The Council will consider the reports of the Independent Expert, Cephas Lumina (A/HRC/20/23 and Add.1-4).

Extreme poverty and human rights

24. In its resolutions 8/11 and 17/13, the Council requested the Independent Expert, and subsequently the Special Rapporteur, on extreme poverty and human rights to submit an

annual report on the implementation of those resolutions to the Council. The Council will consider the reports of the Special Rapporteur Maria Magdalena Sepúlveda Carmona (A/HRC/20/25 and Add.1-4).

Cultural rights

25. Pursuant to resolution 17/15, the Council requested the Independent Expert on the promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity to present her next report to the Council at its twentieth session. In its resolution 19/6, the Council decided to extend for a period of three years the mandate of the current mandate holder as special rapporteur in the field of cultural rights. The Council will consider the reports of the now Special Rapporteur, Farida Shaheed (A/HRC/20/26 and Add.1-5).

Human rights and transnational corporations and other business enterprises

26. In its resolution 17/4, the Council established a Working Group on the issue of human rights and transnational corporations and other business enterprises, consisting of five independent experts, of balanced geographical representation, for a period of three years, and requested it to report annually to the Human Rights Council and the General Assembly. The Council will consider the report of the Working Group (A/HRC/20/29).

B. Civil and political rights

Freedom of opinion and expression

27. In its resolutions 7/36 and 12/16, the Council requested the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression to submit an annual report to the Council. In its resolution 16/4, the Council also requested the Special Rapporteur to submit an annual report to the Council and to the General Assembly covering all activities relating to the mandate, with a view to maximizing the benefits of the reporting process. The Council will consider the reports of the Special Rapporteur, Frank La Rue (A/HRC/20/17 and Add.1-6).

Independence of judges and lawyers

28. In its resolution 17/2, the Council requested the Special Rapporteur on the independence of judges and lawyers to report regularly to the Council in accordance with its programme of work. The Council will consider the reports of the Special Rapporteur, Gabriela Knaut (A/HRC/20/19 and Add.1-8).

29. In its resolution 15/3, the Council requested the Special Rapporteur to carry out, within existing resources and with the support of the Office of the High Commissioner for Human Rights, a global thematic study to assess the human rights education and continuing training of judges, prosecutors, public defenders and lawyers, with recommendations for appropriate follow-up, and to present it to the Council at its twentieth session. The Council will have before it the global thematic study of the Special Rapporteur (A/HRC/20/20).

Extrajudicial, summary or arbitrary executions

30. In its resolution 8/3, the Council requested the Special Rapporteur on extrajudicial, summary or arbitrary executions to submit to the Council his or her findings on an annual basis. In its resolution 17/5, the Council extended the mandate for a further three years. The Council will consider the reports of the Special Rapporteur, Christof Heyns (A/HRC/20/22 and Add.1-5).

Freedom of peaceful assembly and of association

31. In its resolution 15/21, establishing the mandate of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Council requested the Special Rapporteur to submit an annual report to the Council covering activities relating to his or her mandate. The Council will consider the reports of the Special Rapporteur, Maina Kiai (A/HRC/20/27 and Add.1-4).

C. Rights of peoples, and specific groups and individuals

Violence against women, its causes and consequences

32. In its resolution 16/7, the Council requested the Special Rapporteur on violence against women, its causes and consequences, to report to the Council in accordance with its annual programme of work. The Council will consider the reports of the Special Rapporteur, Rashida Manjoo (A/HRC/20/16 and Add.1-8).

33. Reference is also made to the thematic study of the Office of the High Commissioner on the issue of violence against women and girls and disability (A/HRC/20/5 and Corr.1) (see paragraph 12 above).

34. In its resolution 6/30, the Council decided to incorporate into its programme of work sufficient and adequate time, at minimum an annual full-day meeting, to discuss the human rights of women, including measures that can be adopted by States and other stakeholders, to address human rights violations experienced by women. In its resolution 17/11, the Council decided to include in the annual full-day discussion on women's human rights, at its twentieth session, in consultation with the Special Rapporteur on violence against women, its causes and consequences, and other relevant special procedures mandate holders, the theme of remedies, with a focus on transformative and culturally sensitive reparations for women who have been subjected to violence. The Council is scheduled to hold a full-day discussion on the human rights of women on the above-mentioned theme (see annex).

Discrimination against women in law and in practice

35. Pursuant to resolution 15/23, the Council established, for a period of three years, a Working Group of five independent experts, of balanced geographical representation, on the issue of discrimination against women in law and in practice. The Council requested the Working Group to submit an annual report to the Council, starting at its twentieth session, on this issue and good practices in eliminating such discrimination, drawing upon the findings of the United Nations human rights machinery and the broader United Nations system. The Council will consider the reports of the Working Group relating to its first, second and third sessions (A/HRC/20/28 and Add.1).

Human rights of migrants

36. In its resolution 8/10, the Council requested the Special Rapporteur on the human rights of migrants to report regularly to the Council, according to its annual programme of work. In its resolution 17/12, the Council extended the mandate of the Special Rapporteur for a further three years, and in its resolution 18/21, the Council requested the Special Rapporteur to continue his efforts to promote and support the building of greater synergies between States to strengthen cooperation for the protection of the human rights of all migrant workers and their families, and to continue to report on best practices of States on this issue. The Council will consider the reports of the Special Rapporteur, François Crépeau (A/HRC/20/24 and Add.1).

Trafficking in persons, especially women and children

37. In its resolution 17/1, the Council extended the mandate of the Special Rapporteur on trafficking in persons, especially women and children for a period of three years and requested her to report annually to the Council on the implementation of that resolution. The Council will consider the reports of the Special Rapporteur, Joy Ngozi Ezeilo (A/HRC/20/18 and Add.1-6).

Promotion and protection of human rights in a multicultural context, including through combating xenophobia, discrimination and intolerance

38. In its resolution 18/20, the Council decided to convene, within existing resources, at its twentieth session, a panel discussion on the promotion and protection of human rights in a multicultural context, including through combating xenophobia, discrimination and intolerance. The Council will hold a panel discussion on this issue (see annex).

D. Interrelation of human rights and human rights thematic issues

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

39. In its resolutions 13/26, 15/15 and 19/19 the Council requested the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism to continue to gather, request, receive and exchange information on alleged violations of human rights and fundamental freedoms while countering terrorism, and to report regularly to the Human Rights Council. The Council will consider the reports of the current and former Special Rapporteurs, Ben Emmerson and Martin Scheinin (A/HRC/20/14 and Add.1-3).

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

Situation of human rights in Belarus

40. Reference is made to the report of the High Commissioner on the situation of human rights in Belarus (A/HRC/20/8) (see paragraph 15 above).

Situation of human rights in the Syrian Arab Republic

41. In its resolution 19/22, the Council decided to extend the mandate of the commission of inquiry established by the Human Rights Council in its resolution S-17/1, and requested the commission to continue its work and to provide an oral update to the Council at an interactive dialogue at its twentieth session. The Council also requested the commission of inquiry to conduct and continuously update a mapping exercise of gross violations of human rights since March 2011, including an assessment of casualty figures, and to publish it periodically. The commission of inquiry will provide an oral update during the twentieth session.

42. Reference is also made to the report of the Secretary-General on the implementation of resolution 19/22 on the situation of human rights in the Syrian Arab Republic (A/HRC/20/37) (see paragraph 16 above).

5. Human rights bodies and mechanisms

A. Human Rights Council Advisory Committee

The right of peoples to peace

43. In its resolutions 14/3 and 17/16, the Council requested the Human Rights Council Advisory Committee, in consultation with Member States, civil society, academia and all relevant stakeholders, to present a draft declaration on the right of peoples to peace and to report on progress thereon to the Council at its twentieth session. The Council will have before it the report of the Advisory Committee (A/HRC/20/31).

B. Complaint procedure

44. 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.

45. The Working Group on Communications held its 10th session from 23 to 27 April 2012.

46. At its twentieth session, the Council will consider the report of the Working Group on Situations on its 10th session (4-8 June 2012) and other pending issues relating to the complaint procedure in two closed meetings.

C. Special procedures

47. The Human Rights Council will have before it the communications report of special procedures (A/HRC/20/30). The full report will be available online.

6. Universal periodic review

48. Reference is made to the report of the Office of the High Commissioner for Human Rights on operations of the Voluntary Fund for participation in the universal periodic review (A/HRC/20/39) (see paragraph 17 above).

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

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

49. In its resolution 19/18, the Council requested the High Commissioner for Human Rights to submit a progress report on the implementation of that resolution. The Council will have before it the progress report of the High Commissioner (A/HRC/20/36).

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

50. In its resolution 19/17, the Council decided to dispatch an independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, with a mandate ending on submission of a report to the Council. The Council will have before it the report of the Secretary-General on the implementation of the above-mentioned resolution (A/HRC/20/13).

The situation of human rights in the Palestinian territories occupied since 1967

51. 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/20/32).

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

52. Reference is made to the reports of the Secretary-General on national institutions for the promotion and protection of human rights (A/HRC/20/9) and on the activities of the International Coordinating Committee in accrediting national institutions (A/HRC/20/10) (see paragraph 18 above).

53. Reference is further made to the report of the High Commissioner for Human Rights on the panel discussion on promoting awareness, understanding and the application of the Universal Declaration of Human Rights through sport and the Olympic ideal (A/HRC/20/11) (see paragraph 19 above).

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

Racism, racial discrimination, xenophobia and related intolerance

54. In its resolution 16/33, the Council requested the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to submit an annual report to the Human Rights Council and to the General Assembly on all activities relating to the mandate with a view to maximizing the benefits of the reporting process. The Council will consider the reports of the new Special Rapporteur, Mutuma Ruteere (A/HRC/20/33 and Add.1-3).

55. In its resolution 66/143 on the inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the General Assembly requested the Special Rapporteur to prepare, for submission to the General Assembly at its sixty-seventh session and to the Human Rights Council at its twentieth session, reports on the implementation of this resolution. The Council will consider the report of the Special Rapporteur (A/HRC/20/38).

Programme of activities for the International Year for People of African Descent

56. In its resolution 18/27, the Council requested the Secretary-General to make available to the Human Rights Council at its twentieth session his progress report submitted

to the General Assembly pursuant to Assembly resolution 65/36, entitled “Programme of activities for the International Year for People of African Descent”. The Council will have before it the progress report of the Secretary-General (A/66/342 and Add.1).

10. Technical assistance and capacity-building

Enhancement of technical cooperation and capacity-building in the field of human rights

57. In its resolution 18/18, the Council invited the High Commissioner to make an annual presentation on the overview of and successes, best practices and challenges in technical assistance and capacity-building efforts, particularly those provided by the Office of the High Commissioner and relevant United Nations agencies. The High Commissioner will make a presentation during the twentieth session.

United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights

58. In its resolution 18/18, the Council invited the Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights to present a comprehensive report on the Board’s work to the Human Rights Council on an annual basis, starting from the twentieth session. The Council will have before it the report of the Chairperson of the Board of Trustees, William A. Schabas (A/HRC/20/34).

Situation of human rights in Haiti

59. In President’s statement 19/2, the Council approved the request of the Haitian authorities to have the mission of the Independent Expert on the situation of human rights in Haiti extended for one year. It further requested the Independent Expert to report to the Council at its twentieth session. The Council will consider the reports of the Independent Expert, Michel Forst (A/HRC/20/35 and Add.1).

Technical assistance and cooperation on human rights for Kyrgyzstan

60. Reference is made to the report of the High Commissioner on technical assistance and cooperation on human rights for Kyrgyzstan (A/HRC/20/12 and Corr.1) (see paragraph 20 above).

Annex

Panel discussions to be held at the twentieth session of the Human Rights Council

<i>Resolution/Decision</i>	<i>Panels/discussions</i>
17/11 Accelerating efforts to eliminate all forms of violence against women: ensuring due diligence in prevention	Annual full-day discussion on the human rights of women
18/20 Panel on the promotion and protection of human rights in a multicultural context, including through combating xenophobia, discrimination and intolerance	Panel
