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HUMAN RIGHTS COUNCIL  
Tenth session  
Agenda item 1

**ANNOTATIONS TO THE AGENDA FOR THE TENTH 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 19 June 2008 at the organizational meeting for the third cycle of the Council, the Human Rights Council will hold its tenth session from 2 to 27 March 2009 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 tenth session will be held on 16 February 2009.

### **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 for the tenth session relating to items included in the agenda.

### **Composition of the Human Rights Council**

4. The composition of the Council at its tenth session is as follows:<sup>1</sup> Angola (2010); Argentina (2011); Azerbaijan (2009); Bahrain (2011); Bangladesh (2009); Bolivia (2010); Bosnia and Herzegovina (2010); Brazil (2011); Burkina Faso (2011); Cameroon (2009); Canada (2009); Chile (2011); China (2009); Cuba (2009); Djibouti (2009); Egypt (2010); France (2011); Gabon (2011); Germany (2009); Ghana (2011); India (2010); Indonesia (2010); Italy (2010); Japan (2011); Jordan (2009); Madagascar (2010); Malaysia (2009); Mauritius (2009); Mexico (2009); Netherlands (2010); Nicaragua (2010); Nigeria (2009); Pakistan (2011); Philippines (2010); Qatar (2010); Republic of Korea (2011); Russian Federation (2009); Saudi Arabia (2009); Senegal (2009); Slovakia (2011); Slovenia (2010); South Africa (2010); Switzerland (2009); Ukraine (2011); United Kingdom of Great Britain and Northern Ireland (2011); Uruguay (2009); Zambia (2011).

### **Bureau of the Human Rights Council**

5. The composition of the Bureau of the Council for its third year, until 18 June 2009, is as follows: President of the Council, Martin Ihoeghian Uhomoibhi (Nigeria); Vice-Presidents, Erlinda F. Basilio (Philippines), Alberto J. Dumont (Argentina) and Marius Grinius (Canada); Vice-President and Rapporteur, H.E. Mr. Elchin Amirbayov (Azerbaijan).

### **Review, rationalization and improvement of mandates**

6. The process of review, rationalization and improvement of mandates is as described in Council resolution 5/1.

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

### **Selection and appointment of mandate-holders**

7. 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 Alejandro Artucio (Uruguay), Petko Draganov (Bulgaria), Javier Garrigues Flórez (Spain), Dayan Jayatileka (Sri Lanka) and Babacar Carlos Mbaye (Senegal) will propose to the President of the Council a list of candidates for the mandate (Special Rapporteur on the situation of human rights in Cambodia) for which a new mandate-holder is to be appointed at the tenth session.

8. 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 tenth 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 4 members for a one-year term, 7 for a two-year term and 7 for a three-year term.

10. The mandate of the four members elected for a one-year term will thus expire in 2009. Of those four vacancies, there is one for a member of each regional group, with the exception of Eastern European States. According to the annual programme of work of the Council, the election of these four members will be conducted during the tenth session.

11. Paragraph 70 of the annex of 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 of its resolution 5/1, the Council adopted decision 6/102 containing 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 (see also paragraphs 80 to 82 below).

13. In accordance with paragraph 71 of Council resolution 5/1, the list of candidates and relevant information was made available to Member States and to the public in a note by the Secretary-General (A/HRC/10/50).

### **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 President's statements, as well as a technical summary of the proceedings held during the tenth 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<sup>2</sup>**

*Human rights of persons with disabilities*

15. In its resolution 7/9, the Council requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to prepare a thematic study to enhance awareness and understanding of the Convention on the Rights of Persons with Disabilities, focusing on key legal measures for the ratification and effective implementation of the Convention, such as those relating to equality and non-discrimination, in consultation with States, civil society organizations, including organizations of persons with disabilities, and national human rights institutions, and requested that the study be available on the website of OHCHR, in an accessible format, prior to the tenth session of the Council. The Council will consider the study (A/HRC/10/48) under agenda item 3 (see also paragraph 68 below).

*Human rights and arbitrary deprivation of nationality*

16. In its resolution 7/10, the Council urged the appropriate mechanisms of the Council and the appropriate United Nations treaty bodies and encouraged the Office of the United Nations High Commissioner for Refugees to continue to collect information on the issue of human rights and arbitrary deprivation of nationality from all relevant sources and to take account of such information, together with any recommendations thereon, in their reports and activities conducted within their respective mandates. The Council also requested the Secretary-General to collect information on this question from all relevant sources and to make it available to the Council at its tenth session. The Council will consider the report of the Secretary-General (A/HRC/10/34) under agenda item 3.

*Human rights and climate change*

17. In its resolution 7/23, the Council decided to request OHCHR, in consultation with and taking into account the views of States, other relevant international organizations and intergovernmental bodies, including the Intergovernmental Panel on Climate Change and the secretariat of the United Nations Framework Convention on Climate Change, and other stakeholders, to conduct, within existing resources, a detailed analytical study of the relationship between climate change and human rights. The Council will consider the study of the High Commissioner (A/HRC/10/61) under agenda item 3 (see also paragraph 72 below).

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<sup>2</sup> While all reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner and the Secretary-General are listed under agenda item 2, the Council will consider them under the relevant agenda items, as indicated.

*Prevention of genocide*

18. In its resolution 7/25, the Council requested the High Commissioner to circulate the reports of the Secretary-General submitted to the Council in order to obtain the views of States, relevant United Nations agencies, treaty bodies and special procedures on those reports, including on possible warning signs that might lead to genocide, and to report to the Council at its tenth session. The Council will consider the report of the High Commissioner (A/HRC/10/25).

19. In the same resolution, the Council also requested the Secretary-General to make available to the Council at its tenth session an updated report on the efforts of the United Nations system to prevent genocide and on the activities of the Special Adviser (A/HRC/10/30), and invited the Special Adviser to an interactive dialogue with the Council at the same session on the progress made in discharging his duties.

20. The Council will have before it the above-mentioned reports, and engage in an interactive dialogue with the Special Adviser, under agenda item 3.

*Missing persons*

21. In its resolution 7/28, the Council requested the Secretary-General to submit a comprehensive report on the implementation of that resolution to the Council before its tenth session. The Council will consider the report of the Secretary-General (A/HRC/10/28) under agenda item 3 (see also paragraph 63 below).

*Question of the realization in all countries of economic, social and cultural rights*

22. In its resolution 4/1, the Council requested the Secretary-General to submit an annual report on the implementation of that resolution and decided to remain seized of the issue and to consider taking further action in order to implement the resolution. The Council will consider the report of the Secretary-General (A/HRC/10/46) under agenda item 3.

*Enhancement of international cooperation in the field of human rights*

23. In its resolution 7/3, the Council requested the High Commissioner for Human Rights to consult States and intergovernmental and non-governmental organizations on ways and means to enhance international cooperation and dialogue in the United Nations human rights machinery, including the Council, as recognized by the General Assembly in the preamble of its resolution 60/251, and to present a report to the Council at the relevant session in 2009. The Council will consider the report of the High Commissioner (A/HRC/10/26) under agenda item 3.

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

24. In its resolution 8/13, the Council requested OHCHR to collect information on the measures that Governments have taken to eliminate discrimination against persons affected by leprosy and their family members, and, if extrabudgetary funding is available, to hold a meeting to exchange views among relevant actors, and to submit a report to the Council and the Advisory Committee. The Council will consider the report of OHCHR (A/HRC/10/62) under agenda item 3.

*Cooperation with representatives of United Nations human rights bodies*

25. Pursuant to Council decision 2/102 and Commission on Human Rights resolution 2005/9, the Council will consider the report of the Secretary-General on the progress of reports and studies relevant to cooperation with representatives of United Nations human rights bodies (A/HRC/10/36), under item 3.

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

26. Pursuant to Council decision 2/102 and Commission resolution 2005/79, the Council will consider the report of the Secretary-General (A/HRC/10/38), under item 3 (see also paragraph 87 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 work plan of the Division for the Advancement of Women and OHCHR (A/HRC/10/42) prepared pursuant to resolution 39/5 of the Commission on the Status of Women and resolution 1997/43 of the Commission on Human Rights, which will be considered by the Council under item 3 (see also paragraph 40 below).

*Elimination of violence against women*

28. Pursuant to Council decision 2/102 and General Assembly resolution 50/166, the Council will consider a note by the Secretary-General transmitting the report of the Development Fund for Women on the elimination of violence against women (A/HRC/10/43), under item 3.

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

29. Pursuant to Council decision 2/102 and Commission resolution 2005/84, the Council will consider the progress report of the Secretary-General (A/HRC/10/47), under item 3.

*Rights of indigenous peoples*

30. Pursuant to Council decision 2/102 and Commission resolution 2005/49, the Council will consider the report of the High Commissioner for Human Rights (A/HRC/10/51), under item 3 (see paragraphs 88 and 89 below).

*The question of the death penalty*

31. Pursuant to Council decision 2/102 and Commission resolution 2005/59, the Council will consider the report of the Secretary-General on the question of the death penalty (A/HRC/10/67), under item 3.



*Promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity*

32. In its resolution 6/6, the Council acknowledged that the process of review, rationalization and improvement of mandates represents momentum towards the establishment of an independent expert in the field of cultural rights, and to that end requested the High Commissioner for Human Rights to consult States, intergovernmental and non-governmental organizations on the content and scope of the mandate of the independent expert in the field of cultural rights, the basis of which would be the comprehensive implementation of resolution 6/6, and to report on the results of those consultations to the Council in accordance with its annual programme of work. The Council will consider the report of the High Commissioner (A/HRC/10/60) under item 3.

*Situation of human rights in Myanmar*

33. In its resolution 62/222, the General Assembly requested the Secretary-General to report to the Council on the progress made in the implementation of that resolution. The Council will consider the report of the Secretary-General (A/HRC/10/17) under agenda item 4 (see paragraph 77 below).

*United Nations Voluntary Trust Fund on Contemporary Forms of Slavery*

34. Pursuant to Council decision 2/102 and Commission resolution 1999/46, and in accordance with the note by the Secretariat (A/HRC/7/63), the Council will consider the report of the Secretary-General (A/HRC/10/49), under agenda item 5.

*United Nations Voluntary Fund for Victims of Torture*

35. In its resolution 8/8, the Council took note of the reports of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture and called upon the Board of the Fund to report to the Council in accordance with the annual programme of work. The Council will consider the report by the Board (A/HRC/10/40) under agenda item 5.

*Fifteenth meeting of special procedures*

36. Pursuant to Council decision 2/102, the Council will consider a note by the High Commissioner transmitting to the Council the report of the fifteenth meeting of special rapporteurs/representatives, independent experts and chairpersons of working groups (A/HRC/10/24), under item 5.

*Conclusions and recommendations of special procedures*

37. Pursuant to Council decision 2/102, the Council will consider the report of the Secretary-General containing conclusions and recommendations by special procedures (A/HRC/10/39), under item 5.

*Issue of Palestinian pregnant women giving birth at Israeli checkpoints*

38. Pursuant to Council decision 2/102 and Commission resolution 2005/7, the Council will consider the report of the High Commissioner on the issue of Palestinian pregnant women giving birth at Israeli checkpoints (A/HRC/10/35), under item 7.

*Human rights in the occupied Syrian Golan*

39. In its resolution 7/30, the Council requested the Secretary-General to bring that resolution to the attention of all Governments, the competent United Nations organs, specialized agencies, international and regional intergovernmental organizations and international humanitarian organizations, to disseminate it as widely as possible and to report on the matter to the Council at its tenth session under agenda item 7 (see paragraphs 95 and 96 below).

*Integrating the human rights of women throughout the United Nations system*

40. In its resolution 6/30, the Council requested OHCHR to report in 2008 on the obstacles and challenges to the implementation of the resolution by the Council and to make concrete recommendations for action to address such obstacles and challenges. The Council will consider the report of the Office of the High Commissioner (A/HRC/10/63)<sup>3</sup> under agenda item 8 (see also paragraph 27 above and paragraphs 100 to 102 below).

*Regional cooperation for the promotion and protection of human rights in the Asia-Pacific region*

41. In its resolution 6/25, the Council requested the High Commissioner for Human Rights to submit for the Council's consideration at its seventh session a report containing the conclusion of the Fifteenth Annual Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region and information on the progress achieved in the implementation of the resolution. The Council will consider the report by the High Commissioner (A/HRC/10/29) under item 8.

*National human rights institutions*

42. Pursuant to Council decision 2/102 and Commission 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/10/54) 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 ensure 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/10/55), under item 8.

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<sup>3</sup> (A/HRC/9/6) The OHCHR report pursuant to resolution 6/30 was not submitted to the Council at its ninth session, but at its tenth session, following the annual discussion on the integration of a gender perspective in the work of the Council pursuant to paragraph 22 of the resolution. This will allow all stakeholders to benefit from the panel discussion before submitting their views on the matter.

*Racism, racial discrimination, xenophobia and all forms of discrimination*

43. Pursuant to Council decision 2/102 and Commission resolution 2005/64, the Council will have before it the note by the Secretariat on the efforts made by OHCHR for the universal ratification of the International Convention on the Elimination of All Forms of Racial Discrimination (A/HRC/10/33). The Council will consider the report under item 9 (see also paragraphs 104 to 107 below).

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

44. In its resolution 7/2, the Council requested the High Commissioner to submit a comprehensive and updated report to the Council in 2009, 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/10/45) at its tenth session.

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

45. In its decision 2/113 of 27 November 2006, 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 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/10/23), under agenda item 10.

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

46. In its resolution 7/20, the Council invited the High Commissioner to report to the Council at its session in March 2009 on the human rights situation in the Democratic Republic of the Congo and the activities of the Office of the High Commissioner undertaken in the country. The Council will consider the report of the High Commissioner (A/HRC/10/58) under agenda item 10 (see also paragraphs 110 to 112 below).

47. On 28 November and 1 December 2008, the Council held its eighth special session, on the situation of human rights in the east of the Democratic Republic of the Congo. In its resolution S-8/1, the Council invited the High Commissioner for Human Rights to report to the Council at its tenth session on the human rights situation in the east of the Democratic Republic of the Congo and on the activities that OHCHR has undertaken in the region (see also paragraphs 111 and 112 below).

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

48. The General Assembly, in its resolution 48/141, decided to create the post of the United Nations High Commissioner for Human Rights and, inter alia, requested the

High Commissioner to report annually on her activities. The Council will consider the annual report of the High Commissioner, as well as the reports on the activities of her offices in Guatemala and in Bolivia (A/HRC/10/31 and Add.1 and 2), under agenda item 10.

*Situation of human rights in Colombia*

49. 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 consider the report of the High Commissioner for Human Rights (A/HRC/10/32), under agenda item 10.

*Question of human rights in Cyprus*

50. Pursuant to Council decision 2/102 and Commission decision 2005/103, the Council will consider the note by the Secretary-General transmitting the report of OHCHR (A/HRC/10/37), under agenda item 10.

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

51. Pursuant to Council decision 2/102 and Commission resolution 2005/76, the Council will consider the report of the High Commissioner for Human Rights on the assistance to Sierra Leone in the field of human rights (A/HRC/10/52), under agenda item 10.

*Technical cooperation and advisory services in Nepal*

52. Pursuant to Council decision 2/102, the Council will consider the report of the High Commissioner (A/HRC/10/53), under agenda item 10.

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

53. Pursuant to Council decision 2/102 and Commission resolution 2004/81, the Council will consider the report of the Secretary-General (A/HRC/10/57), under agenda item 10.

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

54. Although all reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner and the Secretary-General are listed under agenda item 2, the reports referred to in paragraphs 15 to 32 will be considered under agenda item 3.

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

*Right to food*

55. In its resolutions 6/2 and 7/14, the Council requested the Special Rapporteur on the right to food to submit a report on the implementation of those resolutions to the Council in 2009, in accordance with its annual programme of work. The Council will consider the reports of the Special Rapporteur on the right to food, Olivier de Schutter (A/HRC/10/5 and Add.1 and 2).

56. In its resolution 7/14, the Council also decided to convene a panel discussion on the realization of the right to food in the period of its main session of 2009. The Council will hold the above-mentioned panel discussion at its tenth session.

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

57. In its resolution 6/27, 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/10/7 and Add.1-3).

*Human rights and access to safe drinking water and sanitation*

58. In its resolution 7/22, the Council decided to appoint an independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, and invited him/her to submit a report, including conclusions and recommendations, to the Council at its tenth session. The Council will consider the report of the independent expert, Catarina de Albuquerque (A/HRC/10/6).

**B. Civil and political rights**

*Arbitrary detention*

59. 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 to the Council. The Council will consider the reports of the Working Group (A/HRC/10/21 and Add.1-5).

*Elimination of all forms of intolerance and of discrimination based on religion and belief*

60. In its resolution 6/37, the Council requested the Special Rapporteur on freedom of religion or belief to submit the outstanding reports to the Council in accordance with its annual programme of work and the annual report in 2009. The Council also decided to remain seized of this question under the same agenda item and 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, Asma Jahangir (A/HRC/10/8 and Add.1-4).

*Enforced or involuntary disappearances*

61. 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/10/9 and Add.1).

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

62. In accordance with its resolutions 5/1 and 8/8, the Council will consider the reports of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak (A/HRC/10/44 and Add.1-5).

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

*Missing persons*

63. In accordance with its resolution 7/28, the Council decided to hold a panel discussion on the question of missing persons at its ninth session and to invite experts of the International Committee of the Red Cross, delegates of Governments and non-governmental organizations as well as national human rights institutions and international organizations to participate therein, and requested the High Commissioner to prepare a summary of the panel's deliberations with a view to subsequently charging the Advisory Committee, at the same session, with the preparation of a study on best practices in the matter. The Council held the above-mentioned panel discussion at its ninth session and the summary thereof (A/HRC/10/10) will be considered at its tenth session (see also paragraph 21 above).

64. In accordance with its resolution 7/28, the Council requested the Secretary-General to present a comprehensive report on the implementation of the resolution. The Council will consider the report of the Secretary-General (A/HRC/10/28).

*Internally displaced persons*

65. In its resolution 6/32, the Council invited the Representative of the Secretary-General 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 Representative of the Secretary-General, Walter Kälin (A/HRC/10/13 and Add.1).

*Minority issues*

66. 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/10/11 and Add.1-3) (see also paragraphs 26 above and 87 below).

*Situation of human rights defenders*

67. 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/10/12 and Add.1-3).

*Human rights of persons with disabilities*

68. 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 and that the first such debate should be held at its tenth session, focusing on key legal measures for ratification and effective implementation of the Convention, including with regard to equality and non-discrimination. The Council will hold the annual interactive debate at its tenth session (see also paragraph 15 above).

*Rights of the child*

69. 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 above-mentioned full-day meeting at its tenth session.

70. In accordance with the same resolution, the Council will have before it a note by the Secretariat on the report by the Secretary-General on the rights of the child (A/HRC/10/86).

*Trafficking in persons, especially women and children*

71. In its resolution 8/12, the Council requested the Special Rapporteur on trafficking in persons, especially women and children to report annually, starting in 2009, on the implementation of that resolution to the Council, according to its programme of work. The Council will consider the report of the Special Rapporteur, Joy Ngozi Ezeilo Emekekwe (A/HRC/10/16).

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

*Human rights and climate change*

72. In its resolution 7/23, the Council decided to consider the issue at its tenth session under agenda item 3, and thereafter to make available the study conducted by the High Commissioner, together with a summary of the debate held during its tenth session, to the Conference of Parties to the United Nations Framework Convention on Climate Change for its consideration. The Council will consider the above-mentioned study (A/HRC/10/61) and hold the debate at its tenth session (see also paragraph 17 above).

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

73. In its resolution 6/28, the Council requested the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism to report regularly to the Council. The Council decided to continue consideration of this question in conformity with the annual programme of work of the Council. The Council will consider the reports of the Special Rapporteur (A/HRC/10/3 and Add.1 and 2).

*Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination*

74. In its resolution 7/21, the Council requested the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination to consult States, intergovernmental organizations, non-governmental organizations and other relevant actors of civil society in the implementation of the resolution and to report to the Council in 2009, in accordance with its annual programme of work. The Council will consider the reports of the Working Group (A/HRC/10/14 and Add.1-3).

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

75. Although all reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner and the Secretary-General are listed under agenda item 2, the report referred to in paragraph 33 above will be considered under agenda item 4.

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

76. In its resolution 7/15, the Council invited 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 to the Council. The Council will consider the report of the Special Rapporteur, Vitit Muntarbhorn (A/HRC/10/18).

*Situation of human rights in Myanmar*

77. The Council will consider the report of the Special Rapporteur, Tomas Ojea Quintana (A/HRC/10/19), submitted pursuant to Council resolutions 7/31 and 8/14 (see paragraph 33 above).

**5. Human rights bodies and mechanisms**

78. Although all reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner and the Secretary-General are listed under agenda item 2, the reports referred to in paragraphs 34 to 37 above will be considered under agenda item 5.

**A. Human Rights Council Advisory Committee**

79. By 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.

80. At its seventh session, the Council elected the 18 members of the Advisory Committee. The first session of the Advisory Committee was held from 4 to 15 August 2008.

81. In accordance with paragraph 80 of the annex to its resolution 5/1, the Advisory Committee will report to the Council. The report of the Advisory Committee (A/HRC/10/2) on its first and second sessions and containing recommendations addressed to the Council for action will be considered.



*United Nations declaration on human rights education and training*

82. In its resolution 6/10 of 28 September 2007, the Council requested the Human Rights Council Advisory Committee to prepare a draft declaration on human rights education and training. The Council also requested the Advisory Committee to seek the views and inputs of member States, relevant international and regional organizations, OHCHR, national human rights institutions and civil society organizations, including non-governmental organizations, on the possible elements of the content of the declaration and to take into account existing relevant instruments (see also paragraphs 9 to 13 above). The Council requested the Advisory Committee to present a progress report containing the elements of the draft declaration on human rights education and training to the Council at its main session in 2009. The Council will consider that report (A/HRC/10/4).

**B. Complaint procedure**

83. 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 that resolution, 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.

84. The Working Group on Communications met from 20 to 24 October 2008. The Working Group on Situations will meet from 19 to 23 January 2009.

85. At its tenth session, the Council will consider the complaint procedure in two closed meetings.

**C. Social Forum**

86. In its resolution 6/13, the Council invited the 2008 Social Forum to submit to the Council a report, including a proposal of possible themes for the 2009 Social Forum. The Council decided that it would continue consideration of this issue under the relevant agenda item when the report of the 2008 Social Forum was submitted to the Council. The Social Forum met from 1 to 3 September 2008. The Council will consider that report (A/HRC/10/65).

**D. Forum on Minority Issues**

87. 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 met on 15 and 16 December 2008. The recommendations of the session are contained in the report of the independent expert on minority issues (see also paragraphs 26 and 66 above).

### **E. Expert Mechanism on the Rights of Indigenous Peoples**

88. 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 also decided that the expert mechanism should meet once annually, three days in its first year and thereafter for up to five days, and that it should report annually to the Council on its work (see paragraph 30 above).

89. The Expert Mechanism on the Rights of Indigenous Peoples met from 1 to 3 October 2008. The report of its first session (A/HRC/10/56) will be considered by the Council.

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

90. 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 third session from 1 to 12 December 2008. At its tenth session, the Council will consider the final outcome of the review of Botswana, the Bahamas, Burundi, Luxembourg, Barbados, Montenegro, the United Arab Emirates, Israel, Liechtenstein, Serbia, Turkmenistan, Burkina Faso, Cape Verde, Colombia, Uzbekistan and Tuvalu (see A/HRC/6/22, annex VII).

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

91. Although all reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner and the Secretary-General are listed under agenda item 2, the report referred to in paragraphs 38 and 39 above will be considered under agenda item 7.

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

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

92. 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/10/20).

*Follow-up to special sessions*

93. In accordance with resolution S-3/1, in which the Council decided to dispatch urgently a high-level fact-finding mission, to be appointed by the President of the Council, to travel to Beit Hanoun to, inter alia, assess the situation of victims, address the needs of survivors, and make recommendations on ways and means to protect Palestinian civilians against any further Israeli assaults, the Council welcomed the report of the high-level fact-finding mission on Beit Hanoun (A/HRC/9/26) at its ninth session.

94. Taking note of the above-mentioned report, the Council adopted resolution 9/18, in which it requested the Secretary-General to report to the Council at its next session on the implementation of the recommendations contained in the report of the mission. The Council will consider that report (A/HRC/10/27).

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

95. In its resolution 7/18, the Council decided to continue consideration of this question at its session of March 2009 (see also paragraph 39 above).

*Human rights in the occupied Syrian Golan*

96. In its resolution 7/30, the Council requested the Secretary-General to report on the matter to the Council at its tenth session under agenda item 7 (see also paragraph 39 above). The Council will consider that report (A/HRC/10/15).

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

97. In its resolution 7/17, the Council decided to continue the consideration of this question at its session of March 2009.

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

98. Although all reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner and the Secretary-General are listed under agenda item 2, the reports referred to in paragraphs 40 to 42 above will be considered under agenda item 8.

*Regional arrangements for the promotion and protection of human rights*

99. In its resolution 6/20, the Council requested the High Commissioner for Human Rights to convene in 2008 a workshop for an exchange of views on good practices, added value and challenges for such regional arrangements, with the participation of representatives of the relevant regional and subregional arrangements from different regions, experts and all interested States members of the United Nations, observers, national human rights institutions and representatives of non-governmental organizations, based on arrangements, including Economic and Social Council resolution 1996/31 and practices observed by the Commission on Human Rights. The Council also requested the Office of the High Commissioner to present the Council with a summary of the discussions of the workshop, at a moment in conformity with the programme of work of the Council. The Council will have before it the summary of the High Commissioner (A/HRC/10/41) under agenda item 8.

*Integrating the human rights of women throughout the United Nations system*

100. 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.

101. In the same resolution, the Council decided to incorporate into its programme of work an annual discussion on the integration of a gender perspective throughout its work and that of its mechanisms, including the evaluation of progress made and challenges experienced.

102. The Council decided to continue its consideration of both the rights of women and the integration of a gender perspective in accordance with its programme of work and requested OHCHR to report in 2008 on the obstacles and challenges to the implementation of resolution 6/30 by the Council and to make concrete recommendations for action to address such obstacles and challenges. The Council will consider that report (A/HRC/10/63) (see also paragraphs 27 and 40 above).

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

103. Although all reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner and the Secretary-General are listed under agenda item 2, the report referred to in paragraph 44 above will be considered under agenda item 9.

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

104. In its resolution 1/5, 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 its decision 3/103, the Council decided to recommend that the Working Group convene the second part of its fifth session in September 2007 and that this session mark the conclusion and closure of the Working Group's debates and deliberations on the question of complementary standards. The first part of the sixth session of the Working Group was held from 21 January to 1 February 2008. The second part of the sixth session of the Working Group will be held from 5 to 16 October 2009.

105. In its decision 3/103, the Council decided to establish an ad hoc committee on the elaboration of complementary standards and recommended that the ad hoc committee should convene annual sessions of 10 working days to draw up the requisite legal instruments and hold its first session before the end of 2007, subject to the Working Group having completed its task on complementary standards by that date, and to report regularly to the Council on the actual progress in the elaboration of complementary standards.

106. In its resolution 6/21, the Council decided to convene the inaugural session of the Ad Hoc Committee in the first quarter of 2008 to commence its mandate, and to allocate no more than two days at the beginning of the inaugural session of the Ad Hoc Committee to reflect on all contributions and studies presented by various stakeholders and the relevant mechanisms necessary for the realization of its mandate. The first part of the first session of the Ad Hoc Committee was held from 11 to 22 February 2008. The second part of the first session of the Ad Hoc Committee will be held from 19 to 30 October 2009.

*Working Group of Experts on People of African Descent*

107. In accordance with its resolution 5/1, the Council will have before it the report of the Working Group of Experts on People of African Descent on its ninth session, which was held from 12 to 16 January 2009 (A/HRC/10/66).

**10. Technical assistance and capacity-building**

108. Although all reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner and the Secretary-General are listed under agenda item 2, the reports referred to in paragraphs 45 to 46 and 48 to 53 above will be considered under agenda item 10.

*Situation of human rights in Somalia*

109. In its resolution 7/35, the Council requested the independent expert on the situation of human rights in Somalia to submit a report to the Council at its sessions in September 2008 and March 2009. The Council considered the report of the independent expert, Shamsul Bari (A/HRC/9/CRP.2) at its ninth session and will consider the subsequent report (A/HRC/10/85) at its tenth session.

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

110. In its resolution 7/20, the Council requested a number of thematic special procedures, including the Special Rapporteur on violence against women, the Representative of the Secretary-General on the human rights of internally displaced persons, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on the right to health, the Special Rapporteur on the situation of human rights defenders, the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises and the Special Representative of the Secretary-General for children and armed conflict, to report to the Council no later than its session in March 2009 under agenda item 10. The Council will consider the report of the High Commissioner (A/HRC/10/59) (see also paragraphs 46 above and paragraphs 111 and 112 below).

*Follow-up to special sessions*

111. In its resolution S-8/1, the Council invited all the thematic special procedures mentioned in its resolution 7/20 to urgently examine the situation in the east of the Democratic Republic of the Congo with a view to providing a comprehensive report to the Council at its tenth session on how best to assist technically the Democratic Republic of the Congo in addressing the situation of human rights, with a view to obtaining tangible improvements on the ground, taking also into account the needs formulated by the Government of the Democratic Republic of the Congo.

112. In its resolution, the Council also invited the High Commissioner for Human Rights to report to the Council at its tenth session on the human rights situation in the east of the Democratic Republic of the Congo and on the activities that OHCHR has undertaken in the region (see also paragraph 46 above). The Council will consider the report of the High Commissioner (A/HRC/10/58).

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