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Agenda item 4

Report of the Advisory Committee on its nineteenth session


Report of the Advisory Committee on its nineteenth session

Rapporteur: Kaoru Obata

GE.17-16317(E)



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I. Action taken by the Advisory Committee at its nineteenth session

19/1. National policies and human rights

The Human Rights Council Advisory Committee,

Recalling Human Rights Council resolution 35/32 of 23 June 2017, in which the Council requested the Advisory Committee to prepare a study that could help States to implement the 2030 Agenda for Sustainable Development by integrating human rights into national policies on the basis of the compilation prepared by the United Nations High Commissioner for Human Rights, and to present it within its regular reporting cycle to the Council at its forty-fifth session, on the occasion of the fifth anniversary of the adoption of the 2030 Agenda,

1. *Designates* the Advisory Committee members Mario Luis Coriolano, Ion Diaconu, Karla Hananía de Varela, Kaoru Obata, Mona Omar, Katharina Pabel and Changrok Soh as members of the drafting group;

2. *Notes* that the drafting group elected Mr. Soh as Chair and Mr. Diaconu as Rapporteur;

3. *Also notes* that the drafting group and the Advisory Committee held meetings to discuss the topic;

4. *Welcomes* the active participation of external experts in the discussion and the very rich exchange of views, and notes that the discussion provided valuable input that will assist the task of the drafting group;

5. *Requests* the drafting group to present a preliminary outline of the study to the Advisory Committee at its twentieth session with a view to submitting it to the Human Rights Council for adoption at its forty-fifth session.

*8th meeting
11 August 2017*

[Adopted without a vote.]

19/2. Contribution of development to the enjoyment of all human rights

The Human Rights Council Advisory Committee,

Recalling Human Rights Council resolution 35/21 of 22 June 2017, in which the Council requested the Advisory Committee to conduct a study on the ways in which development contributes to the enjoyment of all human rights by all, in particular on best experiences and practices, and to submit the report to the Council before its forty-first session,

1. *Designates* the Advisory Committee members Mohamed Bennani, Lazhari Bouzid, Mario Luis Coriolano, Mikhail Lebedev, Xinsheng Liu, Changrok Soh, Imeru Tamrat Yigezu and Jean Ziegler as members of the drafting group;

2. *Notes* that the drafting group elected Mr. Liu as Chair and Mr. Lebedev as Rapporteur;

3. *Also notes* that the drafting group and the Advisory Committee held meetings to discuss the topic;

4. *Welcomes* the active participation of external experts in the discussion and the very rich exchange of views, and notes that the discussion provided valuable input that will assist the task of the drafting group;

5. *Requests* the drafting group to submit a draft progress report to the Advisory Committee at its twentieth session before its submission to the Human Rights Council at its forty-first session, taking into account the replies to the questionnaire distributed after the discussion at the nineteenth session of the Committee;

6. *Encourages* the various stakeholders to contribute to the work under way.

*8th meeting
11 August 2017*

[Adopted without a vote.]

19/3. The negative effects of terrorism on the enjoyment of all human rights

The Human Rights Council Advisory Committee,

Recalling Human Rights Council resolution 34/8 of 23 March 2017, in which the Council requested the Advisory Committee to conduct a study and prepare a report on the negative effects of terrorism on the enjoyment of all human rights and fundamental freedoms, with a particular focus on economic, social and cultural rights, including as a result of diverting foreign direct investment, reducing capital inflows, destroying infrastructure, limiting foreign trade, disturbing financial markets, negatively affecting certain economic sectors and impeding economic growth, and to recommend actions to be taken by Governments, United Nations human rights mechanisms, regional and international organizations and civil society organizations in this regard, and to present the report to the Council at its thirty-ninth session, to be discussed during the interactive dialogue.

1. *Designates* the Advisory Committee members Lazhari Bouzid, Mario Luis Coriolano, Ion Diaconu, Karla Hanania de Varela, Mikhail Lebedev, Xinsheng Liu, Mona Omar and Katharina Pabel as members of the drafting group;

2. *Notes* that the drafting group elected Ms. Pabel as Chair and Ms. Omar as Rapporteur;

3. *Also notes* that the drafting group and the Advisory Committee held meetings to discuss the topic;

4. *Welcomes* the active participation of external experts in the discussion and the very rich exchange of views, and notes that the discussion provided valuable input that will assist the task of the drafting group;

5. *Requests* the drafting group to submit a draft progress report to the Advisory Committee at its twentieth session, taking into account the replies to the note verbale distributed after the discussion held at its current session, and with a view to submitting the report to the Human Rights Council for adoption at its thirty-ninth session;

6. *Encourages* the various stakeholders to contribute to the work under way.

*8th meeting
11 August 2017*

[Adopted without a vote.]

19/4. Activities of vulture funds and their impact on human rights

The Human Rights Council Advisory Committee,

Recalling Human Rights Council resolution 34/3 of 23 March 2017 in which the Council takes note with appreciation of the progress report of the Advisory Committee on the activities of vulture funds and their impact on human rights, and requests it to present a final report thereon to the Human Rights Council at its thirty-ninth session for its consideration,

1. *Designates* the Advisory Committee members Ibrahim Abdulaziz Alsheddi, Mario Luis Coriolano, Ion Diaconu, Mikhail Lebedev and Jean Ziegler as members of the drafting group;

2. *Notes* that the drafting group elected Mr. Coriolano as Chair and Mr. Ziegler as Rapporteur;

3. *Also notes* that the drafting group and the Advisory Committee held meetings to discuss the topic;

4. *Welcomes* the active participation of external experts in the discussion and the rich exchange of views, and notes that the discussion provided valuable input that will assist the task of the drafting group;

5. *Recommends* that the Human Rights Council extend the time scheduled to allow for better informed work, and that the Advisory Committee be requested to submit its final report to the Council at its fortieth session;

6. *Also recommends* that the Human Rights Council consider adopting the following decision:

“The Human Rights Council takes note of the recommendation of the Advisory Committee on the progress of work on the report on the activities of vulture funds and their impact on human rights, and requests the Committee to submit the final report to the Council at its fortieth session.”

*8th meeting
11 August 2017*

[Adopted without a vote.]

19/5. Negative impact of the non-repatriation of funds of illicit origin on the enjoyment of human rights

The Human Rights Council Advisory Committee,

Recalling Human Rights Council resolution 34/11 of 23 March 2017, in which the Council requested the Advisory Committee to conduct a study, in continuation of the study requested by the Council in its resolution 31/22 of 24 March 2016, on the possibility of utilizing non-repatriated illicit funds, including through monetization and/or the establishment of investment funds, while completing the necessary legal procedures, and in accordance with national priorities, with a view to supporting the achievement of the Goals of the 2030 Agenda for Sustainable Development, contributing to the enhancement of the promotion of human rights and in accordance with obligations under international human rights law, and to submit the requested study to the Council at its thirty-ninth session,

1. *Designates* the Advisory Committee members Ibrahim Abdulaziz Alsheddi, Mario Luis Coriolano, Mikhail Lebedev, Mona Omar and Changrok Soh as members of the drafting group;
2. *Notes* that the drafting group elected Mr. Coriolano as Chair and Mr. Soh as Rapporteur;
3. *Also notes* that the drafting group and the Advisory Committee held meetings to discuss the topic;
4. *Further notes* the highly specific and complex character of the mandate;
5. *Recommends* that the Human Rights Council extend the time scheduled and that it request the Advisory Committee to submit the study to the Council at its forty-second session;
6. *Also recommends* that the Human Rights Council consider adopting the following decision:

“The Human Rights Council,

Taking note of the recommendation of the Advisory Committee relating to its mandate on the negative impact of the non-repatriation of funds of illicit origin on the enjoyment of human rights, pursuant to the Human Rights Council resolution 34/11 of 23 March 2017,

Requests the Advisory Committee to submit to the Human Rights Council at its forty-second session the study on the possibility of utilizing non-repatriated illicit funds, including through monetization and/or the establishment of investment funds, while completing the necessary legal procedures, and in accordance with national priorities, with a view to supporting the achievement of the Goals of the 2030 Agenda for Sustainable Development, contributing to the enhancement of the promotion of human rights and in accordance with obligations under international human rights law.”

*8th meeting
11 August 2017*

[Adopted without a vote.]

19/6. Regional arrangements for the promotion and protection of human rights

The Human Rights Council Advisory Committee,

Recalling Human Rights Council decision 32/115 of 30 June 2016, in which the Council requested the Advisory Committee to prepare a report on regional arrangements for the promotion and protection of human rights, in particular on the progress made in the establishment of regional and subregional arrangements for the promotion and protection of human rights, and their achievements in all regions of the world, and on the role played by the Office of the United Nations High Commissioner for Human Rights, as well as on the role that it can play in the future in advancing cooperation between international and regional human rights mechanisms, and to identify ways to increase the role that regional arrangements play in promoting and protecting human rights and to reinforce universal human rights standards, including as contained in international human rights instruments, and to submit the report to the Council before its thirty-ninth session,

Recalling also that the Human Rights Council encouraged the Advisory Committee, when preparing the above-mentioned report, to take into account the views of Member States, as appropriate, relevant international and regional organizations, the Office of the

High Commissioner, national human rights institutions and non-governmental organizations and other relevant stakeholders,

Recalling further that, at its seventeenth session, the Advisory Committee established a drafting group, currently composed of Mohamed Bennani, Laurence Boisson de Chazournes, Mario Luis Coriolano, Mikhail Lebedev, Xinsheng Liu, Kaoru Obata, Katharina Pabel (Chair), Anantonia Reyes Prado, Changrok Soh (Rapporteur) and Imeru Tamrat Yigezu,

1. *Takes note* of the draft progress report on regional arrangements for the promotion and protection of human rights submitted by the drafting group at its current session;¹

2. *Requests* the drafting group to submit a progress report to the Advisory Committee at its twentieth session, taking into account the discussions held at the present session, with a view to submitting the final report to the Human Rights Council at its thirty-ninth session.

*8th meeting
11 August 2017*

[Adopted without a vote.]

II. Adoption of the agenda and organization of work

A. Opening and duration of the session

1. The Human Rights Council Advisory Committee, established pursuant to Human Rights Council resolution 5/1 of 18 June 2007, held its nineteenth session at the United Nations Office at Geneva from 7 to 11 August 2017. The session was opened by the Chair of the nineteenth session, Mikhail Lebedev.

2. The Vice-President of the Human Rights Council, Amr Ahmed Ramadan, addressed the Advisory Committee at its first meeting, on 7 August 2017.

3. At the same meeting, the Chief of the Human Rights Council Branch of the Office of the United Nations High Commissioner for Human Rights (OHCHR) made a statement on behalf of the High Commissioner.

4. Also at the same meeting, participants observed a minute of silence for the victims of human rights violations around the world.

B. Composition of the Advisory Committee

5. The membership of the Advisory Committee is as follows:² Ibrahim Abdulaziz Alsheddi (Saudi Arabia, 2018); Mohamed Bennani (Morocco, 2017); Laurence Boisson de Chazournes (France, 2017); Lazhari Bouzid (Algeria, 2019); Mario Luis Coriolano (Argentina, 2018); Ion Diaconu (Romania, 2017); Karla Hananía de Varela (El Salvador, 2019); Mikhail Lebedev (Russian Federation, 2019); Xinsheng Liu (China, 2019); Kaoru Obata (Japan, 2019); Mona Omar (Egypt, 2019); Katharina Pabel (Austria, 2018); Anantonia Reyes Prado (Guatemala, 2017); Changrok Soh (Republic of Korea, 2017);

¹ A/HRC/AC/19/CRP.1.

² Years in parentheses indicate the expiry of the terms of office (terms of office end on 30 September).

Ahmer Bilal Soofi (Pakistan, 2017); Imeru Tamrat Yigezu (Ethiopia, 2018); and Jean Ziegler (Switzerland, 2019).³

6. Ion Diaconu was elected by the Human Rights Council at its thirty-fourth session to take over the mandate of Laura-Maria Crăciunean following her election to the Committee on Economic, Social and Cultural Rights.

7. Following his appointment by the Human Rights Council at its thirty-fifth session as Independent Expert on human rights and international solidarity, Obiora Okafor resigned from the Advisory Committee.

C. Attendance

8. The session was attended by members of the Advisory Committee and observers for States Members of the United Nations, as well as non-governmental organizations.

D. Meetings and documentation

9. At its nineteenth session, the Advisory Committee held eight plenary meetings and six closed meetings. Private meetings were held by the drafting groups on national policies and human rights (Sustainable Development Goals), the contribution of development to enjoyment of all human rights, the effects of terrorism on the enjoyment of all human rights, the activities of culture funds and their impact on human rights, the negative impact of the non-repatriation of funds of illicit origin on the enjoyment of human rights, and regional arrangements for the promotion and protection of human rights. The Advisory Committee also held a private meeting with the Human Rights Council Bureau, as well as with regional and political group coordinators.

E. Adoption of the agenda

10. At its first meeting, on 7 August 2017, the Advisory Committee adopted its agenda (A/HRC/AC/19/1).

F. Organization of work

11. At its first meeting, on 7 August 2017, the Advisory Committee adopted the draft programme of work prepared by the secretariat.

³ A member from the African Group of States will be appointed by the Human Rights Council at its thirty-sixth session.

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

Requests currently under consideration by the Advisory Committee

1. Integration of the perspective of persons with disabilities

12. At the 1st meeting, on 7 August 2017, a representative of the Human Rights and Economic and Social Issues Section of OHCHR and the Secretary of the Committee on the Rights of Persons with Disabilities gave presentations on the issue of the integration of the perspective of persons with disabilities by the Advisory Committee in its studies, in accordance with Human Rights Council resolution 7/9. During the ensuing discussion, statements were made by members of the Committee (see annex I).

2. Elimination of discrimination against persons with leprosy and their family members

13. At its 1st meeting, on 7 August 2017, the Advisory Committee, pursuant to Human Rights Council resolution 29/5, held a discussion on the elimination of discrimination against persons affected by leprosy and their family members. The Rapporteur of the drafting group, Imeru Tamrat Yigezu, presented the final report of the Committee (A/HRC/35/38), which was considered by the Council at its thirty-fifth session.

3. Unaccompanied migrant children and adolescents

14. At its 1st and 2nd meetings, on 7 August 2017, the Advisory Committee, pursuant to Human Rights Council resolution 29/12, held a discussion on unaccompanied migrant children and adolescents. The Rapporteur of the drafting group, Karla Hananía de Varela, presented the final report (A/HRC/36/51) that was submitted for consideration by the Human Rights Council at its thirty-sixth session. During the ensuing discussion, statements were made by members of the Committee and observers for States (see annex I). Thereafter, the Rapporteur of the drafting group made concluding remarks.

4. National policies and human rights

15. At its 2nd meeting, on 7 August 2017, the Advisory Committee, pursuant to Human Rights Council resolution 35/32, held a discussion on national policies and human rights and the Sustainable Development Goals. In this context, a presentation was given by representatives of the Field Operations and Technical Cooperation Division and the Sustainable Development Section of OHCHR. During the ensuing discussion, statements were made by members of the Advisory Committee and observers for States. Thereafter, representatives of OHCHR made concluding remarks.

5. Contribution of development to the enjoyment of all human rights

16. At its 3rd meeting, on 8 August, 2017, the Advisory Committee, pursuant to Human Rights Council resolution 35/21, held a discussion on the contribution of development to the enjoyment of all human rights. In this context, a presentation was given by representatives of the Development Section of OHCHR. During the ensuing discussion, statements were made by members of the Advisory Committee and observers for States (see annex I). Thereafter, representatives of OHCHR made concluding remarks.

6. Negative effects of terrorism on the enjoyment of all human rights

17. At its 4th meeting, on 8 August 2017, the Advisory Committee, pursuant to Human Rights Council decision 34/8, held a discussion on the negative effects of terrorism on the

enjoyment of all human rights and fundamental freedoms. In this context, a presentation was given by a representative of OHCHR. A further presentation on the topic was given via video conference by the Senior Human Rights Officer of the Counter-Terrorism Committee Executive Directorate of the Security Council. During the ensuing discussion, statements were made by members of the Advisory Committee and observers for States (see annex I). Thereafter, a representative of OHCHR and the Senior Human Rights Officer of the Counter-Terrorism Committee Executive Directorate made concluding remarks.

7. Activities of vulture funds and their impact on human rights

18. At its 5th meeting, on 9 August 2017, the Advisory Committee, pursuant to Human Rights Council resolution 34/3, held a discussion on the activities of vulture funds and their impact on human rights. In this context, presentations were made by a representative of OHCHR, the Special Adviser of South Centre, Li Yuefen, and a representative of the Committee for the Abolition of Third World Debt, Jehosheba Bennett. During the ensuing discussion, statements were made by members of the Committee and a representative of an observer State (see annex I). Thereafter, the representative of OHCHR, Ms. Li and Ms. Bennett made concluding remarks.

8. Negative impact of the non-repatriation of funds of illicit origin on the enjoyment of human rights

19. At its 5th meeting, on 9 August 2017, the Advisory Committee, pursuant to Human Rights Council resolutions 31/22 and 34/11, held a discussion on the negative impact of the non-repatriation of funds of illicit origin on the enjoyment of human rights. In this context, an introduction was made by a representative of OHCHR. During the ensuing discussion, statements were made by members of the Committee and representatives of observer States (see annex I).

9. Regional arrangements for the promotion and protection of human rights

20. At its 6th meeting, on 9 August 2017, the Advisory Committee, pursuant to Human Rights Council decision 32/115, held a discussion on regional arrangements for the promotion and protection of human rights. In this context, presentations were made by representatives of OHCHR. The Rapporteur of the drafting group, Changrok Soh, presented a draft progress report (A/HRC/AC/19/CRP.1). During the ensuing discussion, statements were made by members of the Committee, representatives of observer States and an observer for a non-governmental organization (see annex I).

IV. Implementation of sections III and IV of the annex to Human Rights Council resolution 5/1 of 18 June 2007, and of section III of the annex to Human Rights Council resolution 16/21 of 25 March 2011

A. Review of methods of work

21. On 9 August 2017, the Advisory Committee, in a closed meeting, held a discussion on its methods of work.

B. Agenda and annual programme of work, including new priorities

22. At its 7th meeting, on 10 August 2017, the Advisory Committee held a discussion on reflection papers and research proposals. Members of the Committee presented the following draft reflection papers for consideration by the Committee:

- Access to justice (Mario Luis Coriolano)
- Engagement with non-governmental organizations and national human rights institutions (Mario Luis Coriolano)
- Budget and human rights (Mario Luis Coriolano)
- Promotion of the rights to culture and a common social heritage (Mohamed Bennani)
- The human rights impact of the Fourth Industrial Revolution (Changrok Soh)
- Economic, social and cultural rights in the agenda of international jurisdictions (Ion Diaconu)

23. In this context, a representative of OHCHR gave a briefing on the inter-sessional seminar on cultural rights and the protection of cultural heritage that was held in Geneva on 7 July 2017. During the ensuing discussion, members of the Advisory Committee made statements (see annex I).

V. Report of the Advisory Committee on its nineteenth session

24. At the 8th meeting, on 11 August 2017, the Rapporteur of the Advisory Committee presented the draft report of the Committee on its nineteenth session. The Committee adopted the draft report ad referendum and decided to entrust the Rapporteur with its finalization.

25. At the same meeting, Laurence Boisson de Chazournes, Xinsheng Liu, Ion Diaconu, Anantonia Reyes Prado, Ahmer Bilal Soofi and Imeru Tamrat Yigezu made closing statements. The representative of Cuba made a statement as an observer State. Following the usual exchange of courtesies, the Chair made final remarks and declared the nineteenth session of the Advisory Committee closed.

Annex I

List of speakers

<i>Agenda item</i>	<i>Meeting and date</i>	<i>Speakers</i>
2. Requests addressed to the Advisory Committee stemming from Human Rights Council resolutions		
(a) Requests currently under consideration by the Committee		
(i) Integration of the perspective of persons with disabilities	1st meeting 7 August 2017	Members: Lazhari Bouzid, Imeru Tamrat Yigezu
(ii) Elimination of discrimination against persons with leprosy and their family members	1st meeting 7 August 2017	Members: Imeru Tamrat Yigezu (Rapporteur)
(iii) Unaccompanied migrant children and adolescents	2nd meeting 7 August 2017	Members: Ibrahim Abdul Aziz Alsheddi, Lazhari Bouzid, Katharina Pabel Observer States: El Salvador, Honduras, Russian Federation
(iv) National policies and human rights (Sustainable Development Goals)	2nd meeting 7 August 2017	Members: Lazhari Bouzid, Mario Luis Coriolano, Ion Diaconu (Rapporteur), Kaoru Obata Observer States: Brazil, Honduras, Peru, Russian Federation
(v) Contribution of development to the enjoyment of all human rights	3rd meeting 8 August 2017	Members: Ibrahim Abdulaziz Alsheddi, Mohamed Bennani, Lazhari Bouzid, Ion Diaconu, Karla Hanania De Varela, Xincheng Liu (Chair), Mona Omar, Anatonía Reyes Prado, Ahmer Bilal Soofi Observer States: China, Ecuador, Russian Federation, Spain and Venezuela (Bolivarian Republic of)

<i>Agenda item</i>	<i>Meeting and date</i>	<i>Speakers</i>
(vi) Negative effects of terrorism on the enjoyment of human rights	4th meeting 8 August 2017	Members: Ibrahim Abdulaziz Alsheddi, Lazhari Bouzid, Ion Diaconu, Karou Obata, Amher Bilal Soofi Observer States: Belgium, Egypt, Iraq, Russian Federation
(vii) Activities of vulture funds and their impact on human rights	5th meeting 9 August 2017	Members: Laurence Boisson de Chazournes, Mario Luis Coriolano (Chair), Jean Ziegler (Rapporteur) Observer State: Argentina
(viii) Negative impact of the non-repatriation of funds of illicit origin on the enjoyment of human rights	5th meeting 9 August 2017	Members: Lazhari Bouzid, Mario Luis Coriolano (Chair), Ion Diaconu, Mona Omar, Jean Ziegler Observer States: Brazil, Ecuador, Egypt, Russian Federation
(ix) Regional arrangements for the promotion and protection of human rights	6th meeting 9 August 2017	Members: Mohamed Bennani, Laurence Boisson de Chazournes, Lazhari Bouzid, Ion Diaconu, Xinsheng Liu, Kaoru Obata, Changrok Soh (Rapporteur) Observer States: Belgium, Russian Federation Non-governmental organization: Japanese Worker's Committee for Human Rights
3. Implementation of sections III and IV of the annex to Human Rights Council resolution 5/1 of 18 June 2007 and section III of the annex to Council resolution 16/21 of 25 March 2011		
(b) Agenda and annual programme of work, including new priorities	7th meeting 10 August 2017	Members: Ibrahim Abdulaziz Alsheddi, Mohamed Bennani, Lazhari Bouzid, Mario Luis Coriolano, Ion Diaconu, Karla Hananía de Varela, Mikhail Lebedev, Mona Omar, Katharina Pabel, Anantonia Reyes Prado, Changrok Soh, Imeru Tamrat Yigezu

Annex II

Documents issued for the nineteenth session of the Advisory Committee

Documents issued in the general series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/AC/19/1	1	Provisional agenda and annotations
A/HRC/35/38		Study on the implementation of the principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members: report of the Human Rights Council Advisory Committee

Documents issued in the limited series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/AC/19/L.1	2	National policies and human rights
A/HRC/AC/19/L.2	2	Contribution of development to the enjoyment of all human rights
A/HRC/AC/19/L.3	2 (h)	Negative effects of terrorism on the enjoyment of human rights
A/HRC/AC/19/L.4	2 (i)	Activities of vulture funds and their impact on human rights
A/HRC/AC/19/L.5	2 (f)	Negative impact of the non-repatriation of funds of illicit origin on the enjoyment of human rights
A/HRC/AC/19/L.6	2 (g)	Regional arrangements for the promotion and protection of human rights
