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Agenda item 1

Organizational and procedural matters

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

Note by the Secretary-General*

* Late submission.

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1. Organizational and procedural matters

Date and venue of the session

1. In accordance with its annual programme of work, as considered on 19 June 2009 at the organizational meeting for the fourth cycle of the Council, the Human Rights Council will hold its thirteenth session from 1 to 26 March 2010 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 thirteenth session will be held on 18 February 2010.

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 thirteenth session.

Composition of the Human Rights Council

4. The composition of the Council at its thirteenth session is as follows:¹ Angola (2010); Argentina (2011); Bahrain (2011); Bangladesh (2012); Belgium (2012); Bolivia (Plurinational State of) (2010); Bosnia and Herzegovina (2010); Brazil (2011); Burkina Faso (2011); Cameroon (2012); Chile (2011); China (2012); Cuba (2012); Djibouti (2012); Egypt (2010); France (2011); Gabon (2011); Ghana (2011); Hungary (2012); India (2010); Indonesia (2010); Italy (2010); Japan (2011); Jordan (2012); Kyrgyzstan (2012); Madagascar (2010); Mauritius (2012); Mexico (2012); Netherlands (2010); Nicaragua (2010); Nigeria (2012); Norway (2012); Pakistan (2011); Philippines (2010); Qatar (2010); Republic of Korea (2011); Russian Federation (2012); Saudi Arabia (2012); Senegal (2012); Slovakia (2011); Slovenia (2010); South Africa (2010); Ukraine (2011); United Kingdom of Great Britain and Northern Ireland (2011); United States of America (2012); Uruguay (2012); Zambia (2011).

Bureau of the Human Rights Council

5. The composition of the Bureau of the Council for its fourth year, until 18 June 2010, is as follows: President of the Council, Alex Van Meeuwen (Belgium); Vice-Presidents, Dian Triansyah Djani (Indonesia), Carlos Portales (Chile) and Andrej Logar (Slovenia); Vice-President and Rapporteur, Hisham Badr (Egypt).

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 Angelino Garzón (Colombia), Tomáš Husák (Czech Republic), Li Baodong (China),

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

Darlington Mwape (Zambia) and Christian Strohal (Austria) will propose to the President of the Council a list of candidates for the mandate (Working Group on Enforced or Involuntary Disappearances), for which a new member is to be appointed at the thirteenth session.

7. In accordance with the procedure stipulated in paragraphs 52 and 53 of the annex to Council resolution 5/1, the appointment of special procedures mandate holders will be completed upon the subsequent approval of the Council. The mandate holders in question shall be appointed before the end of the thirteenth session.

Election of members of the Human Rights Council Advisory Committee

8. 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.

9. The mandate of the seven members elected for a two-year term will thus expire in 2010. Of those seven vacancies, there are two for the group of African States, two for the group of Asian States, one for the group of Eastern European States, one for the Group of Latin American and Caribbean States, and one for Western European and other States. According to the annual programme of work of the Council, the election of these seven members will be conducted during the thirteenth session.

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

11. Pursuant to paragraph 67 of the annex to 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.

12. In accordance with paragraph 71 of the annex to 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/13/67).

Report of the session

13. 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 held during the thirteenth 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

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

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

15. The General Assembly, in its resolution 48/141, decided to create the post of United Nations High Commissioner for Human Rights and, inter alia, requested the High Commissioner to report annually on his/her activities. The Council will consider the annual report of the High Commissioner (A/HRC/13/26) and the reports on the activities of her offices in Guatemala and the Plurinational State of Bolivia (A/HRC/13/26/Add.1 and Add.2).

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

16. In its resolution 10/5, the Council requested the High Commissioner to submit a comprehensive and updated report to the Council at its thirteenth session, in accordance with its annual programme of work, following the structure and scope of her report submitted to the tenth session 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/13/18).

Enhancement of international cooperation in the field of human rights

17. In its resolution 10/6, the Council requested the High Commissioner to consult States and intergovernmental and non-governmental organizations on ways and means, including obstacles and challenges, as well as possible proposals to overcome them, for the enhancement of 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 on her findings to the Council at the relevant session in 2010. The Council will consider the report of the High Commissioner (A/HRC/13/19).

Question of human rights in Cyprus

18. Pursuant to Council decision 2/102 and Commission on Human Rights decision 2005/103, the Council will have before it the note by the Secretary-General transmitting the report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) on this subject (A/HRC/13/24).

Human rights of persons with disabilities

19. In its resolution 10/7, the Council requested the OHCHR to prepare a study to enhance awareness of the structure and role of national mechanisms for the implementation and monitoring of the Convention on the Rights of Persons with Disabilities, and to make it available on the OHCHR website, in an accessible format, prior to the thirteenth session. The Council will consider the study (A/HRC/13/29) (see also paragraph 54 below).

Human rights and arbitrary deprivation of nationality

20. In its resolution 10/13, the Council requested the Secretary-General to prepare a report on the right to nationality, with emphasis on the issue of arbitrary deprivation of nationality, including in cases of States succession, taking into account the information gathered pursuant to Council resolution 7/10, similar studies conducted by the Sub-Commission on the Promotion and Protection of Human Rights and other relevant sources of information, and to present it to the Council at its thirteenth session. The Council will consider the report of the Secretary-General (A/HRC/13/34) (see also paragraph 47 below).

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

21. In its resolution 10/15, the Council requested the High Commissioner to present her report to the Council at its thirteenth session, bearing in mind the content of the resolution. The Council will consider the report of the High Commissioner (A/HRC/13/36) (see also paragraph 60 below).

The impact of the global economic and financial crises on the universal realization and effective enjoyment of human rights

22. In its resolution 12/28 entitled “Follow-up to the tenth special session of the Human Rights Council on the impact of the global economic and financial crises on the universal realization and effective enjoyment of human rights”, the Council requested OHCHR to consult States Members of the United Nations and all other relevant stakeholders on the issue with a view to presenting to the Council, at its thirteenth session, a report on the impact of the crises on the realization of all human rights and on possible actions required to alleviate it. The Council will consider the report of OHCHR (A/HRC/13/38) (see paragraph 62 below).

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

23. Pursuant to Council decision 2/102 and resolution 6/30, the attention of the Council is drawn to the report of the Secretary-General transmitting the joint workplan of the Division for the Advancement of Women and OHCHR (A/HRC/13/70) prepared pursuant to resolution 39/5 of the Commission on the Status of Women and resolution 1997/43 of the Commission on Human Rights (see also paragraph 58 below).

Elimination of violence against women

24. Pursuant to Council decision 2/102 and General Assembly resolution 50/166, the Council will have before it a note by the Secretary-General transmitting the report of the United Nations Development Fund for Women on the elimination of violence against women (A/HRC/13/71) (see also paragraph 59 below).

Situation of human rights in Honduras

25. In its resolution 12/14, the Council requested the High Commissioner to present a comprehensive report on the violations of human rights in Honduras since the coup d'état and to submit a preliminary report thereon to the General Assembly at the main part of its sixty-fourth session and to the Council at its thirteenth session. The Council will consider the report of the High Commissioner (A/HRC/13/66) (see paragraph 65 below).

United Nations Voluntary Fund for Victims of Torture

26. Pursuant to Council decision 2/102 and General Assembly resolution 63/166, the Council will consider the report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (A/HRC/13/75) (see paragraph 76 below).

Effective implementation of international human rights instruments

27. In its resolution 9/8 entitled “Effective implementation of international human rights instruments”, the Human Rights Council requested the Secretary-General to report annually on measures taken to implement this resolution and on obstacles to its implementation. As foreseen in the note by the secretariat (A/HRC/12/20), the Council will have before it the report of the Secretary-General on measures taken to implement the above-mentioned

resolution and obstacles to its implementation, including recommendations for further improving the effectiveness of, harmonizing, and reforming the treaty body system (A/HRC/13/69) (see also paragraph 77 below). The report contains information on the results of the twenty-first meeting of chairpersons of human rights treaty bodies, the eighth and ninth inter-committee meetings and the outcome of the tenth inter-committee meeting held in December 2009.

Conclusions and recommendations of the special procedures

28. Pursuant to Council decision 2/102, the Council will have before it the report of the Secretary-General containing references to the conclusions and recommendations in the reports submitted by the special procedures (A/HRC/13/74) (see also paragraph 78 below).

Issue of Palestinian pregnant women giving birth at Israeli checkpoints

29. 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/13/68) (see also paragraph 86 below).

Human rights in the occupied Syrian Golan

30. In its resolution 10/17, the Council requested the Secretary-General to report on this subject to the Council at its thirteenth session. The Council will consider the report of the Secretary-General (A/HRC/13/52) (see also paragraph 87 below).

National institutions for the promotion and protection of human rights

31. 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/13/44) and on the process currently utilized by the International Coordinating Committee of National Institutions to accredit national institutions in compliance with the Paris Principles, and to ensure that the process is strengthened with appropriate periodic review and on ways and means of enhancing participation of national human rights institutions in the work of the Council (A/HRC/13/45) (see also paragraph 89 below).

Combating defamation of religions

32. In its resolution 10/22, the Council requested the High Commissioner to report on the implementation of the resolution, including on the possible correlation between defamation of religions and the upsurge in incitement, intolerance and hatred in many parts of the world. At its twelfth session, the Council had before it the note by the secretariat (A/HRC/12/39) in which the High Commissioner requested that the submission of her report to the Council be delayed to its thirteenth session in order to include in the report the broadest number of contributions requested from member States. The Council will consider the report of the High Commissioner (A/HRC/13/57) (see also paragraph 90 below).

Advisory services and technical cooperation in the field of human rights

33. Pursuant to Council decision 2/102 and Commission resolution 2004/81, the Council will consider the report of the Secretary-General on this subject (A/HRC/13/61) (see paragraph 95 below).

Technical cooperation in the field of human rights in Afghanistan

34. In its decision 2/113, the Council requested the High Commissioner to continue, in cooperation with the United Nations Assistance Mission in Afghanistan, to monitor the human rights situation in Afghanistan, provide and expand advisory services and technical cooperation in the field of human rights and the rule of law, and 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/13/62) (see paragraph 96 below).

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

35. 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 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.

36. In its resolution 10/33, the Council invited the High Commissioner to report to the Council at its thirteenth session on the development of the situation of human rights in the Democratic Republic of the Congo and the activities carried out in the country by OHCHR. The Council will consider the report by the High Commissioner (A/HRC/13/64) (see also paragraph 99 below).

Situation of human rights in Colombia

37. Pursuant to Council decision 2/102 and the statement concerning the situation of human rights in Colombia made on behalf of the Commission by the Chairperson of the sixty-first session on 22 April 2005, the Council will have before it the report of the High Commissioner (A/HRC/13/72) (see also paragraph 101 below).

Technical cooperation and advisory services in Nepal

38. Pursuant to Council decision 2/102 and Commission resolution 2005/78, the Council will have before it the report of the High Commissioner on the human rights situation and activities of her office, including technical cooperation, in Nepal (A/HRC/13/73) (see also paragraph 102 below).

Human rights in the administration of justice, in particular juvenile justice

39. In resolution 10/2 entitled "Human rights in the administration of justice, in particular juvenile justice", the Council requested the Secretary-General to submit a report to the Council at its thirteenth session on the latest developments, challenges and good practices in human rights in the administration of justice, including juvenile justice and conditions for women and children in detention, as well as in the activities undertaken by the United Nations system as a whole. The same resolution also requested the High Commissioner to report to the Council at its thirteenth session on the implementation of the resolution. The Council will have before it a note by the secretariat (A/HRC/13/27).

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

A. Economic, social and cultural rights

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

40. 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/13/20 and Add.1–4).

Right to food

41. In its resolution 10/12, the Council requested the Special Rapporteur on the right to food to submit a report on the implementation of that resolution at its thirteenth session. The Council will consider the reports of the Special Rapporteur on the right to food, Olivier de Schutter (A/HRC/13/33 and Add.1–6).

The adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights

42. In its resolution 12/18, the Council decided to hold a panel discussion on this subject at its thirteenth session, with equitable geographic and gender participation of relevant experts and representatives of civil society, with a view to informing the future work of the Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights (see annex).

B. Civil and political rights

Arbitrary detention

43. In its resolution 6/4, the Council requested the Working Group on Arbitrary Detention to present an annual report on its activities, findings, conclusions and recommendations. The Council will consider the reports of the Working Group (A/HRC/13/30 and Add.1–3).

Enforced or involuntary disappearances

44. In its resolution 7/12, the Council encouraged the Working Group on Enforced or Involuntary Disappearances to submit a regular report on the implementation of its mandate to the Council, in accordance with its annual programme of work. The Council will consider the reports of the Working Group (A/HRC/13/31 and Add.1).

Torture and other cruel, inhuman or degrading treatment or punishment

45. In accordance with its resolutions 5/1, 8/8 and 10/24, 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/13/39 and Add.1–7).

Global practices in relation to secret detention

46. The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, the Working Group on Arbitrary

Detention and the Working Group on Enforced or Involuntary Disappearances will present a joint study on global practices in relation to secret detention in the context of countering terrorism to the thirteenth session of the Council (A/HRC/13/42).

The right to nationality

47. Reference is made to the report of the Secretary-General on the right to nationality (A/HRC/13/34) (see also paragraph 20 above).

Freedom of religion or belief

48. In its resolution 10/25, the Council requested the Special Rapporteur on freedom of religion or belief to submit her annual report to the Council at its thirteenth session. The Council will consider the reports of the Special Rapporteur, Asma Jahangir (A/HRC/13/40 and Add.1–4).

Right to the truth

49. In its resolution 9/11 entitled “Right to the truth”, the Council decided to convene a panel to discuss issues related to that resolution at its thirteenth session (see annex).

C. Rights of peoples, and specific groups and individuals

Internally displaced persons

50. In its resolution 6/32, the Council invited the Representative of the Secretary-General on the human rights of internally displaced persons 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/13/21 and Add.1–5).

Situation of human rights defenders

51. 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/13/22 and Add.1–3).

Minority issues

52. 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/13/23 and Add.1 and 2) (see also paragraph 75 below).

Human rights of persons with disabilities

53. 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 the first such debate was held during its tenth session. Pursuant to its resolution 10/7, the Council will hold the second annual interactive debate at its thirteenth session, with a focus on the structure and

role of national mechanisms for the implementation and monitoring of the Convention for the Rights of Persons with Disabilities (see annex).

54. Reference is made to a study prepared by OHCHR to enhance awareness of the structure and role of national mechanisms for the implementation and monitoring of the Convention on the Rights of Persons with Disabilities (A/HRC/13/29) (see also paragraph 19 above).

Rights of the child

55. 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 held the first full-day meeting at its tenth session and will hold the second full-day meeting at its thirteenth session which, pursuant to Council resolution 10/14, will focus on the fight against sexual violence against children (see annex).

56. In accordance with its resolution 11/1, the Council decided to establish an open-ended working group to explore the possibility of elaborating an optional protocol to the Convention on the Rights of the Child to provide a communications procedure complementary to the reporting procedure under the Convention. The Council also decided that the working group would hold its first session before the end of 2009 and requested the working group to submit a report on progress made to the Council for consideration at its thirteenth session. The Council will have before it a progress report by the open-ended working group (A/HRC/13/43).

57. In its resolution 62/141, the General Assembly requested the Special Representative of the Secretary-General on violence against children to present her annual report to the Council. The Council will consider the first report of the Special Representative of the Secretary-General on violence against children, Marta Santos Pais (A/HRC/13/46).

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

58. Reference is made to the report of the Secretary-General transmitting the joint workplan of the Division for the Advancement of Women and OHCHR (A/HRC/13/70) (see paragraph 23 above).

Elimination of violence against women

59. Reference is made to a note by the Secretary-General transmitting the report of the United Nations Development Fund for Women on the activities of the Fund to eliminate violence against women (A/HRC/13/71) (see paragraph 24 above).

D. Interrelation of human rights and human rights thematic issues

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

60. In its resolution 10/15, the Council requested the High Commissioner and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism to present their reports to the Council at its thirteenth session. The Council will consider the reports of the High Commissioner and the Special Rapporteur (A/HRC/13/36, A/HRC/13/37 and Add.1–4) (see also paragraph 21 above).

The impact of the global economic and financial crises on the universal realization and effective enjoyment of human rights

61. In its resolution 12/28, the Council decided to hold a panel discussion during the high-level segment of its thirteenth session, to discuss and evaluate the impact of the financial and economic crises on the realization of all human rights worldwide, with a view to contributing to the work of the Open-ended Working Group of the General Assembly to follow up on the issues contained in the outcome document of the Conference on the World Financial and Economic Crisis and its Impact on Development, and requested OHCHR to prepare a summary of the panel discussion to be submitted to the Open-ended Working Group. It also encouraged all States Members of the United Nations and relevant stakeholders to engage fully in the panel discussion with a view to guaranteeing the appropriate balance and diversity of views on the issue (see annex).

62. Reference is made to the report of OHCHR on the impact of the crises on the realization of all human rights and on possible actions required to alleviate it (A/HRC/13/38) (see also paragraph 22 above).

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

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

63. In its resolution 10/16, the Council requested the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea to submit regular reports on the implementation of his mandate. The Council will consider the report of the Special Rapporteur, Vitit Muntarbhorn (A/HRC/13/47).

Situation of human rights in Myanmar

64. Pursuant to its resolution 10/27, the Council will consider the report of the Special Rapporteur on the situation of human rights in Myanmar, Tomas Ojea Quintana (A/HRC/13/48).

Situation of human rights in Honduras

65. Reference is made to the report of the High Commissioner on this subject (A/HRC/13/66) (see also paragraph 25 above).

5. Human rights bodies and mechanisms

A. Human Rights Council Advisory Committee

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

67. The Advisory Committee held its third session from 3 to 7 August 2009 and its fourth session from 26 to 31 January 2010. In accordance with paragraph 80 of the annex to resolution 5/1, the Council will have before it reports of the Advisory Committee on its third and fourth sessions (A/HRC/13/49 and A/HRC/13/50).

United Nations declaration on human rights education and training

68. In its resolution 6/10, the Council requested the Human Rights Council Advisory Committee to prepare a draft declaration on human rights education and training. In its resolution 10/28, the Council requested the Advisory Committee to submit its draft declaration on human rights education and training to the Council for consideration at its thirteenth session. The Council will have before it the draft declaration (A/HRC/13/41).

69. In its decision 12/118, the Council welcomed the various initiatives aimed at furthering the discussions on the draft United Nations declaration on human rights education and training, in particular the holding of a seminar in Marrakesh on 16 and 17 July 2009, which provided the Advisory Committee with substantial elements that will help it in the drafting process of the declaration. The Council decided to hold a high-level discussion on the draft declaration on human rights education and training during its thirteenth session (see annex).

Right to food

70. In its resolution 10/12, the Council requested the Advisory Committee to undertake a study on discrimination in the context of the right to food, including identification of good practices of anti-discriminatory policies and strategies, and to report thereon to the Council at its thirteenth session. The Council will have before it the study by the Advisory Committee (A/HRC/13/32).

B. Complaint procedure

71. In its resolution 5/1, the Council established the complaint procedure as contained in section IV of the annex to that resolution. In paragraph 98 of the annex to resolution 5/1, the Working Group on Situations was requested, on the basis of the information and recommendations provided by the Working Group on Communications, to present the Council with a report on consistent patterns of gross and reliably attested violations of human rights and fundamental freedoms, and to make recommendations to the Council on the course of action to be taken.

72. The Working Group on Communications met from 7 to 11 September 2009. The Working Group on Situations met from 26 to 30 January 2010.

73. At its thirteenth session, the Council will consider the report of the Working Group on Situations in two closed meetings.

C. Social Forum

74. In its resolution 6/13, the Council decided to preserve the Social Forum as a unique space for interactive dialogue between the United Nations human rights machinery and various stakeholders, including grass-roots organizations. In its resolution 10/29, the Council decided that the 2009 Social Forum would focus on three main issues, namely: (a) the negative impact of economic and financial crises on efforts to combat poverty; (b) national anti-poverty programmes: best practices of States in implementing social security programmes from a human rights perspective; (c) international assistance and cooperation in combating poverty. The Council also invited the 2009 Social Forum to submit a report. The Social Forum held its annual session from 31 August to 2 September 2009. The Council will consider the report of that session (A/HRC/13/51).

D. Forum on Minority Issues

75. In its resolution 6/15, the Council decided to establish a forum on minority issues to provide a platform for promoting dialogue and cooperation on issues pertaining to persons belonging to national or ethnic, religious and linguistic minorities, and which should provide thematic contributions and expertise to the work of the independent expert on minority issues. The Forum on Minority Issues convened its second session on 12 and 13 November 2009. The Council will consider at its thirteenth session the recommendations from the Forum on the issue of minorities and effective political participation (A/HRC/13/25) (see also paragraph 52 above).

E. Other human rights bodies and mechanisms*United Nations Voluntary Fund for Victims of Torture*

76. Reference is made to the report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (A/HRC/13/75) (see paragraph 26 above).

Effective implementation of international human rights instruments

77. Reference is made to the report of the Secretary-General on measures taken to implement Council resolution 9/8 and obstacles to its implementation (A/HRC/13/69) (see paragraph 27 above).

Conclusions and recommendations of the special procedures

78. Reference is made to the report of the Secretary-General containing references to the conclusions and recommendations in the reports submitted by the special procedures (A/HRC/13/74) (see paragraph 28 above).

6. Universal periodic review

79. 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 sixth session from 30 November to 11 December 2009. At its thirteenth session, the Council will consider and adopt the final outcome of the review of the following countries: Eritrea, Cyprus, Dominican Republic, Cambodia, Norway, Albania, Democratic Republic of the Congo, Côte d'Ivoire, Portugal, Bhutan, Dominica, Democratic People's Republic of Korea, Brunei Darussalam, Costa Rica, Equatorial Guinea and Ethiopia (see A/HRC/9/28, annex VI).

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

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

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

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

81. In its resolution 10/18, the Council decided to continue the consideration of this question at its thirteenth session.

Human rights violations emanating from the Israeli military attacks and operations in the Occupied Palestinian Territory

82. In its resolution 10/19, the Council decided to continue the consideration of this question at its thirteenth session.

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

83. In accordance with its resolution 5/1, the Council will consider the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Richard Falk (A/HRC/13/53).

Follow-up to special sessions

84. In its resolution S-12/1 adopted at the twelfth special session, the Council requested the High Commissioner, pursuant to resolution S-9/1 and in the context of her periodic reports, to monitor, document and report on the state of implementation by Israel of its human rights obligations in and around East Jerusalem. Furthermore, the Council requested the High Commissioner to submit to the Council a report on the status of implementation of resolution S-12/1. The Council will have before it the second periodic report of the High Commissioner on the follow-up to the ninth special session of the Council and the report on the follow-up to the twelfth special session, contained in document A/HRC/13/54.

85. In paragraph 3 of section B of resolution S-12/1, the Council also endorsed the recommendations contained in the report of the Independent International Fact-Finding Mission, called upon all concerned parties, including United Nations bodies, to ensure their implementation in accordance with their respective mandates, and requested the Secretary-General to submit to the Council, at its thirteenth session, a report on the status of implementation of paragraph 3. The Council will have before it the report of the Secretary-General (A/HRC/13/55).

Issue of Palestinian pregnant women giving birth at Israeli checkpoints

86. Reference is made to the report of the High Commissioner on this subject (A/HRC/13/68) (see also paragraph 29 above).

Human rights in the occupied Syrian Golan

87. Reference is made to the report of the Secretary-General on this subject (A/HRC/13/52) (see paragraph 30 above).

B. Right to self-determination of the Palestinian people

88. In its resolution 10/20, the Council decided to continue consideration of this question at its thirteenth session.

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

National Institutions for the promotion and protection of human rights

89. Reference is made to the reports of the Secretary-General on national human rights institutions (A/HRC/13/44, A/HRC/13/45) (see paragraph 31 above).

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

Combating defamation of religions

90. Reference is made to the report of the High Commissioner on the implementation of resolution 10/22 (A/HRC/13/57) (see also paragraph 32 above).

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

91. In its resolution 11/12, the Council decided to extend the mandate of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action for a further period of three years. The Working Group held its seventh session from 5 to 16 October 2009. The Council will have before it the report of the Working Group on its seventh session (A/HRC/13/60).

92. In its decision 3/103, the Council decided to establish an ad hoc committee on the elaboration of complementary standards and recommended that the committee should convene annual sessions of 10 working days to draw up the requisite legal instruments, and to report regularly to the Council on the actual progress in the elaboration of complementary standards.

93. Pursuant to Council resolution 6/21, the Ad Hoc Committee held its second session from 19 to 30 October 2009. The Council will consider the report of the Ad Hoc Committee on its second session (A/HRC/13/58).

Working Group of Experts on People of African Descent

94. 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 mission to Ecuador (A/HRC/13/59).

10. Technical assistance and capacity-building

Advisory services and technical cooperation in the field of human rights

95. Reference is made to the report of the Secretary-General on this subject (A/HRC/13/61) (see paragraph 33 above).

Technical cooperation in the field of human rights in Afghanistan

96. Reference is made to the report of the High Commissioner on the situation of human rights in Afghanistan (A/HRC/13/62) under agenda item 10 (see paragraph 34 above).

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

97. In its resolution 10/33, the Council decided to continue monitoring the human rights situation in the Democratic Republic of the Congo at its thirteenth session.

98. Pursuant to Council resolution S-8/1, seven thematic special procedures mentioned in its resolution 7/20 submitted to the Council at its tenth session a report on technical assistance to the Government of the Democratic Republic of the Congo and urgent examination of the situation in the east of the country (A/HRC/10/59). In its resolution 10/33 the Council invited the mandate holders to report on the development of the situation to the Council at its thirteenth session. The Council will have before it the combined report of the Special Rapporteur on violence against women, its causes and consequences, the Representative of the Secretary-General on the human rights of internally displaced persons, the Special Rapporteur on the independence of lawyers and judges, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, the Special Rapporteur on the situation of human rights defenders, the Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises, and the Special Representative of the Secretary-General for children and armed conflict (A/HRC/13/63).

99. Reference is made to the report of the High Commissioner on the development of the situation of human rights in the Democratic Republic of the Congo and the activities carried out in the country by OHCHR (A/HRC/13/64) (see also paragraph 36 above).

Situation of human rights in Somalia

100. In its resolution 12/26, the Council requested the independent expert on the situation of human rights in Somalia to submit a report to the Council on the human rights situation in Somalia and on the status of implementation of technical cooperation inside Somalia at its thirteenth and fifteenth sessions. The Council will consider the report of the independent expert, Shamsul Bari (A/HRC/13/65).

Situation of human rights in Colombia

101. Reference is made to the report of the High Commissioner on the situation of human rights in Colombia (A/HRC/13/72) (see also paragraph 37 above).

Technical cooperation and advisory services in Nepal

102. Reference is made to the report of the High Commissioner on technical cooperation and advisory services in Nepal (A/HRC/13/73) (see also paragraph 38 above).

Annex

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

| Resolution/Decision | Panels/discussions |
|---|-------------------------------------|
| 12/28 Follow-up to the tenth special session of the Human Rights Council on the impact of the global economic and financial crises on the universal realization and effective enjoyment of human rights | Panel during the high-level segment |
| 12/118 United Nations declaration on human rights education and training | High-level discussion |
| 12/18 The adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights | Panel |
| 7/29, 10/14 Rights of the child (para. 7, para. 24) | Annual full-day meeting |
| 7/9, 10/7 Human rights of persons with disabilities (para. 15, para. 16) | Annual interactive debate |
| 9/11 Right to the truth (para. 9) | Panel |
