

**Report to IFUW on the 3<sup>rd</sup> Session of the  
Human Rights Council Advisory Committee  
Geneva, 3-7 August 2009**

*Committee Members:*

Mr. Miguel Alfonso Martinez (Cuba), Mr. José Antonio Bengoa Cabello (Chile), Mr. Ansar Ahmed Burney (Pakistan), Mr. Chen Shiqiu (China), Ms. Chung Chinsung (Republic of Korea), Mr. Emmanuel Décaux (France), Mr. Héctor Felipe Fix Fierro (Mexico), Mr. Wolfgang Stefan Heinz (Germany), Mr. Latif Huseynov (Azerbaijan), Mr. Baba Kura Kaigama (Nigeria), Mr. Vladimir Kartashkin (Russian Federation), Mr. Bernards Andrews Nyamwaya Mudho (Kenya), Ms Purificacion V. Quisumbing (Philippines), Mr. Shigeki Sakamoto (Japan), Mr. Dheerujlall Seetulsingh, (Mauritius), Ms. Halima Embarek Warzazi (Morocco), Mr. Jean Ziegler (Switzerland), Ms. Mona Zulficar (Egypt)

*Officers 3<sup>rd</sup> Session:*

Chairperson: Ms. Halima Warzazi

Vice-Chairpersons: Mr. José Bengoa, Ms. Puri Quisumbing, Mr. Jean Ziegler

Rapporteur: Mr. Latif Huseynov

*Programme of Work:*

The agenda of Advisory Committee (AC) during its third session was to deal with four requests from the Human Rights Council (HRC):

- a draft set of principles and guidelines to eliminate discrimination against persons affected by leprosy and their family members;
- a study on best practices regarding missing persons;
- a draft declaration on human rights education and training; and
- possible further measures to enhance the realization of the right to food, including a draft study on discrimination in the context of the right to food.

The AC also examined its rules and procedures, methods of work, agenda and annual programme of work including new priorities.

*Outcomes:*

Six recommendations to the HRC were adopted along with the report of the AC's third session.

The AC recommended that:

1. Due consideration be given to the principles and guidelines prepared by the AC for the elimination of discrimination against persons affected by leprosy and their family members;

2. The AC drafting group continue consulting with stakeholders on the preliminary text of a declaration on human rights education and training and that they submit a draft of the declaration to the AC at its fourth session;
3. A study be prepared by the AC's drafting group on discrimination in the context of the right to food;
4. An initial working paper be prepared by the Mr. Martinez on the need to initiate a study to clarify the scope and content of the right of peoples to peace;
5. An initial working paper be prepared by Ms. Chung on the need to study the rights of elderly people (this emerged during the discussion of new priorities);
6. The AC drafting group continue its study on best practices in the matter of missing persons in situations of armed conflict.

*Issues of interest to IFUW:*

a. Rights of persons with leprosy

Provisions for women and children are specifically included in the AC's guidelines for the elimination of discrimination against persons affected by leprosy and their family members.<sup>1</sup> Changes were made in this section of the annex during the AC's discussion on the rights of persons with leprosy and of their family members with the addition of vulnerable groups to women and children in the guidelines. The original title, 'Women and children affected by leprosy' was changed to 'Women, children and other vulnerable groups affected by leprosy'. The phrase 'other vulnerable groups' was also added to the three paragraphs in that section.

b. Human rights education and training

Progress on the declaration on human rights education and training was discussed by the AC on 4 August. The HRC decided at its sixth session (resolution 6/10) that the AC prepare a draft declaration and this is being done through the work of a drafting group the rapporteur of which is AC expert Mr. Emmanuel Decaux. The AC was instructed to stress the importance of monitoring, not only at the national level, but also at the international level and the application of human rights training. It was emphasized that the declaration should encompass as many people as possible covering both formal and informal channels including the family and the media. In the declaration the role of national human rights institutions should be further emphasized. The drafting of the declaration had brought one of the most challenging assignments to the Committee.

The goal for the declaration on Human rights education is to aid in combating the stigma and discrimination deeply rooted in society, and legal literacy was also important for persons affected to recognize their own rights. As mentioned in the

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<sup>1</sup> A/HRC/AC/3/L.1, Part II, paragraphs 6 to 8, page 5, 5 August 2009

recommendations above the final product of the AC drafting group will be a draft declaration that will need to be reviewed by the HRC and it will later be integrated into the Council's decisions and future declarations on the issues of human rights education and strategies to teach it.

#### c. Right to food

During discussions on 6 August Mr. Bengoa, drafting group member of the study on discrimination in the context of the right to food explained the guide framework that the drafting group is working with. The framework has three themes: discrimination in the context of the right to food; good practices; and anti-discriminatory policies and strategies. Women feature in all of these themes; for example discrimination takes place against women with regard to the right to food, it is mostly women who are the beneficiaries of successful microfinance programmes and rural women are often the victims of discriminatory policies.

The draft of the study will be presented at the fourth session of the AC and then to the HRC in March 2010.

#### d. Gender mainstreaming

It seems that failure to get the AC's recommendation on gender mainstreaming adopted by the HRC still wrangles with at least one member of the AC. Mr. Seetulsingh brought it up during the discussion at the third session on the recommendation concerning the right of peoples to peace.<sup>2</sup> He expressed his concern that preparation of an initial working paper to look at a study could be seen by the Council as being beyond the mandate of the AC.

To give a bit of the history with regard to gender mainstreaming the AC decided at its first session in August 2008 to ask five of its members to prepare draft guidelines on methods to operationalize gender mainstreaming, including action-oriented mechanisms with a view to integrating the human rights of women throughout the United Nations system for their second session in January 2009.<sup>3</sup> This was followed by a recommendation to the HRC from the AC's second session as follows:

Regarding gender mainstreaming, the Advisory Committee recommends that the Human Rights Council authorize the Advisory Committee to prepare draft guidelines on methods to enhance implementation of gender mainstreaming, including action-oriented mechanisms within the Human Rights Council and all other organs within the United Nations system, in consultation with all other relevant United Nations organs, specialized agencies, treaty bodies, national human rights institutions and non-governmental organizations.<sup>4</sup>

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<sup>2</sup> See news release 'Human Rights Advisory Committee Adopts Five Recommendations', Geneva, 7 August 2009, [http://www.unog.ch/80256EDD006B9C2E/\(httpNewsByYear\\_en\)/3CACEA2E001F6C0AC125760B00361A83?OpenDocument](http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/3CACEA2E001F6C0AC125760B00361A83?OpenDocument)

<sup>3</sup> A/HRC/AC/2/CRP.4, 22 January 2009, available at <http://www2.ohchr.org/english/bodies/hrcouncil/advisorycommittee/session2/documentation.htm>

<sup>4</sup> News release 'Human Rights Council Advisory Committee concludes Second Session, Geneva, 30 January 2009,

Mr. Seetulsingh wasn't sure what had happened to consideration of the recommendation at the eleventh session of the Council in June 2009 and, while he did not speak of his disappointment it was clear that he was disappointed. Neither the contribution of the AC nor the draft guidelines are mentioned in documents from the eleventh session though there is reference to postponing discussion of the integration of the human rights of women in the UN system until the twelfth session in a brief report from the High Commissioner.<sup>5</sup> At that point it had been decided with the co-sponsor of Council resolution 6/30 on gender mainstreaming that recommendations should take into account the plenary panel debate on women's rights during the eleventh session.

e. Comments by Slovenia on their two priorities: gender and persons with disabilities

Mr. Jerman Bostjan from the delegation of Slovenia made an intervention on the last morning of the AC's meeting as an observer. His government has two main priorities: the full realization of equal rights of women and men and the issue of the rights of persons with disabilities. The Slovenian government appreciates that persons with disabilities are being given due attention by the AC and stress that mainstreaming their rights is essential to implementation of the Convention on the Rights of Person with Disabilities.

Mr. Bostjan stated that there is still much to be done to achieve the goal of equal rights for women and men and that Slovenia is supporting the initiative to set up a special mechanism to ensure equality before the law. Such an instrument would help diminish the gender-based inequalities in legislation, and would constitute a step forward in reducing the gap between the rights of women and men in law.

f. Human rights of women

The human rights of women will be taken up at the fourth session of the HRCAC under Item 3. (c) provisionally set for 25 to 29 January 2010.

Also on the agenda in January 2010 alongside follow up to the agenda items from the third session is the promotion of a democratic and equitable international order, the human rights of persons with disabilities and human rights and international solidarity.

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Geneva, 7 August 2009

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<http://www.unhcr.ch/hurricane/hurricane.nsf/view01/45E51C3A59EB7B63C125754E005CFBC6?openDocument>

<sup>5</sup> A/HRC/11/39, 4 June 2009, Annual Report of the United Nations High Commissioner for Human Rights on the implementation of the Human Rights Council resolution 6/30, available at <http://www2.ohchr.org/english/bodies/hrcouncil/11session/reports.htm>