

# Factsheet on the Human Rights Council Advisory Committee

- prepared by the members of the Advisory Committee –

## 1. THE COMMITTEE

Pursuant to Human Rights Council resolution 5/1 paragraphs 65 to 84, the Human Rights Council Advisory Committee (hereinafter "the Advisory Committee") has been established to function as a think-tank for the Council and work at its direction. The Committee held its first meeting in August 2008.

## 2. MANDATE/FUNCTIONS

- The function of the Advisory Committee is to provide expertise to the Council in the manner and form requested by the Council, focusing mainly on studies and research-based advice. Further, such expertise shall be rendered only upon the latter's request, in compliance with its resolutions and under its guidance.
- The Advisory Committee should be implementation-oriented and the scope of its advice should be limited to thematic issues pertaining to the mandate of the Council; namely promotion and protection of all human rights.
- The Advisory Committee shall not adopt resolutions or decisions. The Advisory Committee may propose within the scope of the work set out by the Council, for the latter's consideration and approval, suggestions for further enhancing its procedural efficiency, as well as further research proposals within the scope of the work set out by the Council.
- The Council shall issue specific guidelines for the Advisory Committee when it requests a substantive contribution from the latter and shall review all or any portion of those guidelines if it deems necessary in the future.

[Source: Human Rights Council Resolution 5/1]

## 3. THE VALUE

Discussion and insights **from 18 independent experts** from different professional backgrounds representing the various regions of the world and who:

- *by way of Council election, have the endorsement of the Council members;*
- *contribute their knowledge, analysis and time, as a collegial body;*
- *are **supportive** of the efforts in the United Nations to further refine the international human rights system, beginning with the reforms that led to the adoption of G.A. resolution 60/251 creating the Human Rights Council, and continuing with periodic reviews; and **transcend political motivations** because they are not "country representatives" and, as per par. 68 of HRC resolution 5/1, "Elected members of the Committee will act in their personal capacity."*
- *because of the above, are able to give more **objective analysis and proposals** on important human rights matters and trends. This **helps to balance** the inherent "national perspective" brought by delegations in the Council.*

The variety of experiences and diversity of perspectives from experts also lead to more balance and objectivity in the outputs of the Committee, facilitating the building of consensus on controversial issues.

The synergy resulting from this group engagement leads to enriched studies and research-based advice that are likely to be wider in scope and perspective than reports produced by single experts.

## **4. MANDATES IN PROGRESS AND ACHIEVEMENTS**

### **Draft declaration on human rights education and training**

HRC resolution 6/10 mandated the Advisory Committee with the work on a draft declaration on human rights education and training. During its fourth session (January 2010), the Advisory Committee transmitted the draft declaration on human rights education and training annexed to its recommendation 4/2. This was the result of one and a half years of work (beginning in August 2008) – a very fast drafting process considering the lack of a permanent secretariat, the fact that Committee members are only part-time, and that several consultations were designed and implemented. Moreover, the Platform for Human Rights Education and Training of member states lent their continuous support to the mandate (Costa Rica, Italy, Morocco, Senegal, Slovenia and Switzerland). This was of crucial importance in the process, as well as the support from National Human Rights Institutions and NGOs.

### **Leprosy-related discrimination**

The Council requested the Advisory Committee to formulate a draft set of principles and guidelines to eliminate discrimination against persons affected by leprosy and their family members, and to submit it to the Council for its consideration (HRC resolution 10/62). The Advisory Committee delegated to one of its members work on this project. The draft set of principles and guidelines endorsed by the Committee was received favourably by the Human Rights Council and the General Assembly in September and December 2010 respectively.

### **Discrimination in the context of the Right to Food; Rights of Peasants**

Pursuant to Council resolutions 7/14, 10/2 and 13/4, the Committee worked on discrimination in the context of the right to food. A preliminary study (A/HRC/13/32) was welcomed by the Council in March 2010. Reflecting the inputs of stakeholders received during the consultations, the final study on discrimination in the context of the right to food (A/HRC/16/40) was submitted by the Committee to the sixteenth session of the Human Rights Council. In fulfilment of its mandate (resolution 13/4), at its sixth session the Committee also agreed to submit to the attention of the Council a preliminary study dealing with ways and means to advance the rights of peasants and other people working in the rural areas (A/HRC/16/63).

### **Right of Peoples to Peace**

The Committee received the mandate to work on a draft declaration on the right of peoples to peace pursuant to Council resolution 14/3. It immediately initiated discussions at its fifth session and began consultations with stakeholders. In January 2011 a progress report on the issue was considered by the Committee and is expected to be submitted to the 17<sup>th</sup> session of the Council. A questionnaire will be sent out to stakeholders.

### **Missing Persons**

In compliance with a mandate received from the Council (HRC resolution 7/28), the Committee prepared a progress report on this issue which was submitted to the Council in January 2010. The final study on best practices in the matter of missing persons was approved by the Committee in January 2011 and will be submitted to the 16<sup>th</sup> session of the Council.

### **Enhancement of International Cooperation in the field of Human Rights**

A mandate has been received by Council resolution 13/23. A first paper was discussed by the Committee in January 2011. A drafting group was established to further work on this matter.

## **Human Rights and International Solidarity**

A mandate has been received by Council resolutions 9/2, 12/9 and 15/3 and a first paper was discussed by the Committee in January 2011. A drafting group was established to further work on this matter.

## **The Attainment of an Equitable and Democratic International Order**

HRC resolution 8/5 requested *inter alia* the Advisory Committee to pay due attention to the resolution and to make contributions towards its implementation. In 2010 the Advisory Committee agreed that several of its members would draft a preliminary report for the Committee's consideration in 2011.

## **Human Rights of Older People**

The Committee adopted a recommendation in August 2010 expressing the hope that the Human Rights Council would consider entrusting the Advisory Committee with the preparation of a study on the application to older persons of existing United Nations human rights instruments and on any possible gaps in the current legal framework (no specific response from the Council so far on this proposal).

## **Interaction with various stakeholders**

In all above cases, comments and advice was sought through questionnaires from stakeholders, i.e. member states, international organisations, national human rights institutions and non-governmental organisations. It is a part of the Committee's mandate to play this role of a permanent "point de contact" with inclusiveness and transparency. Civil society organizations and national human rights institutions have expressed their appreciation for the consultations.

## **Co-work among the drafting group members**

To produce the reports, the Committee usually constituted drafting groups consisting of 4-5 members. The drafting group members worked closely with each other through face-to-face meetings and internet communications.

## **Review and revision process**

The reports were reviewed by all members at the Committee sessions, and the drafting group members revised the reports. The reports were finalized through 3-4 rounds of review.

## **5. PROPOSALS FROM THE COMMITTEE**

Pursuant to Paragraph 78 of HRC Res. 5/1 (institution-building package), the Committee "shall not adopt resolutions or decisions, but may propose to the Council, within the scope of its work as set out by the Council, suggestions for further enhancing its procedural efficiency, as well as further research proposals within the scope of the work set out by the Council.

Research proposals from the Committee that have been adopted by the Council for future Committee work: Right to Peace, discrimination within the context of the right to food, right of peasants and the rural population.

Not yet decided by the Council: research proposal on Human Rights of Older People.

## **6. SUPPORT**

The Committee does not have a standing Secretariat but appreciates very much the work of the OHCHR personnel who have been very supportive of the work of the Committee even as the Committee members pursue their work outside of session dates.

*Website:* <http://www2.ohchr.org/english/bodies/hrcouncil/advisorycommittee.htm>

*Contact:* [hrcadvisorycommittee@ohchr.org](mailto:hrcadvisorycommittee@ohchr.org)

\*\*\*