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Summary record of the first part (public)* of the 2648th meeting**

Held at the Palais Wilson, Geneva, on Monday, 27 July 2009, at 3 p.m.

Chairperson: Mr. Iwasawa

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* No summary record was prepared for the second part (private) of the meeting.

** No summary records were prepared for the 2645th, 2646th and 2647th meetings.

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The meeting was called to order at 3.05 p.m.

Organizational and other matters (agenda item 4)

Statement by Mr. Nicolas Fasel (Office of the United Nations High Commissioner for Human Rights) on the question of human rights indicators

1. **The Chairperson** invited Mr. Fasel to review the activities of the Office of the United Nations High Commissioner for Human Rights (OHCHR) relating to the use of indicators for promoting and monitoring the implementation of human rights. He drew the attention of Committee members to the 2008 OHCHR report on the subject (HRI/MC/2008/3), which had been distributed to them.

2. **Mr. Fasel** (Office of the United Nations High Commissioner for Human Rights) said that OHCHR had drawn up indicators for the treaty bodies basically in response to a request addressed to it in 2004 by the inter-committee meeting of human rights treaty bodies. The inter-committee meeting had asked OHCHR to assist in using statistical data provided in State party reports in order to assess the implementation of human rights. In June 2005 the inter-committee meeting had taken note of the conclusions of an OHCHR study of initiatives taken in the area of human rights indicators. The secretariat, acting on a request from the 2006 inter-committee meeting to prepare an information document on the possible use of indicators, had drawn up a preliminary conceptual and methodological framework and an initial list of four indicators: the right to life; the right to liberty and security of the person; the right to adequate food; and the right to health. The inter-committee meeting had requested the secretariat to continue with its work and, in particular, to identify indicators of other human rights, to validate the indicators already defined and to report back to it in 2008. The report that had just been distributed to the members of the Committee described the evolution of the conceptual and methodological framework adopted to define quantitative indicators since 2006. Twelve indicators had been identified, six of which related to civil and political rights and the remainder to economic, social and cultural rights. The report also presented the outcome of the validation exercises, which had been conducted at two levels. A group of experts had first been established. It was composed of experts and professionals working on human rights assessment indicators, mostly from academic circles, international agencies, non-governmental organizations and treaty bodies, as well as special procedure mandate holders. Two members of the Human Rights Committee, Mr. Iwasawa and Mr. O'Flaherty, had taken part in the proceedings of the group of experts. The validation process had continued in a number of regional and national workshops, which were attended by representatives of national human rights institutions, decision makers, representatives of bodies involved in preparing reports for submission to the treaty bodies, bodies with mandates relating to specific rights, statistical offices and NGOs, and United Nations country team staff. A first subregional validation workshop had been held in New Delhi, India, in July 2007, and a second in Kampala, Uganda, in October 2007.

3. In 2008 the inter-committee meeting had requested the secretariat to continue its work, especially at country level, and to develop reference documents and tools for disseminating and refining the indicator framework.

4. More generally, it should be noted that the indicators were merely a tool aimed at supporting the human rights treaty bodies in undertaking their judicial or quasi-judicial assessment. They should also promote transparency and facilitate monitoring of the application of international human rights norms and follow-up to the concluding observations of the treaty bodies. Furthermore, the indicators could forge links between different communities.

5. The conceptual and methodological framework was based on a common approach to the identification of indicators that could serve to promote and monitor both civil and political rights and economic, social and cultural rights, thereby underscoring the indivisibility and interdependence of human rights. The framework also comprehensively reflected the normative content of human rights in a configuration of structural, process and outcome indicators. The chosen indicators focused on measures taken by a State party to meet its obligations, in terms of its commitment to apply international human rights norms (structural indicators), its efforts to fulfil the obligations flowing from such norms (process indicators) or the outcome of its efforts (outcome indicators).

6. The framework also focused on two categories of indicators that were generally available at country level: indicators stemming from official statistical regimes based on social-economic analyses and administrative data (under-five mortality rate, number of deaths recorded in detention centres, etc.) and information compiled by non-governmental sources and human rights organizations (number of recorded cases of arbitrary detention, forced expulsion, etc.). The framework was thus based for the most part on quantitative indicators as well as on some qualitative indicators. The aim had been to devise simple indicators, based on an objective and transparent method, focusing on data disaggregated by ground of discrimination, and to show results for particularly vulnerable or marginalized population groups.

7. After the first workshops, other workshops and follow-up activities had been organized in a number of countries, particularly Nepal, Uganda, Mexico and Guatemala, at the request of country-level stakeholders, especially national human rights institutions and OHCHR field offices.

8. It was important to note that references by treaty bodies to the work on indicators in their general guidelines on State party reporting could promote the use of indicators at country level and encourage the development of country-specific indicators, while at the same time strengthening country-level oversight mechanisms. Lastly, he reported that OHCHR, acting on an inter-committee meeting recommendation, was currently drafting a user's handbook and other related tools, such as meta-data sheets, examples of which were annexed to the 2008 report (HRI/MC/2008/3). The sheets provided information on indicators that had already been defined and offered assistance in using them.

9. He concluded by suggesting that the Committee might wish to devote more time to considering the question of indicators and to encourage other relevant pilot initiatives at country level. All the Committee's contributions and observations on the matter would be welcome.

10. **Mr. O'Flaherty** said that the work of the group of experts, in which he had participated, was of great interest and that the development of indicators would undoubtedly be of considerable benefit to the treaty bodies. It should be recognized, however, that it was a very complex exercise, as borne out by the most recent meeting of the group of experts in April 2009. The purpose of the meeting had been to identify two sets of supplementary indicators concerning, on the one hand, non-discrimination and, on the other, violence against women. The group had decided to apply the same methodology as for the previously established indicators and, in particular, to identify structural indicators, process indicators and outcome indicators. While the task had been relatively simple in the case of violence against women, it had proved particularly difficult in the case of non-discrimination, if only because the list of prohibited forms of discrimination in the different international instruments was not exhaustive.

11. An essential aspect of the work on indicators was that it was based scrupulously on the nature of States parties' legal obligations. He had noted in that connection the importance of the Committee's general comment on article 2 of the Covenant, which

influenced the development of the indicators in a number of ways. The work focused, albeit not exclusively, on an examination of the laws, legislative reforms and policies adopted. It also examined how the laws and policies were applied, which was the correct approach and coincided with that adopted by the Committee in considering States parties' reports on the implementation of the Covenant. The work on the indicators also tended to highlight the commonality of the obligations flowing from the different international instruments and of all types of rights, be they civil, political, economic, social or cultural. The implication was not that the obligations were identical with respect to all categories of rights, but that each category gave rise to questions concerning States parties' legislation, policies and programmes. It followed that jurists played an essential role in developing the indicators, but it was also a broadly interdisciplinary exercise, and specialists in particular human rights had a valuable contribution to make.

12. As Mr. Fasel had said, the indicators were merely a tool to assist treaty bodies in assessing measures taken by States parties to meet their obligations and they could not replace such assessments. The indicators also needed to be tested on the ground. Action to that end was under way, the ultimate aim being to make the indicators more accessible and easier to use.

13. If the Human Rights Committee decided to develop indicators for all the rights recognized in the Covenant, it would be setting itself a task that far exceeded its capacity. However, the Committee might find it useful to develop indicators as part of the planned reform of the procedure under article 40 of the Covenant, for instance if it decided to reduce the number of questions to be addressed when considering reports to seven or eight. Another way of using and also testing the indicators would be to have a special team responsible for indicators relating, for example, to torture, which would assist the Committee in drawing up questions on the subject to be addressed to a State party.

14. **The Chairperson** invited Mr. Scheinin, a former member of the Committee who had chaired most of the consultations among the group of experts, to present his views on the question of indicators.

15. **Mr. Scheinin** said that indicators should certainly be regarded as a monitoring tool for treaty bodies and that they also served the broader aim of promoting and protecting human rights. He noted that the proposals for using indicators were sometimes simplistic, since they sought to replace normative assessments with mere statistics, or even country classification or other similar measures. The treaty bodies ought to show other stakeholders how to use indicators correctly, and he noted in that connection that academic circles, intergovernmental organizations and other interested institutions were closely following the work on indicators, since they were aware of the lessons that could be drawn from the treaty bodies' approach to such a tool.

16. The development of human rights indicators was clearly a very complex task. However, everyone was free to retain certain elements and to reject others. Indicators might be applied, for instance, to specific rights in the light of what could realistically be expected from a State party's report or available non-governmental sources of information. The basic purpose of the indicators was to standardize the factual information received by the treaty bodies so that they could assess human rights situations on the basis of the best information available. They could thus also assist the treaty bodies in improving their sources of information. The indicators might be perceived as something situated halfway between facts and norms, and they could not replace the normative assessment undertaken by treaty bodies, which remained their prerogative.

17. With regard to the characteristics of rights, as already noted, a configuration had been established which provided for structural indicators, process indicators and outcome indicators. The content of each category varied in terms of the right concerned. The general

comments of the treaty bodies constituted the most important source to be consulted in defining the characteristics of rights. Mr. O'Flaherty had mentioned the Committee's general comment concerning article 2 of the Covenant, which had indeed been a source of inspiration for several indicators, but other general comments were also of great interest. It followed that, if indicators relating to Covenant rights were to be developed, it was important for the Committee to continue elaborating general comments, which would help those involved in developing indicators to identify questions of substance pertaining to particular rights.

18. **Mr. Thelin** said that the meta-data sheets could be useful if the Committee wished to rank States parties in terms of their respect for human rights. For example, it could assess the compliance of States parties with their obligations under articles 9 and 14 of the Covenant, using the indicators pertaining to the right to a fair trial set out in annex I to the report (HRI/MC/2008/3) and applying some kind of assessment scale ranging from 0 to 10. He wished to know whether the Committee intended to establish such a ranking in the context of its partial or final stock-taking of the use of indicators, or whether it ruled out the idea because it would involve more drawbacks than advantages.

19. **Mr. Scheinin** said that the object of the indicator system was not to rank countries but to gauge a country's progress over time in ensuring respect for human rights. The system could, of course, be used for other purposes, for example to decide on the allocation of development aid or the imposition of sanctions on certain countries, but the indicators were not conceived with such ends in view. The treaty bodies could also use them in negotiations with a State party on the objectives to be attained prior to the submission of its next report. Such a method would be particularly useful in monitoring the application of economic, social and cultural rights, which were to be implemented progressively. It was perhaps less well suited to the monitoring of civil and political rights, but it would still allow the Human Rights Committee to highlight progress made in certain areas.

20. **Mr. Fasel** (Office of the United Nations High Commissioner for Human Rights) said that the development of indicators to assess the degree of implementation of civil and political rights not only constituted a sensitive political issue, but also raised specific methodological problems because such rights were difficult to quantify. The project focused on data that could be derived from a statistical sample, but less costly sources of data, such as those available to administrations, could be used. Data relating to the administration of justice, for instance, could be used to ascertain the number of persons incarcerated in a country and the number of prison deaths. There were also other benefits to be gained from such data, such as encouraging the enhancement of capacity in certain areas or dissemination of data gathered by the State.

21. **Mr. Salvioli** said that he had some doubts about the indicator system, which was normally used to monitor the implementation of economic, social and cultural rights. In particular, he feared that States parties would feel that they were authorized by such a system to relativize respect for human rights by claiming that they had achieved progress in a particular area such as enforced disappearances when the number had declined, although they were required to comply strictly with all the obligations they had incurred. It followed that vigilance would be necessary to ensure that such a tool, which had the potential to assist States in improving the human rights situation in their territory, could not be used in a manner that undermined the work of the treaty bodies. Furthermore, while all parties insisted on the need to avoid establishing a hierarchy among different rights — civil, political, economic, social and cultural rights, reference had been made under the project to the monitoring of some rights rather than others; yet such an approach clearly implied the establishment of an order of importance.

22. **Ms. Chanet** said that caution should be exercised when attempting to use tools developed in accordance with a certain concept in contexts other than that for which they

were designed. The indicators presented in the report were largely based on principles of proportion and on sociological concepts, whereas the Committee adopted a strictly juridical approach. As noted by Mr. Salvioli, the fact that the disappearance ratio had declined in a country was of little consequence; just one disappearance was sufficient to constitute a problem. The same applied to the death penalty: it was not so much the statistics that mattered but whether or not a State respected the Covenant prohibition on imposing the death penalty on minors under 18 years of age and on pregnant women. It was legal questions of that kind which interested the Committee when it considered a State party report or a communication; a sociological approach failed to meet such concerns.

23. The proposed list of indicators nevertheless contained parameters that might be useful to the Committee when it addressed issues with a sociological dimension such as violence against women, and might enable it to assess whether a country had made progress. When it came to the question of equality between men and women, on the other hand, the indicators would be of no use, since they would not show, for example, whether inheritance rights were the same for men and women or whether nationality was transmitted between a husband and wife, which was the type of information that shed light on the situation in a country. The Committee could certainly make a useful contribution to the development of a system of indicators. She gathered, moreover, that its general comments had been used for the purpose, which was a good idea.

24. **Mr. O'Flaherty** pointed out that the project had been proposed by the inter-committee meeting of human rights treaty bodies some years previously, that members of the Committee had attended the meetings organized for the purpose and that it was the second time that the Committee had received information on the subject. He did not share the concerns of other Committee members. The project merely systematized the Committee's practice and offered an opportunity to disseminate it among the other treaty bodies. When the Committee examined a country's compliance with a particular article of the Covenant, it assessed the legislation, the constitution and public policy in the relevant area and sought to determine whether the policy was being translated into practice.

25. There had never been any question of assigning marks to States to establish a ranking system, and some of the reservations to which the project had given rise seemed to be due to a misunderstanding of that aspect. The results could admittedly be used for purposes other than those for which the project had been designed, but the same could be said of the Committee's concluding observations. The project deserved the Committee's support.

26. **Mr. Amor** said that he did not think it was possible to define neutral, objective and precise criteria that were applicable in all circumstances. One might even query the desirability of attempting to define uniform criteria, since their application might prove entirely counterproductive.

27. **Ms. Majodina** said that the human rights indicators might be of some benefit to the Committee's work, but she was concerned about the damaging consequences of their possible use by actors other than the treaty bodies. In particular, she feared that such use might lead to the establishment of a hierarchy of human rights and of a country ranking system.

28. **Mr. Scheinin** stressed that the indicator approach could not under any circumstances replace the assessment of respect for human rights conducted by the treaty bodies. The indicators were simply tools that the treaty bodies could use as whenever it seemed appropriate. Each indicator would be accompanied by a meta-data sheet explaining how the indicator had been defined, how to obtain the necessary data and how to disaggregate the information, which would provide a more detailed picture of the situation in the country concerned.

29. **Mr. Fasel** (Office of the United Nations High Commissioner for Human Rights) said that there had never been any question of establishing a country ranking system under the project. In any case, that would be impossible in methodological terms as matters stood. While the statistics had so far been used mainly by the Committee on Economic, Social and Cultural Rights, the factual information they provided could also prove useful to the Human Rights Committee. All the data gathered by a national statistics office could be used to assess the application of Covenant articles. He was at the disposal of Committee members for any other enquiry they might have about the project and would be interested in hearing their comments.

Dialogue with Ms. Ingeborg Schwarz (Inter-Parliamentary Union) on the question of follow-up to concluding observations

30. **The Chairperson** thanked Mr. Scheinin and Mr. Fasel for informing the Committee about the proposed system of indicators for promoting and monitoring the implementation of human rights. He welcomed Ms. Schwarz, representative of the Inter-Parliamentary Union, who would report on Union activities of relevance to those of the Committee.

31. **Ms. Schwarz** (Inter-Parliamentary Union) said that the Inter-Parliamentary Union was a global organization of parliaments. It was little known, although it was the oldest multilateral organization, having been established in 1889 by two parliamentarians, one French and one British, to promote the arbitration of disputes. It currently had 153 members out of a total of 187 parliaments throughout the world. Since 2002 it had observer status at the United Nations. Its main objective remained unchanged since its establishment: promotion of peace and democracy. It held two assemblies each year, at which parliamentarians' attention was drawn to human rights issues. For instance, a meeting at the October 2009 session would deal with the universal periodic review mechanism.

32. The Inter-Parliamentary Union implemented three major programmes concerning technical cooperation, the promotion of women in politics and human rights. The human rights programme, for which she was responsible, was designed to enhance parliamentarians' ability to protect and promote human rights. They could not perform such a basic task unless they were in a position to express themselves freely and to exercise their fundamental rights. It was for that reason that the Inter-Parliamentary Union had established the Committee on the Human Rights of Parliamentarians in the 1970s to consider cases of violations of parliamentarians' human rights. The Committee was composed of five members, each of whom represented a major geopolitical region, and it held four one-week sessions each year. It ascertained the veracity of any allegations received by approaching the authorities of the country concerned, and also other sources, with a view to reaching a settlement consistent with international and regional human rights standards. In some cases the process took a very long time. The most difficult case, for example, had taken 20 years to settle, but it would never have been addressed at all without the Committee, which had maintained its pressure on the State in question year after year. The proceedings were usually confidential, but the Committee could make a case public with the consent of the Governing Council, the plenary decision-making body of the Inter-Parliamentary Union, as a means of exerting pressure. The Committee also undertook field missions, especially missions to monitor legal proceedings. Meetings with parliamentary delegations from the country concerned were another effective means of exerting pressure. In its decisions, the Committee systematically reminded States of their obligations under the international instruments that they had ratified and also referred to the recommendations or concluding observations of the Human Rights Committee. The Inter-Parliamentary Union Committee was dealing with some cases that were also before the Human Rights Committee.

33. The work of the Committee on the Human Rights of Parliamentarians accounted for the bulk of the Inter-Parliamentary Union's activities in the area of human rights. However, the Union also sought to promote the integration of human rights into parliamentary structures and was therefore particularly interested in parliamentary human rights committees. It had established a database on such committees and organized seminars for members. It also hoped to set up a network of parliamentarians who were concerned with human rights issues. It had to be acknowledged, however, that parliamentarians showed little interest in human rights, regardless of the country concerned. Most of them were not familiar with the international instruments that their parliament had ratified or the obligations flowing from them, and knew even less about the treaty bodies. Yet parliaments had an essential role to play in implementing treaty body recommendations, including those of the Human Rights Committee, by enacting laws, overseeing the executive or taking budgetary action. The Inter-Parliamentary Union had therefore published, in collaboration with the Office of the United Nations High Commissioner for Human Rights, a handbook for parliamentarians on international human rights instruments. It had also carried out a pilot assessment project in the area, in which several parliaments of francophone African countries had decided to participate. The first stage of the project had involved the preparation of a status report: the parliamentarians had reviewed the treaties ratified by their countries and checked the status of submission of periodic reports and implementation of treaty body recommendations. The second stage had consisted in designing a short-term strategy in the light of the findings. The task had been entrusted to a committee composed of parliamentarians from ruling and opposition parties as well as representatives of civil society and national human rights institutions where one existed. The last stage had consisted of an assessment of what parliaments had succeeded in achieving, the difficulties encountered and the role they could play in the future. The results of the project were very positive and unexpected. The participating parliaments had shared their experience at a regional seminar, which had adopted a declaration, known as the Libreville Declaration. It contained a number of interesting proposals, such as the publication by parliaments of an annual report reviewing all parliamentary human rights activities, and the creation of a regional inter-parliamentary observatory to oversee the harmonization of policies aimed at the protection and promotion of human rights and the implementation of recommendations issued by regional and international bodies. The project was highly successful and many other parliaments were eager to undergo an assessment, but the Inter-Parliamentary Union unfortunately lacked the necessary resources. However, it continued to promote the implementation of treaty body recommendations. For instance, it would organize a seminar in autumn 2009 for parliamentarians from countries whose periodic report had been considered by the Human Rights Committee or the Committee on Economic, Social and Cultural Rights during the previous year or would be considered the following year.

34. Lastly, it should be noted that the Inter-Parliamentary Union's programme for the promotion of women in politics worked closely with the Committee on the Elimination of Discrimination against Women. For example, whenever it was about to consider a periodic report, the Committee would inform the president of the parliament of the country concerned, and during its dialogue with the delegation it always asked whether the national parliament had been involved in the preparation of the periodic report and whether it would participate in the implementation of the concluding observations. The latter were systematically communicated to the parliament by the Inter-Parliamentary Union. The parliament reported to the Committee on its activities and the role it could play in ensuring follow-up to the concluding observations. Such measures had proved quite effective; the Human Rights Committee might wish to engage in a similar form of collaboration with the human rights programme of the Inter-Parliamentary Union.

35. **The Chairperson** thanked Ms. Schwarz for her presentation and invited the members of the Committee to raise questions.

36. **Sir Nigel Rodley** said that the Committee's work and that of the Inter-Parliamentary Union in the area of human rights, particularly the work of the Committee on the Human Rights of Parliamentarians, undoubtedly overlapped to a certain extent and could prove mutually beneficial. It would be useful, in particular, to examine ways in which the Inter-Parliamentary Union could contribute to follow-up to the Committee's concluding observations. The creation within parliaments of a structure with special responsibility for human rights, as recommended in the Libreville Declaration, would be an excellent step, since such a structure could make a very useful contribution to the preparation of periodic reports and ensure that the Government acted on the Committee's recommendations. The seminar to be organized by the Inter-Parliamentary Union in the autumn would provide a good opportunity to familiarize parliamentarians with the Committee and its work and to discuss with them ways and means of boosting their action on behalf of human rights and their cooperation with the treaty bodies. As the Committee would be in session during the same period, there was a possibility that one or two of its members might represent it at the seminar. Another question that parliamentarians might consider was the role of human rights in foreign policy. If some Governments were more concerned about human rights in countries with which they had close relations, the human rights situation in those countries could be greatly improved. It would be interesting to hear whether attempts had been made by parliamentarians in the context of the Inter-Parliamentary Union to influence the human rights situation in countries where it left something to be desired.

37. **Mr. Salvioli** said that parliamentarians should be aware that when human rights violations were committed, the State might incur responsibility on the ground of its parliamentarians' action or lack of action. The Inter-Parliamentary Union had an important role to play in that regard. It was also essential to ensure that, within each parliament, human rights were treated as a matter that concerned everybody and not just a small group with a specific human rights mandate, so that every parliamentarian took account of human rights instruments and treaty body decisions in his or her work. The Inter-Parliamentary Union already made a valuable contribution towards ensuring that parliaments took human rights into consideration, for instance by publicizing the work of the treaty bodies, but its action could be expanded by, for instance, forging partnerships with universities so that human rights were incorporated in courses dealing with legislative techniques.

38. **Mr. Fathalla** said that it was vital to remind parliaments that they had obligations under the international human rights instruments that they had agreed to ratify; in other words, they were required to enact statutes in support of their implementation. They also had a duty to ensure that the Government met the obligations it had assumed in becoming a party to the instruments. Parliaments should also be more closely involved in preparing reports for the treaty bodies and the Inter-Parliamentary Union should encourage them to do so. According to Ms. Schwarz, the Committee on the Human Rights of Parliamentarians had considered cases that had also been submitted to the Human Rights Committee. He drew attention to the need to ensure that the Human Rights Committee's consideration of a case that had already been referred to the Committee on the Human Rights of Parliamentarians was not a violation of article 5 of the Optional Protocol to the Covenant.

39. **Ms. Wedgwood**, noting that the Committee received very few complaints concerning African and South-East Asian countries, asked whether the Inter-Parliamentary Union had any jurisprudence concerning those regions and whether the Committee could have access to it in order to improve its own work. Countries whose legislation needed to be aligned with international human rights norms frequently lacked the necessary resources, time or willpower. Had the Inter-Parliamentary Union contemplated the establishment of a working group to draft model statutes that could be used by its member parliaments?

40. **Mr. O'Flaherty** said that the Inter-Parliamentary Union was a source of very useful information that the Human Rights Committee should exploit more fully. In particular, the

Committee should take a closer look at the structure, functioning and resources of the parliaments of countries whose reports it was considering in order to take account of the concrete means of action at their disposal when it recommended that they become more involved in monitoring the human rights situation in general and rights guaranteed by the Covenant in particular. Another area in which the Inter-Parliamentary Union could provide very useful information was that of relations between national human rights institutions and parliaments. It would also be interesting to find out more about the arrangements in place in parliaments to disseminate the Committee's concluding observations. Recommendations could then be drawn up with those arrangements in mind. The Committee would be curious to hear whether parliamentarians found the recommendations useful, for instance whether they helped them to identify amendments that should be made to existing legislation. The question of participation in the conduct of public affairs, in accordance with article 25 of the Covenant, was not raised frequently by the Committee because of the lack of sufficient information. The Inter-Parliamentary Union could certainly remedy that deficiency, enabling the Committee to develop its jurisprudence in that regard, which could then be disseminated among parliamentarians.

41. **Mr. Lallah** stressed the importance of establishing a human rights structure within each parliament which would not only ensure the consistency of legislation with international human rights norms, but would also and above all undertake a systematic examination of treaty body recommendations with a view to ensuring their full implementation. The Libreville Declaration contained a proposal to that effect, but it had not yet been put into practice.

42. **Ms. Schwarz** (Inter-Parliamentary Union) said that the Committee on the Human Rights of Parliamentarians was not a procedure of international investigation or settlement within the meaning of article 5 of the Optional Protocol to the Covenant; it followed that there was nothing to prevent the Human Rights Committee from considering a case that was also before the Committee on the Human Rights of Parliamentarians. Consultations had taken place with the Human Rights Committee when the Committee on the Human Rights of Parliamentarians was established in order to ensure the compatibility of their work on complaints. Moreover, the admissibility criteria applied by the two bodies were different: exhaustion of domestic remedies was not required by the Committee on the Human Rights of Parliamentarians for admission of a complaint. The Inter-Parliamentary Union encouraged parliaments to take an interest in the proceedings of the treaty bodies and to take their work into account and contribute to it, but the involvement of parliamentarians in the defence of human rights still fell far short of the Committee's aspirations. However, when parliamentarians' rights were flagrantly violated in a particular country, the parliamentarians of all other member countries of the Inter-Parliamentary Union could take different kinds of action, depending on the circumstances. For instance, they could send a parliamentary delegation to the country, or take advantage of a visit by parliamentarians to the country to raise questions about the case. Experience had shown that such action could be effective. Questions such as the integration of human rights into the teaching of legislative techniques and the elaboration of a body of model statutes for use by parliaments had not yet been studied by the Inter-Parliamentary Union. However, they could be submitted to the team responsible for drawing up the Union's technical cooperation programme, which cooperated with United Nations Development Programme experts and other specialized bodies in assisting parliaments to discharge their mission.

43. The Inter-Parliamentary Union sought to enhance the role of parliaments, but it was a long-term project that required as a first step that parliamentarians themselves were rendered accountable. It was particularly important to promote their independence vis-à-vis the executive and political parties, which was not an easy matter in some countries. The Inter-Parliamentary Union had noticed a trend towards increasing interference by political parties in the execution of parliamentary mandates, which could in some cases deprive

parliamentarians of all initiative. It would present a study on the issue at the conference on political tolerance that it was organizing in September 2009. Given that such issues had a bearing on article 25 of the International Covenant on Civil and Political Rights, it would be useful to consider ways of promoting collaboration between the Inter-Parliamentary Union and the Human Rights Committee in that area.

44. **The Chairperson** thanked Ms. Schwarz for accepting the Committee's invitation and expressed the hope that the ideas exchanged at the meeting would lead to concrete measures aimed at promoting cooperation between the Inter-Parliamentary Union and the Committee.

The public part of the meeting rose at 5.10 p.m.