



**International covenant
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HUMAN RIGHTS COMMITTEE

Ninetieth session

SUMMARY RECORD (PARTIAL)* OF THE 2453rd MEETING

Held at the Palais Wilson, Geneva,
on Monday, 9 July 2007, at 10 a.m.

Chairperson: Mr. RIVAS POSADA

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 10.10 a.m.

OPENING OF THE SESSION (item 1 of the provisional agenda)

1. The CHAIRPERSON declared open the ninetieth session of the Human Rights Committee.

OPENING STATEMENT BY MR. BACRE WALY NDIAYE, DIRECTOR OF THE HUMAN RIGHTS PROCEDURES DIVISION, ON BEHALF OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

2. Mr. BACRE WALY NDIAYE (Director, Human Rights Procedures Division), reviewing developments since the Committee's previous session, said that the Human Rights Council had held its fifth session from 11 to 18 June 2007, during which it had adopted a decision on the establishment of the Universal Periodic Review mechanism. The mechanism should, inter alia, promote the universality, interdependence and indivisibility of all human rights; be a cooperative mechanism based on objective information and interactive dialogue; ensure equal treatment of all States; fully involve all countries under review; and complement, rather than duplicate, the work of other human rights mechanisms.

3. Each country would be subject to a three-hour review at four-yearly intervals. A working group composed of all 47 Council members would carry out the review; three rapporteurs would facilitate the process. The working group would prepare a report for submission to the plenary Council that would contain a summary of the review process, conclusions and recommendations, and voluntary commitments by the country concerned. The review would be based on information provided by the country, a compilation of information from treaty body reports and special procedures, and other relevant United Nations documents.

4. The new Universal Human Rights Index, responsibility for which had been transferred from a Swiss academic institution to the Office of the United Nations High Commissioner for Human Rights (OHCHR) on 14 June 2007, would facilitate the compilation of relevant information. The Index contained and systematized the conclusions and recommendations of treaty bodies and special procedure mandate-holders of the past five years in 39 thematic clusters, which could be searched by mandate, theme or country. The final outcome of the Universal Periodic Review would be discussed and adopted in the plenary Council, with the full involvement of the country concerned. It would include an assessment of the respective human rights situations and best practices, emphasize the need for enhanced cooperation, technical assistance and capacity-building, and reflect voluntary commitments and pledges by that country. The first Reviews were scheduled for 2008.

5. Participants in the eighteenth and nineteenth meetings of chairpersons of the human rights treaty bodies, held in June 2006 and June 2007 respectively, had recommended that treaty bodies should consider institutionalizing their relationship with the Council and propose relevant modalities. It had also been recommended that they should enhance cooperation with special procedures mandate-holders, with a view to developing effective approaches to the Universal Periodic Review mechanism and coordinating country-specific inputs.

6. At the sixth inter-committee meeting of the human rights treaty bodies and nineteenth meeting of chairpersons of human rights treaty bodies held in June 2007, members had considered the reports of the Working Group on the harmonization of working methods of treaty bodies (HRI/MC/2007/2/Add.1) and discussed the outcome of the second meeting of the Working Group on reservations (HRI/MC/2007/5). The Human Rights Committee had been represented by Mr. Amor, Mr. Sánchez Cerro and Mr. Rivas Posada. Sir Nigel Rodley had also participated in a discussion on reservations to human rights treaties convened by the International Law Commission in May 2007.

7. The chairpersons of the treaty bodies had discussed the Universal Periodic Review mechanism with the President of the Human Rights Council, special procedures mandate-holders and States parties, and had covered issues such as cooperation with specialized agencies and other stakeholders, and human rights indicators. Furthermore, business and human rights had been addressed on the basis of the report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises entitled: "State responsibilities to regulate and adjudicate corporate activities under the United Nations core human rights treaties: an overview of treaty body commentaries" (A/HRC/4/35/Add.1). The report highlighted the value of a harmonized approach by treaty bodies.

8. At the outset of those meetings, it had been recommended that the Inter-Committee Meeting be held twice a year, with the participation of the chairpersons of treaty bodies as ex officio members.

9. With regard to treaty body reform, it had emerged that harmonization of working methods was generally given preference over fundamental structural reform. Over the past year, treaty bodies had continued to develop innovative working methods in order to ensure the best possible protection for rights-holders. Increasing awareness of the work of treaty bodies, ensuring greater involvement of actors at the national level, and strengthening institutional capacities to implement treaty bodies' recommendations were crucial. OHCHR had continued to conduct training workshops to strengthen the capacity of national human rights institutions, NGOs and the media to support and facilitate implementation at the national level. Workshops for target groups from Indonesia, Guyana and another country yet to be identified would be held in Geneva in November 2007. Preparations were also under way for follow-up workshops in Georgia, Mexico and Morocco. The DVD on the work of treaty bodies was currently being translated into Arabic, Chinese and Russian, and a web page was being developed to provide information on OHCHR and treaty body follow-up to concluding observations. In that connection, the Office looked forward to the Committee's discussion on strengthening follow-up to concluding observations and Views adopted under the Optional Protocol.

10. Since the Committee's eighty-ninth session, Monaco had submitted its second periodic report, Nicaragua a common core document and its third periodic report, the Netherlands its fourth report and Denmark its fifth.

ADOPTION OF THE AGENDA (item 2 of the provisional agenda)

11. The agenda was adopted.

CONSIDERATION OF COMMUNICATIONS UNDER THE OPTIONAL PROTOCOL TO THE COVENANT (agenda item 9)

12. Ms. CHANET, speaking as Chairperson/Rapporteur of the Working Group on Communications, said that the Group had held 10 meetings from 2 to 6 July. Consideration of one case had been deferred, owing to the particular circumstances in the State party concerned. The Group had adopted 15 recommendations on merits; in 13 cases it had found a violation of the Covenant; in 2 cases, no violation had been found. It had further adopted 8 inadmissibility recommendations, one of which was of particular relevance to Committee jurisprudence and would be submitted to the plenary, and 3 admissibility recommendations, one of which again was of particular relevance to Committee jurisprudence and would be submitted to the plenary. In addition to the draft recommendations prepared by the Working Group for the current session, the Committee would need to consider seven draft recommendations that had remained pending from its eighty-ninth session.

The discussion covered in the summary record ended at 10.35 a.m.