



**International covenant
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HUMAN RIGHTS COMMITTEE

Eighty-seventh session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 2368th MEETING

Held at the Palais Wilson, Geneva,
on Monday, 10 July 2006, at 10 a.m.

Chairperson: Ms. CHANET

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* The summary record of the second part (closed) of the meeting appears as document
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The meeting was called to order at 10.05 a.m.

OPENING OF THE SESSION

1. The CHAIRPERSON declared open the eighty-seventh session of the Human Rights Committee.

OPENING STATEMENT BY MR. BRUNI, TREATY IMPLEMENTATION TEAM LEADER, ON BEHALF OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

2. Mr. BRUNI (Treaty Implementation Team Leader), reviewing developments since the Committee's previous session, said that the Human Rights Council, established pursuant to General Assembly resolution 60/251 as the main United Nations organ responsible for the promotion and protection of human rights, had held its first session from 19 to 30 June 2006. It was mandated to prevent and address human rights violations, to promote human rights education, technical assistance and capacity-building, and to respond promptly to human rights emergencies.
3. Of special interest to the treaty bodies was the provision for a universal periodic review of each State's compliance with its human rights obligations. The General Assembly had stressed that the review mechanism should complement and not duplicate the work of the treaty bodies. At its first session, the Council had decided to establish an intersessional open-ended working group chaired by the President of the Council that would meet for 10 days to develop the modalities of the universal periodic review. A number of States that had stood for election to the Council had made specific commitments relating, for instance, to treaty ratification, withdrawal of reservations, submission of reports and implementation of concluding observations. Their pledges had been published on the website of the Office of the United Nations High Commissioner for Human Rights (OHCHR).
4. Ms. Chanet had addressed the Council on 23 June 2006 in her capacity as Chairperson of the meeting of chairpersons of the human rights treaty bodies and Chairperson of the Committee. She had informed the Council that the treaty bodies were engaged in an open and constructive reform process, which included the harmonization of their working methods, and had urged the Council to take the treaty bodies' concluding observations into account when conducting the universal periodic review.
5. The Council had adopted the draft International Convention for the Protection of All Persons from Enforced Disappearance and the draft United Nations Declaration on the Rights of Indigenous Peoples, which would be submitted to the General Assembly for adoption.
6. On 5 and 6 July 2006, the Council had held a special session on the human rights and humanitarian situation in Palestine and other Arab occupied territories, at which it had adopted a resolution concerning the dispatch of an urgent fact-finding mission headed by the Special Rapporteur on the situation of human rights in the Occupied Palestinian Territory.

7. The entry into force of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 22 June 2006 was a milestone in the fight against torture. Under the new monitoring mechanism, complementary international and national independent bodies would establish a system of regular visits to places of detention. States parties to the Optional Protocol would be committed to accepting unannounced visits to places of detention.

8. The fifth Inter-Committee Meeting and the eighteenth meeting of chairpersons of the human rights treaty bodies had been held in June 2006. The Human Rights Committee had been represented by Ms. Chanet, Mr. Rivas Posada and Mr. O'Flaherty. The Meeting had discussed working methods, including follow-up procedures and interaction with the Human Rights Council, special procedures, United Nations agencies, funds and programmes, national human rights institutions, and indicators for monitoring compliance with international human rights instruments. The Meeting had also considered the outcome of the meeting held on 8 and 9 June 2006 by the working group set up to examine the approach of treaty bodies to reservations and chaired by Sir Nigel Rodley. The participants had further discussed harmonized treaty body guidelines on reporting and the High Commissioner's proposal for a unified standing treaty body, an issue that had also been addressed at the meeting between the chairpersons and States parties on 22 June 2006. One of the main recommendations considered at the meetings was that the treaty bodies consider institutionalizing their relationship with the Human Rights Council and propose modalities for such a relationship.

9. At the initiative of the Government of Liechtenstein, an informal brainstorming meeting on the High Commissioner's proposal for a unified standing treaty body and possible options for treaty body reform would be held in Malbun from 14 to 16 July 2006. The meeting would be attended by up to six representatives of regional groups, two representatives of each treaty body, and representatives of the United Nations system, NGOs and national human rights institutions. A two-day meeting between States parties and the chairpersons of the treaty bodies to discuss the legal options available for the establishment of a unified standing treaty body was planned for October 2006. Lastly, an intergovernmental consultation with States parties would be convened in all likelihood in May 2007.

10. In conformity with the High Commissioner's Plan of Action and the OHCHR Strategic Management Plan, emphasis had been placed on promoting the implementation of treaty body recommendations through country engagement strategies. OHCHR had organized training workshops funded by the European Commission to strengthen the capacity of national human rights institutions, NGOs and the media to support the implementation of concluding observations. Workshops had recently been held in Mexico and Morocco, and it was planned to hold a further series in Egypt, Guyana, Thailand, Zambia, Mauritius, Uganda, and Bosnia and Herzegovina before the end of 2006. A regional follow-up workshop and judicial colloquium on the domestic application of international human rights norms would be held in November 2006 for European countries and Azerbaijan.

11. On 25 and 26 April 2006, at the invitation of the Inter-American Commission on Human Rights and the Commonwealth Secretariat, OHCHR had contributed to a workshop on the ratification and implementation of international and regional human rights instruments in the English-speaking Caribbean countries.

12. After a workshop on follow-up to the Committee's concluding observations sponsored by the Kenyan Ministry of Justice and the Raoul Wallenberg Institute on 29 and 30 May 2006, Kenya had submitted detailed responses to the Special Rapporteur on follow-up to concluding observations.

13. Volume 6 of the *Selected Decisions of the Human Rights Committee under the Optional Protocol* had been published, and a DVD containing a film and extensive documentation on the work of the treaty bodies had been produced.

14. The identification by the Committee of priorities in its concluding observations greatly facilitated country engagement strategies. The internal working guidelines for the secretariat and the country report task forces that drafted lists of issues were also very useful. OHCHR was looking forward to studying the outcome of the Committee's working group on recommendations for the reinforcement of follow-up activities on concluding observations and Views under the Optional Protocol.

15. Since the Committee's eighty-sixth session, the Czech Republic had submitted its second periodic report, Barbados and the Sudan their third periodic reports, and Costa Rica its fifth periodic report. The former Yugoslav Republic of Macedonia had announced the submission of its second and third periodic reports, and San Marino planned to submit its second periodic report by 30 September 2006. Lastly, Maldives had announced its intention to accede to the Covenant by the end of 2006.

ADOPTION OF THE AGENDA (item 2 of the provisional agenda) (CCPR/C/87/1)

16. The agenda was adopted.

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

17. Sir Nigel RODLEY, speaking as Chairperson/Rapporteur of the Working Group on Communications, said that the Working Group had held 10 meetings from 3 to 7 July, at which it had considered 29 draft recommendations. Two further draft recommendations had not been made available since they had not been translated into the working languages of all members of the Group. Timely availability of translations had proved a recurring problem. However, thanks to the considerable efforts made by the translation services and the OHCHR secretariat, almost all available meeting time had been used to good effect. Once the two draft recommendations became available in all working languages, a further meeting of the Working Group might need to be scheduled.

18. The Working Group had adopted 15 inadmissibility recommendations, 11 recommendations for the adoption of Views under the Optional Protocol, 2 admissibility decisions and 1 decision with an admissibility and a merits option, depending on expeditious further action by the State party.

The public part of the meeting rose at 10.30 a.m.