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HUMAN RIGHTS COMMITTEE

Eighth session

SUMMARY RECORD OF THE 177TH MEETING

held at the Palais des Nations, Geneva,
on Monday, 15 October 1979, at 10.30 a.m.

Chairman:

Mr. MAVROMMATIS

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GE.79-4123

The meeting was called to order at 11 a.m.

OPENING OF THE SESSION

1. The CHAIRMAN declared open the eighth session of the Human Rights Committee. He informed the Committee that Mr. Diéye would be arriving that afternoon and that Mr. Tarnopolsky would be able to attend the session for only one week, probably the second. Mr. Ganji had announced that he would be coming, but had not specified the date of his arrival. Mr. Uribe Vargas had stated that he would be taking part in the session, but the Colombian Mission to the United Nations Office at Geneva had informed the Secretariat that he might not be coming. That Mission should therefore be contacted in order to ascertain the position. He requested all members of the Committee to inform the Secretariat in good time of the date of their departure, so that a quorum could be obtained at all meetings during the session.

ADOPTION OF THE AGENDA (CCPR/C/9)

2. The CHAIRMAN said that an item 7, entitled "Future meetings", should be added to the provisional agenda. The Division of Human Rights had been informed that the spring session of the Human Rights Committee could not be held in New York. The Committee would therefore need to consider the question of the place of its forthcoming spring session.

3. The provisional agenda, as amended, was adopted.

ORGANIZATIONAL AND OTHER MATTERS

4. Mr. OPSAHL said that the Working Group would like to hold an additional meeting in order to finalize its draft recommendations.

5. Mr. TOMUSCHAT suggested that the Committee should consider the question of the place of its next session. He wished to know why it was impossible for the Committee's spring session to be held in New York.

6. Mr. SADI said he was glad the question had been raised. The choice of New York as the venue for one of the sessions of the Human Rights Committee had not been made for merely idle reasons. New York was a large city where the Committee's work could be certain of receiving the publicity it deserved. The Secretariat should be informed that the meetings of the Committee and of its Working Group should have priority. He wished to be informed precisely what was the objection to holding the Committee's spring session in New York.

7. The CHAIRMAN requested the Secretary of the Committee to give details of the reasons for the change in the venue of the Committee's session.

8. Mr. ANABTAWI (Secretary of the Committee) said that at the final meeting of its resumed eighth session, held on 27 August 1979, the United Nations Conference on the Law of the Sea had decided to hold a ninth session in 1980, with the first part of the session being convened in New York from 3 March to 4 April 1980. The Chief of the Meetings Co-ordination and Servicing Section had officially informed the Director of the Division of Human Rights that, as a result of that decision, the Human Rights Committee and its Working Group, originally scheduled to meet in New York in the spring of 1980, would have to meet elsewhere. On the recommendation of the Division of Conference and General Services, the Committee on Conferences had decided on 13 September to recommend to the General Assembly that the meetings should take place at Geneva.

9. In its note conveying that recommendation to the General Assembly, the Committee on Conferences had cited problems of space and technical difficulties at Headquarters as reasons why the session of the Conference on the Law of the Sea and that of the Committee could not be scheduled simultaneously at New York and had referred to General Assembly resolution 3483(XXX) by which the Assembly had decided "to accord priority to the Conference in relation to other United Nations activities, except those of organs established by the Charter of the United Nations". In her memorandum of 25 September 1979 to the Division of Human Rights, the Chief of the Meetings Co-ordination and Servicing Section had stated that, with the Committee's spring session being held at Geneva, the summer session of the Committee and of its Working Group could be scheduled in New York between the dates now appearing in the Geneva calendar of meetings. That suggestion had been made on the assumption that the Committee and its Working Group wished to have one session in New York in 1980. The Human Rights Committee was therefore requested to decide whether or not to accept that suggestion.

10. Lastly, he drew the Committee's attention to the fact that the spring session of the Human Rights Committee at Geneva would have to end on 3 April, since Good Friday, which fell on 4 April, was an official holiday in Geneva.

11. Mr. BOUZIRI said that he for one thought it most important for the Committee to meet in New York at least once a year. At a time when there were constant human rights violations throughout the world, little store appeared to be set by the Committee, although it had performed its task extremely conscientiously since its establishment. New York was the headquarters of the United Nations, and the information media there were more highly developed than at Geneva. The Committee should take a firm stand and should persuade the senior officials of the Division of Human Rights that it must meet in New York at least once a year.

12. Mr. LALLAH said it would be recalled that, at the time of its establishment, the Committee had decided to hold alternate sessions in Geneva and New York. It appeared that even in the United Nations itself little interest was shown in the Committee's work. Most developing countries were represented by missions in New York, which was not the case in Geneva. If it was really impossible for the Committee to meet in New York in the spring, its summer session at least should be held there.

13. Mr. OPSAHL said that he, like Mr. Lallah, wished to recall the Committee's decision to hold its sessions alternately in Geneva and New York. It might also be worth pointing out that, under article 37, paragraph 3, of the International Covenant on Civil and Political Rights, the Committee was normally to meet at the Headquarters of the United Nations or at the United Nations Office at Geneva, and that, under article 36 of the Covenant, the Secretary-General of the United Nations was to provide the necessary staff and facilities for the effective performance of the Committee's functions under the Covenant. The holding of a summer session in New York would present a number of drawbacks.

14. Sir Vincent EVANS said that he did not share the views expressed by previous speakers. The Secretary of the Committee had explained the reasons for the change in the venue of the Committee's spring session. There was no need to attach exaggerated importance to that change by concluding that neither the Committee on Conferences nor the General Assembly took any interest in the Committee's work. The United Nations Conference on the Law of the Sea had decided to hold the first part of its ninth session in New York, in spring 1980. That was an extremely important

conference involving many committees meeting simultaneously. It would need many rooms for the meetings of its various bodies. There were likely to be problems with accommodation and the conference services would be overstated, whereas in Geneva, the Committee could expect to be provided with better services during the same period.

15. He recognized that, to date, insufficient publicity had been given to the work of the Committee. However, it should be borne in mind that in spring 1980, in New York, the attention of journalists and of the information media in general would be devoted almost exclusively to the work of the Conference on the Law of the Sea. He agreed with Mr. Lallah that, if the Committee could not hold its spring session in New York, it should hold its summer session there. The disadvantages of the New York climate should be outweighed by the importance of holding at least one session of the Committee each year in New York.

16. Mr. SADI said that, in his view, it was desirable for the Committee to hold sessions in New York because it was easier to obtain the assistance of missions there and to obtain wider publicity. However, in July and August, neither the assistance of missions, nor the desired publicity would be obtained, since those two months constituted something of an off season. The facilities needed by the Committee were quite different from those required by the Conference on the Law of the Sea. The fact that the Human Rights Committee would occupy a small room should in no way inconvenience the Conference on the Law of the Sea. The only possible problem might be that of interpreters, but there was no reason why some should not be sent from Geneva to New York.

17. Mr. LALLAH said that, considering the question from the point of view of the Rapporteur, he was not sure that the necessary time and resources would be available in New York in the summer. It might be advisable to limit the number of reports considered at a summer session in New York.

18. The CHAIRMAN said that, for numerous reasons, it would be better to keep to the existing arrangements. For third world countries submitting reports, a session in New York was preferable, since their missions were there. Moreover, even Canada had asked for its report to be considered at a session held in New York. Notwithstanding the principle of alternating sessions between New York and Geneva, the Committee had, on two occasions, been obliged to hold three consecutive sessions in Geneva. The Secretariat should immediately contact the Department of Conference Services in New York and inform it of the Committee's wishes. The Committee would prefer its spring session to be held in New York, in either a small or a large room. Once the reply of the Department of Conference Services was known, the Committee could decide whether its summer session should be held in Geneva or in New York. It was to be hoped that that reply would reach the Committee within a week.

19. Mr. KOULISHEV drew the Committee's attention to press release HR/805, of 11 October 1979, which did not reflect the Committee's status accurately. The press release stated that "les membres du Comité seront informés des critères de présentation des rapports conformément à l'article 40 du Pacte". That text implied that the Human Rights Committee received its criteria from another body, whereas, in reality, it was the Committee itself that had established the criteria governing the submission of the reports which it considered. In future those responsible for drafting press releases should endeavour to give an accurate picture of the Committee's area of competence.

20. The CHAIRMAN noted that the English text was worded differently. The problem was possibly one of translation.

21. Mr. OPSAHL said that the press release in question was not sufficiently accurate, since it failed to make it clear that the main task of the Committee was to consider reports from States parties to the Covenant.
22. Mr. BOUZIRI recalled that the Committee had had problems with the press service in New York in April, and in Geneva during the summer. He expressed the hope that those problems would not recur at the current session. It was important for press releases to be accurate, since the Committee had no need of bad publicity.
23. Mr. KOULISHEV confirmed that the error to which he had referred concerned only the French text and perhaps involved an error in translation.
24. Sir Vincent EVANS noted another inaccuracy in press release HR/805, which referred to the International Covenant on Economic, Social and Cultural Rights, whereas the competence of the Human Rights Committee extended only to the International Covenant on Civil and Political Rights and its Optional Protocol. Press releases should be drafted carefully. In the case in point, the drafters of the press release had certainly not been pressed for time. As it stood, it could only foster misunderstandings as to the exact functions and competence of the Human Rights Committee.
25. Mr. MOVCHAN said that the Committee should concern itself only with the impression that readers of press release HR/805 would form of the Committee's work at its current session. From the press release, they would see that, apart from organizational matters, the guidelines applicable to the content of reports, questions related to the submission of reports, and so on, the Committee would consider only two reports submitted by States parties to the Covenant. The Committee should therefore ask itself whether it did not devote too much time to organizational matters, in view of the fact that its basic task was to consider reports from States in order to ensure that they were fulfilling their obligations under the Covenant and the Optional Protocol. All other matters were only secondary aspects of the Committee's work and simply helped it to carry out its principal task. When the officers of the Committee met, or when the Committee planned the work for its following session, perhaps greater attention should be devoted to carrying out the fundamental task of the Committee.
26. As far as inaccuracies were concerned, it could be pointed out that the Committee was inaccurately referred to in the press release as the "United Nations Human Rights Committee". However, perhaps that inaccuracy was not totally unacceptable, since the intention had been to indicate the links existing between the Human Rights Committee and the United Nations, in the framework of which the Covenant and the Protocol had been drafted.
27. The CHAIRMAN expressed the hope that the exchange of views had served to clarify the Committee's position with regard to press releases.

The meeting rose at 11.45 a.m.