



# International Covenant on Civil and Political Rights

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## Human Rights Committee 139th session

### Summary record (partial)\* of the 4037th meeting

Held at the Palais Wilson, Geneva, on Monday, 9 October 2023, at 10 a.m.

*Chair:* Ms. Abdo Rocholl

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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**

*Opening statement by the representative of the Secretary-General of the United Nations*

1. **Ms. Wan-Hea Lee** (Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that the seventy-fifth anniversary year of the Universal Declaration of Human Rights was taking place within the context of a rollback of respect for human rights amid deepening divisions within and across countries and the emergence of new challenges, notably those arising from climate change, biodiversity loss and pollution. She wholeheartedly welcomed the fact that the treaty bodies were increasingly addressing the impact of environmental issues on the enjoyment of human rights. Other new challenges included the urgent need to regulate new technologies and platforms, which could be used to protect but also to violate human rights. In that connection, the Committee might wish to be particularly attentive to the draft resolutions on the right to privacy in the digital age and on the death penalty that were to be adopted by the Human Rights Council that week.

2. Unlike the situation that existed when the Universal Declaration of Human Rights had been adopted, international and regional human rights mechanisms now had the ability to monitor events, recommend concrete actions before violations occurred and propose remedies when they did occur. However, the ecosystem that gave practical meaning to States' human rights commitments must be reinforced.

3. At their thirty-fifth annual meeting, held in 2023, the Chairs of the human rights treaty bodies had reached agreement on, inter alia, the establishment of a coordination mechanism for the simplification and harmonization of working methods and substantive coordination on common and intersectional issues. In addition, they had considered the practical issues involved in rolling out the eight-year predictable review calendar and had confirmed that any of the options for that roll-out or for further digitalization would be implemented by all the treaty bodies, provided that the Member States allocated the necessary human, technical and financial resources.

4. The High Commissioner would be convening an informal briefing with Member States in Geneva on 1 November 2023 to solicit their views and preferences regarding the options and guiding questions in the OHCHR working paper on the implementation of the predictable review calendar, the harmonization of working methods and the digital uplift and intended to reach out to Member States in New York in the second quarter of 2024. The hope was that those consultations would lead to consensus – or at least a progressively overlapping majority of views – on the options outlined in the working paper ahead of the adoption of the next biennial General Assembly resolution on the human rights treaty body system in December 2024, which should provide for a sufficient implementation budget.

5. Unfortunately, an imbalance persisted between existing resources and those required for the treaty bodies to do their work, and that imbalance was increasing not only in quantitative terms, but also in its substantive scope. The staffing shortage was having a significant impact on the Committee's work and a detrimental effect on the work-life balance of staff members. It was essential that OHCHR and the treaty bodies joined hands in making the limitations of the system visible, particularly to the Member States, which had created the system for a purpose, namely, to deliver for the people it served.

### **Adoption of the agenda (CCPR/C/139/1)**

6. **The Chair** said that the Committee had acceded to the request of Haiti to postpone the consideration of its second periodic report owing to the current situation in the State party. The review would take place at a future session in 2024. Seeing no objections to the amended programme of work, she took it that the Committee wished to adopt the provisional agenda.

7. *The agenda and the programme of work were adopted.*

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**Organizational and other matters, including the adoption of the report of the Working Group on Communications**

8. **Ms. Tigroudja** said that the Working Group on Communications had met from 2 to 6 October 2023. The Working Group had considered a total of 42 individual communications involving 20 States parties that had been submitted between 2016 and 2022. Those communications had concerned issues ranging from arbitrary detention, including of candidates in presidential elections, to torture and ill-treatment in detention, non-refoulement, procedural safeguards, religious freedoms, linguistic rights, freedom of expression and the right to peaceful assembly. The Working Group recommended finding a violation of the Covenant in 21 cases and no violation in 3 cases. A finding of inadmissibility was recommended in 16 cases. In one case, the Working Group outlined two possible options in its report and, in one other case, the Working Group had yet to decide upon its recommendation.

9. She wished to second Ms. Wan-Hea Lee's comments concerning the remarkable contribution of the human rights officers who prepared the draft Views, who worked out of the limelight, often on an urgent basis, and whose in-depth knowledge of the cases and international jurisprudence enriched the Working Group's discussions.

10. *The report of the Working Group on Communications was adopted.*

*The discussion covered in the summary record ended at 10.25 a.m.*