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Human Rights Committee

108th session

Summary record of the second part (public)* of the 3008th meeting

Held at the Palais Wilson, Geneva, on Friday, 26 July 2013, at 3 p.m.

Chairperson: Sir Nigel Rodley

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

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The second part (public) of the meeting was called to order at 4.10 p.m.

Working methods (*continued*)

1. **The Chairperson** recalled that the Committee wished to have three documents, dealing with remedies, the interpretation of the Covenant and the review of the follow-up procedure respectively, translated into all the official languages of the United Nations, with a view to examining them at the Committee's next session. If he heard no objection, he would consider that the members of the Committee approved the draft of the official requests that would be made to that effect. He took it that the Committee wished to adopt the text that had been adopted at the meeting of treaty body chairpersons on the programme for lasting development beyond 2015.

2. *It was so decided.*

3. **Mr. Flinterman** recalled that he had reported on the seminar held at The Hague during the meeting with the States parties (CCPR/C/SR.3000). The objectives of the seminar had been achieved and Mr. Ben Achour was going to examine the possibility of organizing another seminar in Tunisia in two years' time.

4. **The Chairperson** said that, if he heard no objection, he would take it that the Committee wished to officially adopt the recommendations made at the seminar held at The Hague.

5. *It was so decided.*

Proposal to review the follow-up procedure to concluding observations (*continued*)
(document without a symbol, distributed in English)

6. **The Chairperson** invited the members of the Committee to continue their consideration of the proposal for the revision of the follow-up procedure to concluding observations, drawn up by Mr. Salvioli, Special Rapporteur for follow-up on concluding observations. He said that the introduction and paragraphs 1, 2 and 3 had already been discussed, but he wished to return to one aspect of the criteria for selecting the recommendations for which the Committee requested information (para. 2). It was the practice of the Committee to select recommendations that could be implemented within one year, an important criterion that should be retained.

7. Concerning paragraph 3, which referred to the number of recommendations, he also wished to return to the proposal, accepted during the 2999th meeting, that the Committee should, *in principle*, limit the number of recommendations to three. However, depending on the situation of the country under consideration, it was not uncommon for the Committee to select four recommendations. It would be wise to say that the Committee should limit itself to a maximum of four recommendations.

8. **Mr. Shany** said that he agreed with the proposed addition of the criterion of feasibility, but it would then be necessary to remove the paragraph stating that the criterion was not included.

9. *Paragraphs 2 and 3 would be modified.*

10. **The Chairperson** said that it remained for the Committee to examine the matters of the time limit for the submission of States parties' reports (para. 4), the guidelines concerning reports relating to the follow-up procedure (para. 5), the time limit given to stakeholders to send in their comments (para. 6), the guidelines concerning the reports of national human rights institutions, NGOs and other organizations relating to the follow-up procedure (para. 7), the consideration of reports submitted in connection with the follow-up procedure (para. 8), the criteria for assessing the degree of implementation of the

recommendations (para. 9), the letters addressed to the States parties (para. 10), the measures taken in the absence of a reply from a State party (para. 11) and the termination of the procedure (para. 12).

11. *Paragraphs 4 to 12 were approved, subject to a modification to be made to paragraph 5.*

12. **Mr. Salvioli** (Special Rapporteur for follow-up on concluding observations) thanked the secretariat for its help with the drafting of the document, which had been possible thanks to the remarkable systematization work carried out by the Petitions Unit.

13. **The Chairperson** said that the following matters relating to the working methods would be included on the agenda of the following session of the Committee: the possibility of dividing the Committee into two chambers for consideration of the reports of States parties; the role of meetings with States parties and that of the General Assembly; the differences between general and restricted documents and the possible consideration of certain restricted documents during open meetings; and the differences between the provisions of general comment No. 30 and those of the rules of procedure with regard to examining the situation in a country in the absence of a report.

14. Regarding the session's main results and decisions, the Committee had adopted concluding observations concerning Albania, Finland, Indonesia, the Czech Republic, Tajikistan and Ukraine, as well as lists of issues relating to the reports of Chile, Kyrgyzstan, Malawi, Nepal, Sierra Leone and Chad. It had examined 17 communications; it had decided on admissibility in 2 cases, on the merits in 13 others (a decision on a 14th case having been postponed to the following session) and had decided to conclude the examination of 1 communication. The Committee had continued its first reading of the draft general comment No. 35 relating to article 9, of which it had adopted the first 21 paragraphs, subject to modifications. As part of the examination of its working methods, it had adopted a document on the mandate of the Special Rapporteur on new communications and interim measures, a report on the management of communications and guidelines for the follow-up on concluding observations. The Committee had also adopted all the recommendations made at the seminar held at The Hague, including those concerning the guidelines on independence and impartiality of members of the human rights treaty bodies (Addis Ababa guidelines). Finally, a very fruitful meeting had been held with States parties, in which representatives from 61 States and approximately 20 non-governmental organizations had participated. If he heard no objection, he would take it that the Committee wished to adopt the Bureau's recommendations.

15. *It was so decided.*

Closure of the session

16. Following an exchange of congratulations and thanks, **the Chairperson** declared the 108th session of the Human Rights Committee closed.

The meeting rose at 4.50 p.m.