

INTERNATIONAL  
COVENANT  
ON CIVIL AND  
POLITICAL RIGHTS



Distr.  
GENERAL  
CCPR/SP/22  
5 October 1983  
Original: ENGLISH

UN LIBRARY

MEETING OF THE STATES PARTIES  
Sixth Meeting  
New York, 18 November 1983

UN/SA COLLECTION

ELECTION, IN ACCORDANCE WITH PART IV (ARTICLES 28 to 34) OF  
THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS, TO  
FILL A VACANCY IN THE HUMAN RIGHTS COMMITTEE

Note by the Secretary-General

1. In conformity with article 30, paragraph 4, of the International Covenant on Civil and Political Rights, the Sixth Meeting of the States parties to the Covenant will be convened by the Secretary-General at United Nations Headquarters on Friday, 18 November 1983, for the purpose of filling a vacancy in the Human Rights Committee created as a result of the resignation of Mr. Walter TARNOPOLSKY (Canada) who had been re-elected at the Third Meeting of the States parties in September 1980 for a term expiring on 31 December 1984.
2. In accordance with article 33, paragraph 2, and article 34, paragraphs 1 and 3 of the Covenant, the Secretary-General in a note verbale dated 5 August 1983 invited the States parties to submit, in conformity with article 29 of the Covenant, their nominations within two months, i.e. by 5 October 1983, for the election of one member of the Committee.
3. In compliance with the provisions of article 34, paragraph 2, of the Covenant, the Secretary-General has the honour to indicate below, in alphabetical order, the names of the persons nominated by 5 October 1983 for election to fill the vacancy, indicating the States parties which have nominated them:

<u>Name of candidate</u>	<u>Nominated by</u>
Ms. Gisèle CÔTÉ-HARPER	Canada
Mr. Amos WAKO	Kenya
4. Biographical data of the persons nominated, as furnished by the States parties concerned, are contained in annex II to this document. Any further nominations and biographical data which may be received by the Secretary-General will be issued in addenda to the present document.
5. For the information of the States parties, the present membership of the Human Rights Committee is contained in annex I below.

ANNEX I

MEMBERSHIP OF THE HUMAN RIGHTS COMMITTEE

<u>Name of member</u>	<u>Country of nationality</u>	<u>Term expires on</u> <u>31 December</u>
Mr. Andrés AGUILAR	Venezuela	1984
Mr. Mohammed AL DOURI	Iraq	1984
Mr. Néjib BOUZIRI	Tunisia	1986
Mr; Joseph A.L.COORAY	Sri Lanka	1986
Mr. Vojin DIMITRIJEVIC	Yugoslavia	1986
Mr. Felix ERMACORA	Austria	1984
Mr. Roger ERRERA	France	1986
Sir Vincent EVANS	United Kingdom of Great Britain and Northern Ireland	1984
Mr. Bernhard GRAEFRATH	German Democratic Republic	1986
Mr. Vladimir HANGA	Romania	1984
Mr. Leonte HERDOCIA ORTEGA	Nicaragua	1984
Mr. Andreas V.MAVROMMATIS	Cyprus	1984
Mr. Anatoly MOVCHAN	Union of Soviet Socialist Republics	1984
Mr. Birame NDIAYE	Senegal	1986
Mr. Torkel OPSAHL	Norway	1986
Mr. Julio PRADO VALLEJO	Ecuador	1986
Mr. Christian TOMUSCHAT	Germany, Federal Republic of	1986

ANNEX II

BIOGRAPHICAL DATA

Ms. Gisèle CÔTE-HARPER (Canada)

B.A., LL.L. (Laval), LL.M. (Harvard), member of the  
Quebec Bar, born in Quebec, province of Quebec, on  
10 December 1942.

CURRENT ACTIVITIES

Professor of penal law, Faculty of Law, Laval University; member of  
the Quebec Bar; member, Commission des droit et libertés de la personne  
de la province de Québec; Deputy Chairman, Canadian Civil Liberties  
Association; member, Commission des services juridiques du Québec.

UNIVERSITY EDUCATION

B.A., Laval University, 1962;  
LL.L., Laval University, 1965;  
LL.M., Harvard University, 1969.

PROFESSIONAL TRAINING

Quebec Bar,  
Ecole de formation professionnelle, 1965-1966.

PROFESSIONAL ASSOCIATIONS

Quebec Bar;  
Canadian Bar Association;  
Association of Canadian Law Teachers; Director;  
Canadian Civil Liberties Association, Deputy Chairman;  
Association Henri-Capitant;  
International Association of Penal Law (Canadian division);  
International Commission of Jurists;  
International Association of Women Jurists;  
Young Lawyers International Association;  
American Law School Association;  
Criminal Lawyers' Association;  
Harvard Law School Association;  
Canadian Criminology Society.

PROFESSIONAL AND ACADEMIC ACTIVITIES IN CANADA

In the field of rights and freedoms

Canadian Human Rights Tribunal  
Member, 1978-1981

Commission des droits de la personne du Québec  
Member, 1981-

Canadian Civil Liberties Association  
Deputy Chairman, 1982- ; Director, 1980-82

Continuing Training, Quebec Bar  
Responsible for instruction and course preparation, 1983,  
La Charte canadienne des droits et libertés: les garanties juridiques

Annuaire des droits de la personne,  
Member of Drafting Committee, 1982-

Joint Committee of the Canadian and Quebec Bars,  
Les droits de l'inculpé face au projet de loi sur la preuve S-33,  
Memorandum to Canadian Senate, June 1983.

Special Seminar on Non-Canadian Law and Experience Relevant  
to the Interpretation and Application of the Canadian Charter of Rights,  
guest participant, Winnipeg, October 1983.

Penal law and rights of juvenile offenders

Laval University, Faculty of Law, 1970-72, 1974-  
Professor, 1981-  
General penal law, procedure and evidence in penal matters, criminology,  
the penal process concerning juveniles.

Main publications

Droit criminel, Presses de l'Université Laval, 1971, 186 pp.

(in co-operation with A. Hooper).

Principes de droit pénal général, Editions Yvon Blais,  
Montreal, 1981, 347 pp. (in co-operation with A. Manganas).

"Le processus pénal juvénile: son évolution et ses perspectives  
d'avenir," Criminal Justice, Carswell, Toronto, 1982.

Ecole de formation professionnelle du Barreau,  
Responsible for instruction and course preparation,  
Penal Procedure, 1975-

Laval University, Faculty of Law,  
Assistant Dean, 1977-79.

Law Reform Commission of Canada,  
Consultant, 1976-77.

Commission des services juridiques du Québec,  
Member, 1975-

Montreal Juvenile Court,  
Substitute for Attorney-General, 1966-68.

PROFESSIONAL AND ACADEMIC ACTIVITIES ON THE INTERNATIONAL SCENE

In the legal domain

Commonwealth Commission of Inquiry into Poverty,  
Sydney, Australia,  
Director of Research, legal section, 1972-74.

Action for Children,  
Sydney, Australia,  
Board Member, 1972-73.

Massachusetts Department of Public Health,  
Boston, USA,  
Legal Advisor, 1969-1970.

Delegations and participation

Canadian Institute for Advanced Legal Studies,  
Member, Board of Governors.

Programme of studies:

- Cambridge University, England, summer 1979,
- Cambridge and Louvain-la-Neuve, Belgium, summer 1981.

Université de Strasbourg,  
Legal studies session, summer 1984,  
Member of Programme Committee

World University Service,  
Delegate to international assembly,  
Lund, Sweden, 1964.

International Association of Students in Economics and Management,  
Law training at la Société générale, Paris, summer 1964.

World University Service of Canada,  
Canadian delegate,  
Pakistan, 1963.

Training and research

Harvard University, 1968-69,  
Studies in the field of criminal law and juvenile delinquency with a  
multidisciplinary approach, to obtain the LL.M. The M.A. essay  
dealt with the rights of minors in the juvenile courts and was published.

Social Sciences and Humanities Research Council fellowship, 1980-81,  
for a comparative study on the limits of diversion in the juvenile  
penal process in the United States, England and Belgium.

PUBLICATIONS AND RESEARCH REPORTS

Publications

Les garanties juridiques dans la Charte canadienne des droits et libertés,  
continuing education, Quebec Bar, 1983, pp. 93-185.

Principes de droit pénal général, Editions Yvon Blais Inc.  
Montreal, 1981, 347 pp. (in co-operation with A. Manganas).

"Le processus pénal juvénile: son évolution et ses perspectives d'avenir,"  
Criminal Justice, Carswell Ltd. Toronto, 1982, pp. 219-251.

"Le procès en matière d'acte criminel et l'administration de la preuve,"  
Droit pénal, Editions Yvon Blais, 1982, pp. 141-197; 1983, pp. 123-182.

Partie générale - responsabilité et moyens de défense,  
Canada Law Reform Commission, Working Paper 29, Ottawa, 1982,  
(in the capacity of research adviser).

"Commentaires sur la responsabilité stricte," 1975, 16 C de D 905.

"Review of The Powerless Poor by P.J. Hollingsworth." Mental Health Journal  
in Australia, 1973.

"Le droit d'accès aux services juridiques," Mémoire concernant le  
projet de loi sur l'aide juridique,  
Parliamentary Commission, National Assembly, May 1972.

Droit criminel, Presses de l'Université Laval, 1971, 186 pp.  
(in co-operation with A. Hooper).

"Projet de Loi concernant les jeunes délinquants: Bill C-192," (1970)  
II C de D 799.

"Age, Delinquent Responsibility and Moral Judgment," (1970),  
II C de D 486.

The Juvenile Court Jurisdiction and the Status of Delinquency relating to  
Moral Responsibility and Physical Development, 1969, 130 pp. Master's thesis,  
Faculty of Law, Harvard, USA.

Research reports

Les limites de la déjudiciarisation dans le processus pénal juvénile,  
Research report to Social Sciences and Humanities Research Council of Canada,  
1980-81, after award of a fellowship.

Les défenses endroit pénal général, (to be published), report to  
FCAC fund following award of publication assistance scholarship.

Legal Aid and Legal Services: a Selected Bibliography,  
Commonwealth Commission of Inquiry into Poverty, Australia, 1973.

The Role of a lawyer in Poor Urban Areas, Commonwealth Commission of Inquiry into Poverty, Australia, 1973.

Prepaid Legal Services in the United States: an Alternate Plan for the Delivery of Legal Services, Law Foundation of New South Wales, Australia, 1973, 35 pp.

Legal Advocacy in a Neighbourhood Health Centre, Division of Family Health Services, Massachusetts Department of Public Health, Boston, 1979, 17 pp.

With Jacques Lamarche and Cécile Bertrand: Etude de l'avant-projet de loi concernant les enfants et les adolescents, Canadian Bar Association, Montreal, 1968, 35 pp.

#### ADDRESSES

"Rights of the accused and the Canada Evidence Act (Bill S-33)," Annual Congress, Canadian Bar Association, Quebec, 30 August 1983.

"Prohibitions against physical constraint, moral constraint and necessity: existing law and proposed reforms," Canadian Institute of Administrative Justice, Quebec, 25-26 August 1983.

"Scope of amendments to legislation respecting sexual crimes," 32nd annual Congress, Association of Canadian Law Teachers, Vancouver, June 1983.

"Implications of the Canadian Charter on powers of arrest, search and seizure," Department of Justice, Revision of Penal Law Section, Ottawa, 14-15 October 1982.

"Proposed reforms to the General Part of the Penal Code," Association of Canadian Law Teachers and Law Reform Commission of Canada, Annual Congress of the ACLT, Ottawa, 31 May 1982.

"Respect of rights in the penal procedure for juvenile offenders," National Conference on Criminal Justice, Canadian Institute for Administrative Justice, Halifax, 30 October 1981.

"Prison sentences and community projects," symposium held at Quebec Parliament on the resumption of court activities, 7 September 1979 (organizer and co-ordinator of the symposium).

"Role of the Commission des services juridiques in society today," study sessions, Commission des services juridiques, Quebec, October 1978 (organizer and co-ordinator).

"The proposed legislative reforms respecting evidence in penal matters," Congress of the Commission des services juridiques du Québec, Montreal, May 1978.

"The concept of national security," work session organized by the Royal Commission of Inquiry on the RCMP, Montreal, 24-25 February 1978.

"Preparing for legal proceedings by the communication of evidence." Law Reform Commission of Canada, study session, Ottawa, January 1978.

"Youth Protection Act - Juvenile Delinquency Act," 14th Quebec Congress on Exceptional Children, Quebec, 6 November 1976.

"Comments on draft Bill concerning young people in conflict with the law," information and consultation day, Solicitor General Canada, Quebec, 23 March 1976.

"Juvenile law and legal aid," Congress of the Commission des services juridiques, Montreal, May 1976.

"Action for Child Welfare," Conference on Amendment of the Child Welfare Act; Faculty of Law, Sydney University, 1974.

"Legal Aid in Australia and Proposed Reforms," Conference on Law and Poverty, Sydney, Australia, 1973.

"Comments on the Bill respecting legal aid (Bill 10)," Parliamentary Commission on the Administration of Justice, Quebec, 25 April 1972.

"The law and poverty," Association of Canadian Law Teachers, McGill University, 7 June 1972.

Department of Justice, National Conference on Law and Poverty, Ottawa, February 1972.

Department of Justice, National Conference on Law and Poverty, Ottawa, October 1971.

"Canadian legislation on drugs and adolescents," annual Assembly of the Quebec Association of Pediatrics, Quebec, May 1971.

"The legal aspects of contraception as they relate to teens," annual Assembly of the Quebec Association of Pediatrics, Quebec, May 1971.

"Comments on and analysis of bill respecting juvenile offenders," Canadian Bar Association, Vancouver, 1968.



Mr. S. AMOS WAKO (Kenya)

(A) EDUCATION

- (i) Educated at Emusire Primary School, Ingotse Intermediate School and at Alliance High School where he did both "O" and "A" level examinations. At Alliance High School was the School Captain in 1965 as well as being the Chairman of Debating, Theological and Philosophical Societies. Started the First Child Welfare Society Branch in any high school in Kenya.
- (ii) Joined the University College at Dar-es-Salaam where he obtained LL.B. (HONS) degree in 1969. As an external student of the University of London obtained the degrees of B.Sc. (ECON) (HONS) and LL.M.
- (iii) Advocate of the High Court of Kenya; Fellow, International Academy of Trial Lawyers; Hon. Life Member, Wiltshire Bar Association.

(B) Main activity is practising as an Advocate and in this connection, he is a Senior Partner in the firm of Messrs. Kaplan & Stratton, Advocates specializing in Court work and international commercial arbitration.

(C)

OTHER ACTIVITIES

(a) IN KENYA

- (i) Chairman, Law Society of Kenya (1979-1981). By legislation all advocates in Kenya are members of this Society.
- (ii) Senior Vice-Chairman, Association of Professional Societies in East Africa (1981- ). Nearly all professional bodies are affiliated to this body.
- (iii) Member, Council of Legal Education which oversees all legal education in Kenya.
- (iv) Member, Editorial Board of the Law Reports of Kenya.
- (v) Member, Faculty Board of Law, University of Nairobi (1979-1982).
- (vi) Chairman, Public Law Institute (1982- ).
- (vii) Chairman, Kenya Voluntary Development Association (1978- ).
- (viii) Trustee, Kenya Chapter of the Society for International Development.
- (ix) Member of Council of various voluntary and church organizations and School Committees.

(b) IN AFRICA

- (i) Hon. Secretary-General, African Bar Association (1978-81). This is an association whose membership is open to all bar associations and Law Societies of Commonwealth countries in Africa.
- (ii) Hon. Secretary-General, Inter African Union of Lawyers (1980- ). This is an association whose membership is open to all Bar Associations and Law Societies of independent countries in Africa who are member States of OAU.
- (iii) At the invitation of the Secretary-General of OAU was a member of the Committee of Experts which drafted a preliminary draft of the African Charter on Human and Peoples Rights; thereafter was a member of the Kenya Government delegation to the OAU Ministerial Meeting which approved the Draft Charter which was adopted at the OAU Assembly of Heads of State and Government.
- (iv) At the invitation of the Secretary-General of OAU was a member of the Committee of Experts which made proposals on the Review of the OAU Charter and was its Rapporteur; thereafter was appointed a member of the Kenya Government delegation to the Review Charter Committee appointed by the OAU Assembly of the Heads of State and Government.
- (v) Liaison representative in Africa of the International Bar Association.

(c) AT INTERNATIONAL LEVEL

- (i) In 1982, was appointed for a three year term, by the Secretary-General of the United Nations Organization, as a member of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture.
- (ii) Special Rapporteur of United Nations Commission on Human Rights on the question of Summary or Arbitrary Executions.
- (iii) Commissioner, International Commission of Jurists.
- (iv) Member of the Council, International Bar Association.
- (v) Corresponding Member, Institute of International Business Law and Practice.
- (vi) Kenya Government nominee as a conciliator under the Vienna Convention on the Law of Treaties.
- (vii) Member of Committee D, "Procedures for Settling Disputes" of the International Bar Association.

(D) CONFERENCES AND SEMINARS

Has participated in numerous local, regional and international seminars and given lectures on human rights. Among those attended include:

- (i) Consultative Seminar at the Council of Europe, European Court and Commission on Human Rights, the Institute on Human Rights in Strasbourg, France and Inter-American Commission on Human Rights in Washington D.C. in 1979.
- (ii) The United Nations Seminar on the establishment of the Regional Commission on Human Rights with special reference to Africa which was held in Monrovia, Liberia, in 1979.
- (iii) African Regional Consultation on Human Rights organized by All Africa Conference of Churches.
- (iv) African Seminar on Human Rights and Development.
- (v) Conference on Development, Human Rights and the Rule of Law.
- (vi) Seminar on Development and Legal Services.
- (vii) World Conference on the Independence of Justice.