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ON CIVIL AND
POLITICAL RIGHTS**



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HUMAN RIGHTS COMMITTEE

Fourth session

SUMMARY RECORD OF THE 75th MEETING

Held at Headquarters, New York,
on Monday, 10 July 1978, at 10.30 a.m.

Chairman: Mr. MAVROMMATIS

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The meeting was called to order at 10.55 a.m.

OPENING OF THE SESSION

1. The CHAIRMAN declared the fourth session of the Human Rights Committee open.

STATEMENT BY THE UNDER-SECRETARY-GENERAL FOR POLITICAL AND GENERAL ASSEMBLY AFFAIRS

2. Mr. BUFFUM (Under-Secretary-General for Political and General Assembly Affairs) welcomed the members of the Committee on behalf of the Secretary-General and wished them success in their task of helping the United Nations to achieve one of its basic aims, the promotion of respect for human rights and fundamental freedoms and the establishment of appropriate institutional devices and machinery for that purpose.

3. The work done by the Committee during its first three sessions had been remarkable. It had adopted rules of procedure in which it had struck an admirable balance between the need for constant and confident dialogue with the States parties and the duty to protect and enhance the enjoyment of basic human rights by the individual. The rules had been tested in the two main areas of the Committee's activity, namely the consideration of reports submitted by States parties and the examination of individual communications submitted under the Optional Protocol.

4. The Committee had not been working in isolation from other bodies concerned with human rights. Its members had stated that it was imperative to co-operate and co-ordinate activities with those bodies in order that equal attention might be given to civil and political rights and to economic, social and cultural rights, which were indivisible and interdependent. The first annual report of the Committee, submitted to the General Assembly at its thirty-second session, had aroused great interest.

5. Each year more States were becoming parties to the Covenant and to its Protocol. The United Nations was aware of the increasing load of the responsibilities of members of the Committee and of the growing impact of the monitoring functions of the Committee. The Committee's request for an additional session in 1978 and the approval of that request by the Committee on Conferences testified to those facts.

6. He was confident that during the fourth session the Committee would continue its constructive work aimed at achieving the lofty principles of the International Covenant on Civil and Political Rights.

ADOPTION OF THE AGENDA (CCPR/C/L.9)

7. The CHAIRMAN pointed out that, since the Committee was to hold an additional session in October and November 1978, item 8 of the provisional agenda dealing with the annual report of the Committee to the General Assembly should be deleted.

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8. Mr. MAZAUD (Assistant Director, Division of Human Rights) agreed with what the Chairman had said. In connexion with the approval of the request for an additional session it should be noted that the Committee on Conferences had expressed concern at the high cost expected to be incurred with the holding of the additional session and had requested the Human Rights Committee to consider the organization of its future work and in particular to examine the possibility of extending the duration of its two annual sessions instead of requesting authorization to hold additional sessions.

9. With regard to organizational and other matters, the Committee had been invited to participate, as an observer, in the World Conference to Combat Racism and Racial Discrimination and should take a decision on the matter.

10. At subsequent meetings he would refer in detail to reports received from States parties. For the moment he wished only to state that notes had been received from the Governments of the Soviet Union and Mauritius requesting that the examination of their reports should be postponed since their representatives would not be able to attend the current session. Furthermore, the Government of Chile had requested that consideration of its report should be postponed to a later date when its representative would have returned to New York upon completion of the mission of the Ad Hoc Working Group on the Situation of Human Rights in Chile, which was currently visiting that country.

11. With regard to item 6 of the provisional agenda, the question of the co-operation between the Committee and the specialized agencies concerned, he stated that Mr. Karel Vasak, Director of the Division of Human Rights and Peace of UNESCO, had expressed interest in addressing the Committee again, during the current week, since he would be in New York, in order to complete the information given concerning the UNESCO machinery for communication. The Committee should arrange its work so that it could hear Mr. Vasak's statement on Wednesday, 12 July, in the afternoon.

12. With regard to agenda item 7, the Committee would, as had already been stated, meet in Geneva from 23 October to 3 November 1978.

13. Finally, with regard to the report, in view of the fact that some members of the Committee had expressed reservations concerning those parts of the previous report which had covered consideration by the Committee of reports submitted by States parties, the Secretariat had prepared some models following a different pattern which it would distribute informally in order to obtain the Committee's views on the matter.

14. Sir Vincent EVANS said that, as was stated in the provisional agenda under item 8, if the Committee met once more in 1978, it would adopt at its fourth session the text of a letter to be addressed by its Chairman to the President of the Economic and Social Council and through him to the President of the General Assembly drawing attention to certain organizational and financial matters relevant to its activities. Consequently, the item could not be completely deleted, since even if no report was submitted, the letter in question would have to be prepared.

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15. The CHAIRMAN said that the letter to the President of the Economic and Social Council and the President of the General Assembly could be prepared under agenda item 2, organizational and other matters.
16. Mr. TOMUSCHAT said that he was ready to adopt the agenda with the understanding that item 6 would be examined promptly and not necessarily in sixth place.
17. The CHAIRMAN said that the order in which the items would be considered would be decided as an organizational matter. Actually, the Secretariat had prepared a preliminary document on the matter which called for the prompt examination of item 6.
18. Mr. TARNOPOLSKY said that if the requests for the postponement of consideration of the reports of the Soviet Union and Mauritius were granted, the meetings which had been allocated to consideration of those reports should be used for the study of other reports. Furthermore, an effort should be made to change the proposed time-table with regard to item 4 so that the report of Chile could be studied during the meetings allocated for the consideration of reports.
19. The CHAIRMAN noted that the report of Chile could not be considered before 1 August but that everything possible would be done to make full use of all meetings.
20. If he heard no objections, he would take it that the Committee wished to adopt the provisional agenda in document CCPR/C/L.9, with the deletion of item 8.
21. The provisional agenda, as amended, was adopted.
22. The CHAIRMAN announced that when the meeting rose the officers of the Committee would hold a meeting.
23. Sir Vincent EVANS suggested that, since Mr. Opsahl was absent, he should be replaced by Mr. Tarnopolsky, Rapporteur of the Working Group of the Committee which had met during the previous week.
24. The CHAIRMAN said he had no objection to that suggestion. It might be appropriate to adopt for the future the procedure of replacing an absent person by another member from the same regional group.
25. Mr. MOVCHAN said that it should be understood that Mr. Opsahl was not being replaced but that Mr. Tarnopolsky was being invited as a member of the same regional group to participate in the meeting of the officers of the Committee.
26. It was so decided.

The meeting rose at 11.25 a.m.