



UNITED NATIONS HIGH COMMISSIONER
FOR HUMAN RIGHTS



XXXXXXXXXXXX **Opening address by Mr. Alessio Bruni to the 87th session of the Human Rights Committee, 10-28 July 2006** XXXXXXXXXXXX



Treaty Implementation Team Leader

Palais Wilson (Ground Floor Conference Room)
Monday 10 July 2006, 10.00 a.m.

Mme Chairperson,

Distinguished members of the Committee,
Ladies and gentlemen,

It is my pleasure to extend to you a warm welcome to Geneva and to address you on the occasion of the eighty-seventh session of the Human Rights Committee.

As you know, these last months have been particularly intense and challenging in the human rights area. In this context, allow me to share with you the following information and thoughts.

Establishment of the Human Rights Council

Following the adoption of the General Assembly resolution 60/251 of 15 March 2006 and the elections for membership on 9 May 2006, the Human Rights Council held its first session from 19 to 30 June 2006.

As the main organ within the United Nations system with responsibility for the promotion and protection of human rights, the Council has been mandated to address situations of human rights violations; promote human rights education, technical assistance and capacity-building; contribute to the prevention of human rights violations and respond promptly to human rights emergencies.

Of particular interest for treaty bodies and in particular your Committee is the Council's mandate to undertake a universal periodic review of the fulfilment by each State of its human rights obligations and commitments. The General Assembly underlined that such a mechanism shall complement and not duplicate the work of treaty bodies. At its first session, the Human Rights Council decided to establish an intersessional open-ended working group to develop the modalities of the universal periodic review mechanism that would meet for ten days. The calendar of its meeting has not yet been established.

The President of the Council will chair the working group with the assistance, if necessary of one or more facilitators.

I would like also to draw your attention to the fact that in conformity with operative paragraph 8 of the previously mentioned General Assembly resolution, several states standing for election to the Human Rights Council made specific commitments relevant to the international human rights treaties, and their treaty obligations such as ratification of treaties, withdrawal of reservations, submission of reports and implementation of concluding observations. These pledges can be viewed on the OHCHR website and may be of particular value for you in carrying out your activities.

On 23 June 2006, in her capacity of Chairperson of both the treaty bodies' chairpersons meeting and your Committee, Ms. Chanet addressed the Human Rights Council. The Chairperson explained *inter alia* that the Council and treaty bodies have complementary roles in the protection of human rights, and that the concluding observations of treaty bodies should form part of the basis of the universal periodic review. Ms. Chanet also highlighted that the treaty body reform process should be as open and constructive as possible and that treaty bodies are working hard to harmonize their various working methods. Further details will obviously be provided to you by Ms. Chanet during this session.

Among the achievements of the Council at its first session, I would like to mention the adoption of the draft International Convention for the Protection of All Persons from Enforced Disappearance, and of the draft Declaration on the Rights of Indigenous Peoples, which will be submitted to the General Assembly for its adoption.

Finally, on 5 and 6 July 2006, the Council held a special session to consider the latest escalation of the situation in Palestine and other occupied Arab territories. It adopted a resolution calling for an urgent fact-finding mission of the Special Rapporteur on the situation of human rights in the Occupied Palestinian Territories,

Entry into force of the Optional Protocol to the Convention against torture

Allow-me to mention the entry into force of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 22 June 2006. This is indeed an historic milestone in the fight against torture. The Protocol provides for a new monitoring mechanism very different from those established by other treaties into force. Essentially, it will establish a system of regular visits to places of detention carried out by complementary international and national independent expert bodies. Upon ratifying or acceding to the Optional Protocol, States parties will be accepting unannounced visits to places of detention by these bodies.

Fifth Inter-Committee Meeting, Eighteenth Meeting of Treaty bodies' Chairpersons, and the reform of treaty bodies

The Fifth Inter-Committee Meeting and the Eighteenth Meeting of Treaty bodies' Chairpersons were held respectively from 19 to 21 and 22 to 23 June

2006. Your Committee was represented by Mr. O'Flaherty, Mr. Rivas-Posada and Ms. Chanet. Both meetings were successively chaired by Mr. Rivas-Posada and Ms. Chanet.

Discussions focused on working methods, including follow-up procedures and engagement with the Human Rights Council, special procedures, United Nations Agencies, Funds and Programmes, and national human rights institutions, as well as on indicators for monitoring compliance with international human rights instruments.

Committees' members also considered the outcome of the meeting held on 8 and 9 June 2006 by the working group in charge of examining the approach of treaty bodies to reservations and in which your Committee was represented by Sir Nigel Rodley.

Committees' experts further examined the reform of treaty bodies, namely the harmonized guidelines on reporting as well as the High Commissioner's proposal for a unified standing treaty body. The latter was also the main issue during the meeting between the Chairpersons and States parties on 22 June 2006.

At the outset of those meetings, it was in particular recommended that the treaty bodies consider institutionalizing the relationship with the Human Rights Council and propose modalities for such a relationship.

I'm sure that the Chairperson and your colleagues involved in those various meetings will provide you with further details on the results of those meetings during the course of this session.

Consultations on the High Commissioner's concept paper for a unified standing treaty body

Still on the reform of treaty bodies, at the initiative of the Government of Liechtenstein, an informal brainstorming meeting on the High Commissioner's proposal for a unified standing treaty body has been planned from 14 to 16 July 2006 in Malbun. Up to six representatives of regional groups, two representatives of each treaty body, and representatives of the United Nations system, NGOs and national human rights institutions will attend this meeting.

In addition to the concept paper, other papers, predominantly options papers, will be prepared during this year. The first of this will focus on the legal options available in the establishment of a unified standing treaty body.

In order to allow further consultations and a proper focus on this particular issue which has been so far in parallel with several other reforms (in particular the establishment of the Human Rights Council), a meeting of two days will, in principle, be organized in October 2006 to allow State parties to meet with the Chairpersons of treaty bodies.

Finally, at the end of a whole series of consultations and inputs sought from treaty bodies' experts, States parties, and non-governmental organizations and interested parties, an intergovernmental consultation with States parties will be convened probably in May 2007 and not in December 2006 as initially

scheduled.

OHCHR country engagement strategies in support of treaty bodies

In conformity with the High Commissioner's Plan of Action and OHCHR Strategic Management Plan, particular focus has been placed in achieving greater awareness, understanding, and support for the implementation of treaty bodies' recommendations in country engagement strategies.

In this regard, OHCHR has continued to undertake training workshops funded by the European Commission with a view to strengthening the capacity of key target groups, namely national human rights institutions, non-governmental organizations and the media, to support and facilitate the implementation of concluding observations at the national level. Such workshops were organized in June 2006 in Mexico and Morocco and will be held in Egypt, Guyana, Thailand, Zambia, Mauritius, Uganda and Bosnia-Herzegovina by the end of the year. A regional follow-up workshop and Judicial Colloquium on the domestic application of international human rights norms will take place in November 2006 for European countries and Azerbaijan.

In addition, on 25 and 26 April 2006, at the invitation of the Inter-American Commission on Human Rights and the Commonwealth Secretariat, OHCHR contributed to a workshop on the ratification and implementation of international and regional human rights instruments in the English speaking Caribbean.

Finally, as a result of a workshop held in Nairobi on 29-30 May 2006 on follow-up to your Committee's concluding observations co-sponsored by the Kenyan Ministry of Justice and Constitutional Affairs and the Raoul Wallenberg Institute, Kenya recently submitted detailed responses to Mr. Rivas-Posada, the Special Rapporteur on follow-up to concluding observations.

The publication of Volume VII of the Selected Decisions under the Optional Protocol and the production of a DVD containing both a film and extensive documentation on the work of treaty bodies also respond to the need to make your activities more accessible and more visible by all at the local level. I would like to add that the launch of the DVD produced in partnership with the Association for the Prevention of Torture will take place today in the presence of the High Commissioner for Human Rights in Auditorium Arditi-Wilfred near la Place du Cirque, at Plain Palais at 6.30 p.m. You have received invitations in that regard.

As a matter of fact, the whole OHCHR at headquarters and in the field is pursuing a greater engagement with all key private and public actors for a better involvement in the treaty bodies' work, this in an effort to bridge implementation gaps at the national level.

Of particular importance and relevance to facilitate country engagement strategies is the identification by your Committee of priorities in your concluding observations, as well as the adoption, at your last session, of internal working guidelines for the Secretariat and the Country Report Task Forces for the drafting of lists of issues. Such guidelines will obviously

facilitate the elaboration of more concrete and targeted recommendations addressing country priorities. Finally, our Office is looking forward to the results of your Working Group mandated to formulate recommendations for the reinforcement of follow-up activities both on concluding observations and Views under the Optional Protocol.

Committee's activities

With regard to the reporting obligation under the covenant on civil and political rights, I would like to inform you that since your 86th session, the Czech Republic submitted its second periodic report, Barbados and Sudan their third periodic reports and Costa Rica its fifth periodic report. The Republic of Macedonia announced the forthcoming submission of its second and third periodic reports. San Marino committed itself to submit its second periodic report by 30 September 2006. Finally, the Republic of Maldives announced that it would accede to the international covenant on civil and political rights, by the end of 2006.

Turning now to the activities of your Committee, you again have a heavy agenda. You have to examine 2 State party reports (Central African Republic and the United States of America) and a report submitted by the UNMIK – all of them raising complex situations and issues. In addition, you will continue your work on lists of issues on country reports, on communications under the Optional Protocol as well as on your revised General Comment on article 14, your working methods and your follow-up activities. Finally, you will discuss and adopt your annual report to the General Assembly.

Before concluding, I would like to inform you that since the 1st of July, Ms. María Francisca Ize-Charrin took up her new functions as Director of Operations, Programmes and Research Division while Mr. Bacre N'Diaye will assume his new functions of Director of the Procedures Division as of 17 July 2006.

I wish you a very successful session.