



UNITED NATIONS HUMAN RIGHTS COMMITTEE CASE LAW 1977 – 2008 • A HANDBOOK

XXIV, 604 pages, hardcover · ISBN 978-3-88357-144-7 · 2009 · € 148; US\$ 188; £120; SFr. 236 · Students: 50 % reduction

Global mechanism of protection

The Human Rights Committee established under the International Covenant on Civil and Political Rights and operating a system of individual petitions under the Optional Protocol to the Covenant (in force 23 March 1976), stands guardian over the rights and freedoms of the individual world-wide.

By December 2008, the Covenant has been ratified or acceded to by 163 States, 111 of whom were at that time bound by the Optional Protocol.

The core jurisprudence of the Committee

This handbook guides the reader from the establishment and early days of the Committee through the creation of new precedents in hundreds of individual cases, including the landmark Views in *Quinteros*, *Lubicon*, *Zwaan-de Vries and Simunek*, and on to ground-breaking decisions of 2008. It highlights the dynamic evolution of the Committee's case law, both in procedural and substantive matters, makes the intricacies of admissibility criteria understandable and elucidates the innovative ways of interpreting the Covenant so as to give greater practical meaning to the protection of human rights and fundamental freedoms. Whereas the Covenant is black letter law, the Committee's case law is living law – it puts a face to the victim, identifies concrete remedies, illustrates many success stories – but also the problems of implementation.

Index and Appendices

The book is equipped with an index and numerous appendices, including the current status of cases, statistics on all Committee decisions by country, a list of cases cited in the book and a list of all members of the Human Rights Committee since 1977.

The authors

The authors of this Handbook are the former Chief and Deputy-Chief of the Communications Branch, later Petition Unit, of the United Nations Human Rights Office in Geneva, once known as the UN Centre for Human Rights and today as the Office of the High Commissioner for Human Rights.

As “insiders”, the authors had the privilege of being the responsible UN civil servants when the first individual complaints were processed; it was their task to screen, analyze and register all individual and group complaints addressed to the United Nations and its various bodies, and to channel them into the appropriate procedures, including the famous 1503 Procedure and the individual complaint procedures of the Human Rights Committee, Committee against Torture and Committee on the Elimination of

Racial Discrimination. They served the three Committees by formulating the rules of procedure, the fact sheets, the draft decisions on admissibility and merits destined to be examined by working groups and adopted by the plenary sessions of these bodies, and they accompanied the Committees through the establishment of “follow-up” procedures and country visits.

Foreword by Andreas Mavrommatis, first Chairman of the Human Rights Committee from its establishment in 1977 until 1987:

“... I warmly congratulate Möller and de Zayas for their effort to put together this book and I offer them my gratitude and that of all who served on the Committee for their sterling service in the development of its jurisprudence.

The Human Rights Committee has laid down foundation building blocks of lasting importance and potential:

- The Committee led the way from the outset in the development of a jurisprudence that upheld the primacy of human rights in grave civil unrest and situations of national emergency, already since the days of the Latin American military juntas.

- The Committee has insisted on the principles of justice, redress, and compensation for violations of human rights, and has rejected impunity for the violators.

The contributions of the Human Rights Committee in these and other areas are well brought out in this volume, which is user-friendly for practitioners and makes fascinating reading for an alert civil society.”

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