The United Nations receives thousands of petitions concerning alleged violations of human rights from individuals, groups and organizations. These are screened by the Secretariat of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Geneva, which channels them into the appropriate procedures, whether treaty- or resolution-based. The Commission on Human Rights (until 2006)/Human Rights Council (since 2006), the Sub-Commission on Promotion and Protection of Human Rights/Advisory Committee (since 2007 pursuant to Resolution 5/1), and their respective working groups and Special Rapporteurs operate according to the mandates conferred upon them by ECOSOC and General Assembly Resolutions. Seven “treaty-bodies” have been established to monitor compliance with the seven core conventions, but only four have petitions procedures in operation: the Human Rights Committee (HRC), the Committee on the Elimination of Racial Discrimination (CERD), the Committee on the Elimination of Discrimination Against Women (CEDAW), and the Committee against Torture (CAT). A fifth treaty-based petitions procedure has been envisaged in Article 77 of the Convention on the Rights of All Migrant Workers and Members of their Families (CMW), but this procedure has not entered into force. The treaty-bodies consider petitions and issue “Views”, “Opinions”, or “Decisions” of a quasi-judicial nature.

Unlike the resolution-based 1503 petitions procedure (renamed “complaints procedure” pursuant to Council Resolution 5/1 in 2007) and the thematic mandates of the so-
called “special procedures” of the Commission/Council/Sub-Commission, the treaty-based procedures do not have universal geographic application, but can be invoked only with respect to those States that have recognized the competence of the relevant committees to receive complaints and to make recommendations thereon. At the end of July 2008, 109 States (out of 161 States parties to the International Covenant On Civil and Political Rights, ICCPR) were bound under the procedure governed by the Optional Protocol to the ICCPR (the figure would have been 111 if Jamaica and Trinidad and Tobago had not denounced the Optional Protocol), 53 States had given the declaration under Article 14 of CERD (173 States parties), 63 had given the declaration under Article 22 of CAT (144 States parties), and 90 had adhered to the Optional Protocol to CEDAW (185 States parties).

In this brief survey, I shall focus on the Optional Protocol procedure of the Human Rights Committee (OP), which is similar to the procedures of CERD and CAT with respect to working methods, admissibility criteria, examination of the merits and formulation of conclusions. The CERD and CAT petitions procedures have been serviced by the “Communications Branch”/“Petitions Unit” from the beginning and have developed jurisprudence consistent with that of the HRC. As of 2008 the petitions procedure under the Optional Protocol to CEDAW will henceforth be dealt with by the Secretariat of the OHCHR, thereby ensuring the consistent and coherent development of United Nations treaty-based jurisprudence. This survey will highlight some success stories of the HRC and indicate where jurisprudential development is possible and necessary, notably concerning the right to identity (Articles 16 and 17 ICCPR), the human right to peace (Article 20), and the right to a remedy (Article 2).

Since the Human Rights Committee started its work under the Optional Protocol at its second session in August 1977 to the end of July 2008, 1799 communications relating to 82 States parties had been registered for consideration. The status of registered communications was as follows:

<table>
<thead>
<tr>
<th>Status of Registered Communications</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Concluded by the adoption of Views under Article 5(4) of the Optional Protocol (violations found in 503 cases)</td>
<td>635</td>
</tr>
<tr>
<td>(b) Concluded by decision of inadmissibility</td>
<td>504</td>
</tr>
<tr>
<td>(c) Discontinued or withdrawn</td>
<td>251</td>
</tr>
<tr>
<td>(d) Pending cases</td>
<td>409</td>
</tr>
</tbody>
</table>

The United Nations Human Rights Committee is an independent body of 18 experts, which was established in 1976 to monitor State party compliance with the ICCPR, and to act as a quasi-judicial organ with competence to examine complaints from individuals, pursuant to the OP. The Committee also has competence to examine inter-State complaints pursuant to the procedure established under Article 41 ICCPR, which, although 48 States have accepted it, remains unused as of July 2008.

Both the ICCPR and the OP entered into force on 23 March 1976. The Committee meets for three three-week sessions per year, preceded by a one-week working group session, which is devoted exclusively to the examination of individual complaints. The