

# Preface

The objective of this work is to provide an examination and commentary on the jurisprudence of the United Nations Human Rights Committee, an independent and quasi-judicial international body established under the International Covenant on Civil and Political Rights (ICCPR). It has an international focus, examining the Committee's decisions (technically referred to as 'views') and comments on the substantive rights and freedoms set out in Parts I and II of the Covenant, rather than focusing on communications against any one State party. Those views and comments are analysed within this text, with the aim of establishing a comprehensive reference point for civil and political rights practitioners, judiciary and academics.

The work should hold domestic as well as international appeal. Within the domestic context, Ministries of Foreign Affairs, human rights commission offices, and practitioners in the human rights arena (including the judiciary and other State agencies) will benefit from reference to this text, given that the rights and freedoms set out in many municipal human rights statutes are founded upon, or at least set out to incorporate international obligations under, the ICCPR. Universities are likely to find the work useful in the areas of public/constitutional law, international law, international human rights, civil liberties and international institutions. Non-parties should find use in the text too, with American and European human rights bodies often making reference to Human Rights Committee views and comments.

The first edition of this work considered the views and comments of the Human Rights Committee since its establishment and up to the conclusion of its 77th session, ending 4 April 2003. This second edition updates this earlier work by taking into account views of the Committee since then and up to the conclusion of its 92nd session in March and April 2008. It includes discussion of the Committee's General Comments 31 and 32 on the nature of obligations under the ICCPR (see Chapter 2) and the right to a fair trial (see Chapter 6). Attention has also been paid in this second edition to the question of derogations under article 4 of the ICCPR, and the general rules concerning the application of limitations upon rights and freedoms guaranteed under the Covenant (by inclusion of a new Chapter 3). Views and comments of the Human Rights Committee are accessible online. The authors have found two main web sites of considerable assistance: that of the United Nations High Commissioner for Human Rights at URL <<http://tb.ohchr.org/default.aspx>>; and the University of Minnesota Human Rights Library at URL <<http://www1.umn.edu/humanrts/undocs/undocs-index.html>>.

The first edition of this title was written by me with two fellow authors: Professor Scott Davidson of the University of Canterbury in New Zealand, and Dr Richard Burchill of the University of Hull in the United Kingdom. Due to his

role as Pro-Vice-Chancellor (Law, Student Services and International), Professor Davidson had to withdraw from this second edition project. Dr Burchill and I have updated his earlier work (Chapters 1, 2 and 11) and we acknowledge the contribution to those chapters made by Professor Davidson's earlier work. We would finally express our thanks for the help and courtesy of the staff at Ashgate Publishing. Neither the work for nor the publication price of the present book has been subsidized by any official source or private foundation.

Dr Alex Conte  
Consultant on Security and Human Rights  
2009