

Human Rights Committee rejects complaints against Kazakhstan, Cameroon, Colombia, Spain, Lithuania, and Australia

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Kusherbaev v. Kazakhstan (2027/2011)

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In March 2013, the Committee was asked to consider whether Kazakhstan had violated its obligations under articles 14(1) and 19 of the International Covenant on Civil and Political Rights in failing to uphold an individual's right to a fair hearing and to freedom of expression. The author of the communication was Mr Kusherbaev, a Kazakhstan national. The Committee considered that the author's claims were inadmissible under article 1 of the Optional Protocol as they related to an alleged violation that preceded the entry into force of Kazakhstan's obligations under the Optional Protocol.

S.N.A. v. Cameroon (1962/2010)

In March 2013, the Committee was asked to consider whether Cameroon had violated its obligations under articles 1, 7, 9, 10, 17 and 19 of the International Covenant on Civil and Political Rights in failing to uphold an individual's right to self-determination, freedom from torture and cruel or degrading treatment, liberty, respect for the inherent dignity of the human person, freedom from unlawful interference with a person's privacy, and freedom of expression. The author of the communication was S.N.A., a Cameroonian citizen. The Committee considered the claim to be inadmissible under article 5(2)(b) of the Optional Protocol as the author had not exhausted all available domestic remedies.

D.T.T. v. Colombia (1904/2009)

In March 2013, the Committee was asked to consider whether Colombia had violated its obligations under articles 14 and 15 of the International Covenant on Civil and Political Rights in failing to uphold an individual's right to a fair and public hearing by a competent and impartial tribunal and the prohibition against the retroactive application of criminal law. The author of the communication was Mr D.T.T., a Colombian national. The Committee considered the claim to be inadmissible under articles 2 and 5(2)(b) of the Optional Protocol as the author had failed to substantiate his claims under articles 14 and 15, and had not exhausted all available domestic remedies in relation to his claim under article 14.

T.J. v. Lithuania (1911/2009)

In March 2013, the Committee was asked to consider whether Lithuania had violated its obligations under article 14(3)(c) of the International Covenant on Civil and Political Rights in failing to uphold an individual's right to be tried without undue delay. The author of the communication was Mr. T.J., a Lithuanian national. The Committee considered the claim to be inadmissible under article 5(2)(b) of the Optional Protocol as the author had not exhausted all available domestic remedies.

H.P.N. v. Spain (1943/2010)

In March 2013, the Committee was asked to consider whether Spain had violated its obligations under articles 7, 10, 14(5) and (7) of the International Covenant on Civil and Political Rights in failing to uphold the prohibition of cruel treatment, the rehabilitative purpose of sentencing, the right to have a conviction and sentence reviewed by a higher tribunal, and the prohibition of double jeopardy. The author of the communication was Mr. H.P.N., a French national. The Committee considered the claim to be inadmissible under articles 2 and 5(2)(b) of the Optional Protocol as the author had failed to substantiate his claims under article 14, and had not exhausted all available domestic remedies in relation to his claims under articles 7 and 10.

K.S. v. Australia (1921/2009)

In March 2013, the Committee was asked to consider whether Australia had violated its obligations under article 15 of the International Covenant on Civil and Political Rights in failing to uphold the prohibition against the retroactive application of criminal law. The author of the communication was Mr. K. S., an Australian national. The Committee considered the claim to be inadmissible under article 5(2)(b) of the Optional Protocol as the author had not exhausted all available domestic remedies.

Sam Hunter Jones *is an international lawyer, based in Paris.*

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