
ADDENDUM

Major Recent Developments (2002 – March 2003)

The following information should be added to the chapters indicated. Further updates of relevant developments will be posted on the OHCHR web site (www.ohchr.org).

Chapter 2: *The Major Universal Human Rights Instruments and the Mechanisms for Their Implementation*

The International Criminal Court (pp. 49-50): The International Criminal Court was inaugurated on 11 March 2003 and has its seat in The Hague, the Netherlands. As of 10 March 2003, 89 States had ratified the Court's Statute. For more information about the Court, see www.icc-cpi.int/.

The Convention on the Rights of the Child, 1989, and its two Optional Protocols, 2000 (p. 43): In two meetings held on 10 February 2003, States parties to the Convention on the Rights of the Child expanded the membership of the Committee that monitors compliance with the Convention by electing 13 experts, five to replace members whose terms were expiring and eight new ones, thereby bringing the total number of members to 18. Originally, the Committee on the Rights of the Child had only ten members (art. 43(2) of the Convention).

The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984 (p. 54): On 18 December 2002, the United Nations General Assembly adopted the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The objective of this Optional Protocol "is to establish a system of regular visits undertaken by independent international and national bodies to places where people are deprived of their liberty, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment" (art. 1).

Chapter 3: *The Major Regional Human Rights Instruments and the Mechanisms for Their Implementation*

The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, 1987 (p. 107): With the entry into force on 1 March 2002 of Protocol No. 1 to this Convention, the Committee of Ministers of the Council of Europe may invite any non-member State of the organization to accede to the Convention. No geographical limits on this power of invitation are foreseen in the Protocol (see www.cpt.coe.int/en/about.htm).

Chapter 4: *Independence and Impartiality of Judges, Prosecutors and Lawyers*

International Law and the Independence of Prosecutors (p. 147): With regard more particularly to prosecutors in Europe, see also Recommendation Rec(2000)19 of the Committee of Ministers of the Council of Europe to member States on the role of public prosecution in the criminal justice system. This recommendation can be found at <http://cm.coe.int/ta/rec/2000/2000r19.htm>.

Chapter 8: *International Legal Standards for the Protection of Persons Deprived of Their Liberty*

Personal hygiene, food, health and medical services (pp. 345-348): The European Court of Human Rights has rendered an important judgment in a case regarding the continued detention of a prisoner undergoing treatment for cancer. The Court was of the view that the national authorities had not ensured that the applicant concerned was given health care enabling him to avoid treatment, contrary to article 3 of the European Convention on Human Rights. His continued detention therefore constituted a violation of his right to dignity and also caused him suffering in excess of that inevitably associated with a custodial sentence and treatment for cancer (see *Eur. Court HR, Case of Mouïsel v. France, judgment of 14 November 2002*, para. 48).

The case of *Papon v. France* concerned the detention of a man convicted when he was in his late eighties of aiding and abetting crimes against humanity and sentenced to ten years' imprisonment by a French court. In his application to the European Court of Human Rights, the applicant argued that it was contrary to article 3 of the European Convention on Human Rights to keep a man of over 90 years of age in prison and that the conditions of detention in the prison where he was held were not compatible with extreme old age. The Court rejected the complaint as being manifestly ill-founded (see *Eur. Court HR, Case of Papon v. France, decision on the admissibility of 7 June 2001*).

Chapter 12: *Some Other Key Rights: Freedom of Thought, Conscience, Religion, Opinion, Expression, Association and Assembly*

Freedom of association and political parties (p. 614 at pp. 620-626): With regard to the *Refah Partisi (Prosperity Party) and Others v. Turkey*, an appeal was lodged against the judgment given by a chamber of the European Court of Human Rights on 31 July 2001. In its judgment of 13 February 2003, the Grand Chamber of the Court concluded *unanimously* that article 11 of the European Convention on Human Rights had not been violated in this case (see *Eur. Court HR, Case of Refah Partisi (The Welfare Party) and Others v. Turkey, judgment of 13 February 2003*; the judgment can be found on the Court's web site: <http://hudoc.echr.coe.int>).