



**NATIONS UNIES**  
**HAUT COMMISSARIAT AUX DROITS DE L'HOMME**

**UNITED NATIONS**  
**HIGH COMMISSIONER FOR HUMAN RIGHTS**

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REFERENCE: G/SO 215/51 - ~~229/21~~ - ~~237/21~~ - *GERM*  
*ES*

03 JUN 2002

Dear Sir/Madam,

After careful consideration of the contents of your petition (communication/complaint), I sincerely regret having to inform you that the United Nations Office of the High Commissioner for Human Rights is not in a position to assist you in the matter you raise, for the reasons indicated on the back of this letter. Accordingly, your petition is being returned to you.

Please accept my apologies for not replying in a more personal manner. You may understand that, while I appreciate your reasons for writing to us, the existing procedures require that it is ascertained whether certain preliminary criteria are satisfied before proceeding with the examination of a petition.

For information about the procedures for the examination of individual petitions on human rights violations, please consult our website: [www.unhchr.ch](http://www.unhchr.ch), first click on *ohchr programme*, then on *communications/complaints*. If you have difficulty accessing our website, please write to the UNHCHR, Information Office PW-RS-011, 1211 Geneva 10, and ask for Human Rights Fact Sheets Nos. 7, 12, 15 and 17.

Yours sincerely,

Alfred de Zayas  
Coordinator, Petitions Team

1.  The Human Rights Committee cannot examine petitions alleging violations of the International Covenant on Civil and Political Rights (ICCPR) unless the State is also a party to the Optional Protocol (OP). \_\_\_\_\_ is not a State party to the Optional Protocol.
2.  The Committee against Torture cannot examine petitions alleging violations of the Convention against Torture (CAT) unless the State has made the declaration under article 22 recognizing the Committee's competence to receive and consider petitions. \_\_\_\_\_ has not made the declaration.
3.  The Committee on the Elimination of Racial Discrimination cannot examine petitions alleging violations of the Convention on the Elimination of Racial Discrimination (CERD) unless the State has made the declaration under article 14 recognizing the Committee's competence to receive and consider petitions. \_\_\_\_\_ has not made the declaration.

Considering your petition under OP CCPR :

4.  The State party concerned has entered a reservation to the relevant treaty as a result of which your petition cannot be examined.
5.  Your complaint is being examined or has been examined by the European Court of Human Rights, by the Inter-American Commission on Human Rights or by the African Commission on Human and Peoples' Rights.
6.  The object of your petition falls outside the scope of the relevant treaty.
7.  The events complained of occurred prior to the entry into force of the Optional Protocol to the ICCPR, of article 22 CAT or of article 14 CERD for the State concerned.
8.  Domestic judicial/administrative remedies do not appear to have been exhausted, and it has not been substantiated that the application of domestic remedies would be unreasonably prolonged or that the remedies would be otherwise unavailable or ineffective.
9.  The Human Rights Committee is not generally in a position to review the evaluation of facts and evidence by the national courts and authorities, nor can it review the interpretation of domestic legislation.
10.  The Human Rights Committee is not generally in a position to review a sentence imposed by national courts, nor can it review the question of innocence or guilt.
11.  The Committees cannot generally examine disputes between private individuals or alleged violations of human rights that have been committed by non-state actors.
12.  The Committees can only examine individual petitions presented by the alleged victims themselves or by duly authorised representatives. ~~Anonymous petitions cannot be considered.~~
13.  Your petition does not provide sufficient details as to the facts of your case, and/or as to how your rights under the relevant treaty have been violated.

**N.B. Please note that the working languages of the Secretariat are English, French, Russian and Spanish. You are therefore kindly requested to use any of these languages in future correspondence.**