Iveta Savova, attorney-at-law,

Legal Defense Programme

Bulgarian Helsinki Committee,

7 Varbitsa Str., 1504 Sofia, Bulgaria

Tel.: +359 2 943 4876, +359 2 944 0670, +359 2 943 4405

Fax: +359 2 843 02 71, +359 2 483 6298

e-mail: [iveta.savova@bghelsinki.org](mailto:iveta.savova@bghelsinki.org)

Office of the High Commissioner for Human Rights (OHCHR)

ohchr-tbs@un.org

**17.02.2022**

**Comments on the state of the human rights treaty body system**

**Dear Madame/ Sir,**

In connection with the opportunity given to States to comment the state of the human rights treaty body system, in particular on the implementation of General Assembly resolution 68/268, I make the following statement:

Bulgarian Helsinki Committee (BHC) is an independent, non-governmental, not for profit organisation, established in 1992, of the civil society for defending basic human rights in the Republic of Bulgaria: political, civil, cultural, and social.

In our humble experience in submitting communications to the Human Rights Committee (HRC), we are drawn to some alarming observations on the administration of the applications.

In June 2016 Mr. Krassimir Kanev, Chairman of the BHC, submitted application before the UN Human Rights Committee on the behalf of Mr. Stojko Stojkov, Bulgarian citizen, alleging violations of Article 22 and Article 2.1 in conjunction with Article 22 of the Covenant. As Mr. Kanev had not heard from the HRC for more than one year, on 23 October 2017 he wrote to inquire about the status of the application. On 29 November 2017 he received a letter from the Petitions Team, in which he was informed that the HRC did not have any records in its database of having received a complaint from the applicant. In this letter the Committee suggested that Mr. Kanev resubmits the complaint. On 18 December 2017 the application was resubmitted as directed. On 28 December 2017 Mr. Kanev received avis de reception that Mr. Stojkov's application was received by the OHCHR registry. Since then, almost six years after the initial complaint was lodged, neither Mr. Kanev nor the applicant have heard anything about the status of Mr. Stojkov's application. We believe that for such a long period of time, the parties must have at least a communication number in order to be able to follow the progress of the complaint. This is necessary for the transparency of the proceedings before the HRC, as in the absence of even a communication number, the applicants are unsure whether the Committee will rule on their complaint at all.

Тhe second case we want to draw attention to concerns communication dated 15 January 2020 submitted to the HRC for consideration under the Optional Protocol to the International Covenant on Civil and Political Rights, on the behalf of Mrs. Sayde Mehmed Derian. On 25 January 2020, two years after the initial complaint was lodged, we received a letter from the the HRC that the application has been registered as communication № 4089/2022. We consider that two years is a relatively long period for the registration of a complaint, which inevitably has a negative effect on the emotional state of the applicants, who hope for retribution in their cases. We also believe that it is inadmissible for the communication number to contain the year of administration and not the year in which the complaint was filed. This calls into question the provision of a guarantee of compliance with the time limit for lodging the complaint.

In conclusion, although we do not doubt the volume and difficulty of the Human Rights Committee's daily work, we do hope that our comments on the registration process of applications will be taken into account and the necessary adjustments will be made so that in the future the applicants can be assured that they will receive the most timely and effective protection of their civil and political rights.

Sincerely,

Iveta Savova, attorney-at-law,

Legal Defense Programme

Bulgarian Helsinki Committee,

7 Varbitsa Str., 1504 Sofia, Bulgaria

e-mail: [iveta.savova@bghelsinki.org](mailto:iveta.savova@bghelsinki.org)