



# REPORTING TO THE UNITED NATIONS HUMAN RIGHTS TREATY BODIES TRAINING GUIDE

Part I – Manual



UNITED NATIONS  
HUMAN RIGHTS  
OFFICE OF THE HIGH COMMISSIONER



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# I. From Burden to Opportunity

The last decade has seen the human rights protection framework evolve and expand significantly. New treaties and protocols have entered into force, strengthening the protection of individuals' human rights and creating new avenues for preventive action and for the seeking of redress. For States engaging with the United Nations human rights Treaty Bodies, this welcome development has also created opportunities for self-assessment, review and evaluation to ensure compliance of their legislation, policy and practice with their human rights obligations.

At the same time States face increasing demands for implementing their treaty obligations, including reporting to the Treaty Bodies and following up on the Treaty Bodies' recommendations and decisions. Many States continue to have increasing obligations under the regional human rights protection systems. Recognizing these challenges, States, through General Assembly resolution 68/268, established a Treaty Body Capacity-Building Programme, based in my Office, to help State parties meet their treaty obligations.

This Training Guide on Reporting to the United Nations Treaty Bodies has been developed under the Programme as a resource for equipping potential trainers with the knowledge and tools they need to increase the capacity of State parties to fulfil their treaty reporting obligations. The Guide also informs State

parties on how they can engage with the Treaty Bodies in a sustainable and meaningful way and on the important role other stakeholders – including other United Nations programmes and agencies, national human rights institutions and civil society organizations – can play in this regard.

I hope the information and exercises included in this Guide will help increase State parties' understanding of their respective treaty obligations. I also hope the Guide will change the common perception of treaty reporting from that of being a burden to one of being an opportunity, and also from being a one-off engagement every few years to an on-going, cyclical assessment, improving the human rights situation in each country. Together with the Practical Guide on National Mechanisms for Reporting and Follow-up, recently launched by the UN Human Rights Office (OHCHR), this Guide provides practical ideas and tips on improving human rights reporting performance.

It is my hope that the Guide will prove a helpful tool for improving human rights compliance across all countries and regions.

*Zeid Ra'ad Al Hussein*  
United Nations High Commissioner for  
Human Rights

## II. About the Training Guide

### i. Background

In January 2015, pursuant to General Assembly Resolution 68/268 *“Strengthening and enhancing the effective functioning of the human rights Treaty Body system”*, the Office of the United Nations High Commissioner for Human Rights (OHCHR) established the Treaty Body Capacity-Building Programme with a view to supporting State parties in building up their capacity to implement their treaty obligations. The Programme is based in OHCHR Geneva with a core team, supported by capacity-building staff in OHCHR’s regional offices in Addis Ababa, Bangkok, Beirut, Bishkek, Dakar, Panama, Pretoria, Santiago de Chile, Suva and Yaoundé.

Under operative paragraph 17 of Resolution 68/268, the General Assembly *“Requests the Secretary-General, through the Office of the High Commissioner for Human Rights, to support State parties in building their capacity to implement their treaty obligations, and provide in this regard advisory services, technical assistance and capacity-building, in line with its mandate, in consultation with and with the consent of the State concerned.”*

The Capacity-Building Programme aims at transforming reporting from being a perceived burden to being a concrete benefit to State parties and ultimately to rights-holders. The Programme provides assistance on treaty-specific reporting to the State parties, including the preparation of Common Core Documents, and on the establishment or effective functioning of National Mechanisms for Reporting and Follow-up (NMRFs). At the outset the Programme has organized at least two regional **train-the-trainers** events annually to equip potential trainers from among State officials with the knowledge and skills to provide support to

State parties in their increasing engagement with the Treaty Bodies. On the basis of such training events **a roster of trainers** from among State officials with extensive experience in Treaty Body reporting is being established and **a community of practice** maintained to facilitate an exchange of lessons learned between roster members.

To underpin such activities, the Programme has developed *“National Mechanism for Reporting and Follow-up, A Practical Guide to Effective State Engagement with International Human Rights Mechanisms”* and a comprehensive *“Study on State Practices of Engagement with International Human Rights Mechanisms”* on key features of NMRFs and is developing other Treaty Body reporting-related training tools, including online facilities. This **Training Guide on Reporting to the United Nations Human Rights Treaty Bodies** (henceforth “the Training Guide”) is being developed in this context.

### ii. Overview of the Training Guide

#### a) What is this Training Guide?

The Training Guide is a tool which aims at equipping training facilitators with the knowledge, tools and resources needed to develop a training course on reporting to the United Nations human rights Treaty Bodies (henceforth “treaty reporting”). Its objective is to assist them in developing national capacities in, and knowledge of, on the United Nations human rights treaty system, in particular the reporting process and the roles of different stakeholders therein; and in strengthening the capacity of State parties to fulfil their human rights treaty reporting obligations and engage with the United Nations human rights Treaty Bodies (henceforth “Treaty Bodies”) in a sustainable and meaningful way.



This is the first part of the OHCHR comprehensive training curriculum on human rights treaty reporting. As a general guide, it focuses on treaty reporting under all international core human rights treaties<sup>1</sup> (henceforth “international human rights treaties”) with an emphasis on procedural aspects of treaty reporting. It will be complemented by specific training guides on each core international human rights treaty focusing on the substantive articles of each treaty. The OHCHR Training Guide on “The Convention on the Rights of Persons with Disabilities” was developed in 2014 and is available at <http://goo.gl/gwUypK>.

The Training Guide is based on the international human rights treaties and related documents adopted by Treaty Bodies, including rules of procedure, working methods and reporting guidelines, along with Treaty Bodies’ annual reports and reports of the Treaty Bodies Chairpersons’ meetings. It captures the up-to-date practice of Treaty Bodies, especially the process of harmonization of Treaty Bodies’ working methods. It should be understood as a practical tool, reflecting the constantly developing practice of the Treaty Bodies.

#### b) **For whom is the Training Guide intended?**

The Training Guide is intended primarily for training facilitators and others who may be called upon to provide training on treaty reporting to the United Nations human rights Treaty Bodies, for example UN staff and government official members of the above-mentioned “roster of trainers” on Treaty Body reporting. The Training Guide assumes that

facilitators have knowledge of human rights standards, terminology and the human rights mechanisms. It suggests that any training course will be undertaken by a lead facilitator, who would ideally be assisted. The Training Guide may also be used as a reference source by State parties and stakeholders such as specialized United Nations agencies and United Nations Country Teams (UNCTs), national human rights institutions (NHRIs) and civil society organizations (CSOs) who wish to inform themselves about the treaty reporting process and their role therein.

#### c) **What is the target audience of treaty reporting training?**

As the responsibility for reporting lies with the State parties, the principal beneficiaries of a training course on treaty reporting are government officials in charge of engaging with the international human rights mechanisms, parliamentarians and judges. However, any individual or representative of an organization or institution who has a role to play in the reporting process may also benefit from such a training course, provided that its sessions are adapted to their specific needs.

#### d) **How to use this Training Guide**

The Training Guide is divided into two parts which complement each other. Facilitators should refer to both parts whenever they are preparing a training course on treaty reporting.

Part I – **the Manual** – has been designed as a support for facilitators in advance of training sessions as it provides them with condensed information, organized in chapters, on the UN human rights system and detailed information on the Treaty Bodies’ reporting process, including procedures, requirements, and the roles of different stakeholders. It also contains chapters on preparation of reports at national level and on national mechanisms on reporting and follow-up. The Manual can also be used as a general source of information for all actors playing a role in the reporting process.

<sup>1</sup> The International Convention on the Elimination of All Forms of Racial Discrimination; the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Rights of the Child; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.

Part II – **the Notes for facilitators** – closely follows the structure of Part I. It has been designed to assist facilitators in preparing and delivering a training course on treaty reporting, intended ideally for relatively small groups of a maximum of 25 participants. After two preliminary sections containing suggestions for, respectively, planning a training course and organizing its opening session, Part II proposes interactive training sessions covering the information contained in all the chapters of Part I. A closing session is as well proposed. The training sessions comprise a

mix of computer slide presentations and group activities, and include different training components: facilitator’s notes, session plans, power point presentations, videos, quizzes and so forth. The sessions are based on the OHCHR training methodology for human rights training. This methodology is interactive and promotes a participatory approach. It is important that facilitators respect and use this approach to encourage enriching discussions and exchange of information and experience with and between the participants.



# **The United Nations Human Rights System**

# 1. The United Nations Human Rights System

This Chapter provides a brief overview of the United Nations Human Rights System – the Treaty Bodies, Human Rights Council’s Universal Periodic Review and Special Procedures. It describes core international human rights treaties and their monitoring mechanisms – the Treaty Bodies. It also explains who could be a Treaty Body member and what the main Treaty Bodies’ functions are.

## 1.1. Introduction

The 1945 United Nations Charter proclaims that one of the aims of the United Nations is to promote and encourage respect for human rights and fundamental freedoms for all. In this context **the Universal Declaration of Human Rights (UDHR)**, adopted by the United Nations General Assembly in 1948, spells out, for the first time in history, the fundamental rights and freedoms that belong to all human beings. Its provisions have been developed in international human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The Declaration also laid the groundwork for the human rights architecture that is nowadays composed of three main international human rights mechanisms:

1. The **human rights Treaty Bodies**, which are committees of independent experts whose mandate emanates from the nine core international human rights **treaties** and one optional protocol (see 1.2 and 1.3).
2. The **Universal Periodic Review (UPR)**, a peer review by States which involves a review of the human rights records of all UN Member States. The UPR is a State-driven process, under the auspices of the United Nations **Human Rights Council**, which provides the opportunity for each State to declare what actions it has taken to improve the human rights situations in their countries and to fulfil their human rights obligations. As one of the main features of the Council, the UPR is designed to ensure equal treatment for every country when their human rights situations are assessed. For further information on the UPR, including on how the reviews are conducted, please visit: <https://goo.gl/8W6YtC>.

The **Human Rights Council** was created by the United Nations **General Assembly** on 15 March 2006 by Resolution [60/251](#). It is an **inter-governmental body** within the United Nations system made up of 47 States responsible for the promotion and protection of all human rights around the globe.

In 2007 the Council adopted its “**Institution-building package**” with the aim of guiding its work and setting up its procedures and mechanisms, namely the UPR, the Advisory Committee, the Complaint Procedure and the Special Procedures.

\*Further information on the Human Rights Council is available at <https://goo.gl/v3gg2S>



3. The **Special Procedures** of the **Human Rights Council**, comprising independent human rights experts with mandates to report and advise on human rights from a thematic (e.g., the human rights of internally-displaced persons or the right to food) or country-specific perspective. The system of Special Procedures is a central element of the United Nations human rights machinery and covers all human rights: civil, cultural, economic, political, and social. As of August 2017, there are 44 thematic and 12 country mandates. For further and updated information on the Special Procedures please visit: <https://goo.gl/yS3qsD>.

These human rights mechanisms have different mandates, procedures and activities, which in turn shape the ways in which (i) States in their capacity as duty-bearers, (ii) individuals as the rights-holders, (iii) other national or international stakeholders (NHRIs, CSOs etc.), and (iv) the United Nations Country Teams (UNCT), engage with them. Some conduct country visits or inquiries to monitor specific human rights issues; others consider complaints by individuals who allege that their rights have been violated by a State; and almost all of them have an established reporting procedure for assessing the progress of States in meeting their human rights obligations (see Table, below). Independently of their functions, all three mechanisms generate **recommendations** to the States with the aim of contributing to short-term and long-term changes in legal and policy frameworks to improve human rights protection.

### SUMMARY: DIFFERENT FUNCTIONS OF HRMs

	Type	Mandate	Functions
<b>UPR</b>	Intergovernmental	Human Rights Council	<ul style="list-style-type: none"> <li>• <b>Reporting</b></li> </ul>
<b>SPs</b>	Independent experts	Human Rights Council	<ul style="list-style-type: none"> <li>• Visits</li> <li>• Individual complaints</li> </ul>
<b>TBs</b>	Independent experts	Human rights treaties	<ul style="list-style-type: none"> <li>• <b>Reporting</b></li> <li>• Individual complaints</li> <li>• Inquiries</li> <li>• Visits (by 1 TB- SPT)</li> </ul>
<b>ALL THREE MECHANISMS ISSUE RECOMMENDATIONS!</b>			

See Section 1.3.2 for details on which Treaty Body performs which functions.

As to the **reporting procedures**, all States are required to report periodically both to the Treaty Bodies (under those international human rights treaties which a State ratified or acceded to) and the Human Rights Council (under the UPR) on their progress in meeting their human rights obligations or commitments. This gives an important opportunity to the State for the following:

1. **self-assessment** of its performance in complying with treaty provisions, recommendations and decisions and overall in realizing human rights and identifying any remaining gaps and challenges;
2. **stimulation of national dialogue and buy-in** with all relevant stakeholders on international and regional human rights obligations and commitments in preparation of reports, reinforcing national ownership of human rights; *and*
3. **benefitting from good practices from other countries and expert advice** through active engagement with the international human rights system.

Reviews by the UN human rights Treaty Bodies and the UPR should complement and reinforce each other. While the UPR reports cover all human rights issues, the treaty-specific reports comprise issues relevant to the specific treaty, and therefore tend to be more specific and analytical. Each mechanism makes use of reports and recommendations from the other mechanism to obtain a comprehensive picture of the human rights situation in the State under review. The UPR review and recommendations often follows up on Treaty Bodies' concluding observations, and *vice versa*.

## 1.2. International human rights treaties

**International human rights law** lays down obligations for States. They are enshrined in international human rights treaties binding only on those States which consent to be bound by them (State parties). The **United Nations human rights Treaty System** comprises **nine treaties**, usually referred to as the “core international human rights treaties”, which together form the cornerstone of all efforts to promote and protect human rights at national and international levels, as follows:<sup>2</sup>

**Two Covenants**, namely the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), cover the broad range of civil, cultural, economic, political and social rights. Together with the UDHR the Covenants form the “International Bill of Rights”.

**Three treaties** address **specific phenomena**, namely the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), and the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).

**Four treaties** address the human rights of **specific groups**, namely the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC), the International Convention on the Protection of the Rights of All Migrant Workers and Member of Their Families (ICMW), and the Convention on the Rights of Persons with Disabilities (CRPD).

<sup>2</sup> For a brief description of the content of each treaty please refer to OHCHR, The United Nations Human Rights System, Fact Sheet No. 30/Rev. 1, available at: <https://goo.gl/yOOaLV>



Some of the treaties have been supplemented by Optional Protocols, which address specific human rights issues or establish new procedures, except for the Optional Protocol to the Convention against Torture establishing a committee of experts (see Table 1).

The international human rights treaties are complemented by other human rights instruments such as declarations, guidelines and principles adopted at international level which contribute to the understanding, implementation and development of human rights. Please refer to Annex 1, for a non-exhaustive selection of these instruments.

States can become parties to treaties, including human rights treaties, through signature and ratification (a two-step process) or accession (a one-step process). Both ratification and accession should be followed by the depositing of an instrument of ratification or accession with the Secretary-General of the United Nations (the depository) in accordance with the final clauses of the respective treaty.

### **Becoming a State party to human rights treaties deposited with the Secretary-General**

**Signature** is a legal act expressing a will to become a State party to the treaty in the future. It is always subject to ratification in the case of human rights treaties deposited with the Secretary-General. The signatory State is not yet a State party and is therefore not bound by the treaty. The only legal obligation of the signatory State is to refrain, in good faith, from acts that would defeat the object or purpose of the treaty. The act of signature qualifies the signatory State to continue with the ratification. However, signature does not create an obligation to ratify the treaty.

**Ratification** is a legal act expressing the State's will to be bound by the treaty. Ratification at international level should be distinguished from domestic ratification which is the domestic process for approving a treaty. Domestic ratification gives a signatory State time to seek the required approval for the treaty in accordance with its constitutional procedures, and to enact the necessary legislation to give the treaty effect at national level. Ratification at international level is effected by **the deposit of an instrument of ratification with the Secretary-General of the United Nations.**

**Accession** has the same legal effect as ratification at international level, but does not require prior signature of the treaty in question. Accession is effected by **the deposit of an instrument of accession with the Secretary-General of the United Nations.**

\*Since the adoption of the UDHR in 1948, all UN Member States have ratified at least two core international human rights treaties, and 80% have ratified four or more.

By becoming parties to human rights treaties, States assume obligations and duties under international law which entail the threefold responsibility to respect, protect and fulfil the human rights enshrined in those treaties. The obligation to **respect** means that State parties must refrain from interfering with or curtailing the enjoyment of human rights. The obligation to **protect** requires State parties to protect individuals and groups against human rights abuses. The obligation to **fulfil** means that State parties must take positive action to facilitate the enjoyment of human rights. Concerning the right to life, for example, the obligation to respect requires that State security forces never summarily execute individuals; the obligation to protect obliges a State to investigate any killing and to prosecute perpetrators; and the obligation to fulfil necessitates taking measures to prevent maternal mortality.

To comply with its human rights obligations, State parties are committed to **implementing the provisions of the treaty** at national level. This means adopting legislation and policies, and putting in place institutional settings and practices compliant with their treaty obligations and duties, thereby ensuring the enjoyment of the rights enshrined in the treaty by everyone under their jurisdiction. In addition, each State party is also under an **obligation to submit periodic reports** to the relevant Treaty Body (see Section 1.3) on how the measures adopted have contributed to effective implementation of the rights enshrined in the treaty.

### ***Reading the treaties as a whole***

To understand fully a State's obligations under these treaties, it is necessary to read *together* all the human rights treaties to which a State has become a party. Even though the treaties are separate and free-standing they complement each other, with a number of principles binding them together. Each lays down basic principles such as non-discrimination and equality, effective protection against violations, special protection for the particularly vulnerable, and an understanding of the human being as an active and informed participant in the public life of the State where he or she is located and in decisions affecting him or her, rather than a passive object of the authorities' decisions. All the treaties based on these common principles are interdependent, interrelated and mutually reinforcing, so that no right can be fully enjoyed in isolation, but depends on enjoyment of all the other rights. Moreover, the international human rights treaties to which a State is a party should be considered together with other national, international or regional human rights obligations undertaken by that State when evaluating its responsibility for protecting human rights.

**TABLE 1 INTERNATIONAL HUMAN RIGHTS TREATIES AND THEIR OPTIONAL PROTOCOLS**

Treaties and their optional protocols	Date of adoption	Date of entry into force	Number of State parties <sup>3</sup>
International Covenant on Civil and Political Rights (ICCPR)	16 Dec 1966	23 Mar 1976	172
• Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP1)	16 Dec 1966	23 Mar 1976	116
• Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (ICCPR-OP2)	15 Dec 1989	11 Jul 1991	85
International Covenant on Economic, Social and Cultural Rights (ICESCR)	16 Dec 1966	3 Jan 1976	169
• Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR-OP)	10 Dec 2008	5 May 2013	23
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	21 Dec 1965	4 Jan 1969	179
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	18 Dec 1979	3 Sept 1981	189
• Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP-CEDAW)	6 Oct 1999	22 Dec 2000	109

<sup>3</sup> The data is valid as at 10 September 2018. Latest ratification information is available on: [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Treaty.aspx](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx).



Treaties and their optional protocols	Date of adoption	Date of entry into force	Number of State parties
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	10 Dec 1984	26 June 1987	164
• Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)	18 Dec 2002	22 June 2006	88
Convention on the Rights of the Child (CRC)	20 Nov 1989	2 Sept 1990	196
• Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC-OPAC)	25 May 2000	12 Feb 2002	167
• Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC-OPSC)	25 May 2000	18 Jan 2002	174
• Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (CRC-OPIC)	19 Dec 2011	14 April 2014	39
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW)	18 Dec 1990	1 July 2003	52
Convention on the Rights of Persons with Disabilities (CRPD)	13 Dec 2006	3 May 2008	177
• Optional Protocol to the Convention on the Rights of Persons with Disabilities (OP-CRPD)	13 Dec 2006	3 May 2008	91
International Convention for the Protection of All Persons from Enforced Disappearance (CED)	20 Dec 2006	23 Dec 2010	58

→ **If you wish to be informed of the status of ratification of any country, including acceptance of any complaint procedure, click [here](#) or visit the OHCHR website at the following link: <http://indicators.ohchr.org/>**

Sometimes States enter one or more **reservations to human rights treaties**. A reservation is a unilateral statement made by a State – however phrased or named – by which it purports to exclude or modify the legal effect of a treaty provision in its application to that State. A reservation may be entered when signing, ratifying, accepting, approving or acceding to a treaty by the Head of State or Government or Ministry of Foreign Affairs (or a person acting in that capacity or having delegated authority for that purpose from one of the authorities mentioned above). Reservations made on simple signature (i.e., signature subject to ratification) are declaratory in nature and must be confirmed on ratification. The reservation is permitted *only if* (1) it is not explicitly prohibited by the treaty; (2) it is explicitly authorized by the treaty itself (specified reservation); or (3) the reservation is compatible with the object and purpose of the treaty. Reservations that do not fall within these categories are considered invalid, devoid of any legal effect, and thus null and void. Other State parties or signatories to the treaty may lodge objections to a State party's reservation. Furthermore, the objecting State may declare that its objection has the effect of precluding, between itself and the reserving State, the entry into force of the provisions of the treaty affected by the reservation, or of the treaty itself. Reservations may be withdrawn completely or partially by the State Party at any time.

Treaty Bodies' mandates include the competence to assess the compatibility of reservations with the object and purpose of the treaty they monitor. As the International Law Commission<sup>4</sup> concluded in its Guide to Practice on Reservations on Treaties, Treaty Bodies are competent to assess the permissibility of a reservation when the issue comes before them in the exercise of their functions.<sup>5</sup> Treaty Bodies do not have the power to overturn a reservation but they request, more or less systematically within the review of State party reports, that State parties withdraw their impermissible reservations.

For example CEDAW regularly advises State parties which made reservations to central provisions of the Convention on the Elimination of All Forms of Discrimination against Women, such as articles 2 and 16, to withdraw them as they are incompatible with the object and purpose of the Convention and hence impermissible under article 28, paragraph 2 of the Convention.<sup>6</sup> The Committee is of the view that these types of reservation limit the applicability of the Convention, thus weakening the protection of women's human rights at national level.<sup>7</sup>

According to the Human Rights Committee, reservations must be specific and transparent, that is they must refer to a particular provision of the treaty and indicate in precise terms its scope in its relationship thereto; and moreover they should be also limited in number so that they do not lead to substantial limitations on the applicability of human rights treaty provisions.<sup>8</sup> The Committee has indicated that States should institute procedures to ensure that each and every proposed reservation is compatible with the object and purpose of the Covenant. States should also ensure that the necessity for maintaining reservations is periodically reviewed, taking account of any observations and recommendations made by the Committee during examination of their reports. Reservations should be withdrawn at the earliest possible moment.<sup>9</sup>

### 1.3. The human rights Treaty Bodies

As mentioned above, when a State becomes a party to a treaty, it assumes a legal obligation to implement the rights set out therein. In order to consider the progress that State parties make in meeting their human rights obligations, each of the nine core international human rights treaties establishes a human rights **Treaty Body** – an international committee of independent experts. In addition, the Optional Protocol to the Convention against Torture establishes the Subcommittee on Prevention of Torture, with a specific mandate on torture prevention. Thus the United Nations human rights Treaty Body System consists of **ten Treaty Bodies**, often referred to as Committees, as follows:

4 The International Law Commission was established by the General Assembly, in 1947, to undertake the mandate of the Assembly, under article 13 (1) (a) of the Charter of the United Nations to "initiate studies and make recommendations for the purpose of ... encouraging the progressive development of international law and its codification". More information is available at <http://legal.un.org/ilc/>.

5 GAOR, 64<sup>th</sup> session, Supp. No. 10 (A/64/10), report of the International Law Commission 61<sup>st</sup> session (4 May-5 June and 6 July – 7 August 2009); see also Human Rights Committee, General Comment no. 24 (1994), CCPR/C/21/rev.1/Add.6, paras. 16-18.

6 See for example, CEDAW/C/DZA/CO/3-4, paras. 13-14, CEDAW/C/SGP/CO/4, paras. 13-14 and CEDAW/C/ARE/CO/2-3, paras. 9-10. The Committee also urges States parties to establish clear time-frames for withdrawing reservations to articles 2 and 16, whenever States parties have reported an ongoing internal process. See for example, CEDAW/C/KOR/CO/7, para. 10, CEDAW/C/LSO/CO/1-4, para. 14 and CEDAW/C/CHE/CO/4-5, para. 8.

7 Report of the Committee on the Elimination of Discrimination against Women, 18<sup>th</sup> and 19<sup>th</sup> Sessions, A/53/38/Rev.1 (1998), paras. 6, 14-17, (Statement on reservations to the Convention on the Elimination of All Forms of Discrimination against Women)

8 Human Rights Committee, General Comment no. 24 (1994), CCPR/C/21/rev.1/Add.6, paras. 17-18. See, for example: CCPR/C/FRA/CO/5, para. 5 and CCPR/C/MDV/CO/1, para. 5.

9 Ibid, para. 20. See for example, CCPR/C/MCO/CO/2, para. 6.

**TABLE 2 TREATY BODIES AND HUMAN RIGHTS TREATIES**

Treaty Body	Founding treaty
Human Rights Committee (HRCtee)	International Covenant on Civil and Political Rights (ICCPR, 1966)
Committee on Economic, Social and Cultural Rights (CESCR)	International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966)*
Committee on the Elimination of Racial Discrimination (CERD)	International Convention on the Elimination of All Forms of Racial Discrimination (ICERD, 1965)
Committee on the Elimination of Discrimination against Women (CEDAW)	Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979)
Committee against Torture (CAT)	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT, 1984)
Committee on the Rights of the Child (CRC)	Convention on the Rights of the Child (CRC, 1989)
Committee on Migrant Workers (CMW)	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW, 1990)
Committee on the Rights of Persons with Disabilities (CRPD)	International Convention on the Rights of Persons with Disabilities (CRPD, 2006)
Committee on Enforced Disappearances (CED)	International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED, 2006)
The Subcommittee on Prevention of Torture (SPT)	Optional Protocol of the Convention against Torture (OPCAT, 2002)

\* The Committee was established by ECOSOC Resolution 1985/17 of 28 May 1985 to carry out the functions set out in particular in articles 21 and 22 of the ICESCR. The Resolution is available at the following: <http://www.un.org/en/ecosoc/docs/docs.shtml>

### 1.3.1. Members<sup>10</sup>

The criteria for being elected a committee member are in general terms established in each treaty. Members should be nationals of a State party to the human rights treaty in question. Typical criteria include high moral standing and the recognized competence in the field of human rights or the subject-matter of the respective treaty. Due consideration should be given to equitable geographical representation, to appropriate representation of different legal systems, and to balanced gender representation.

The treaties also stipulate that members should serve in their individual capacities. They should be independent and impartial. They should act in accordance with their conscience, with the terms of the treaty, and in the interests of the Treaty Body; and they should not act on behalf of other stakeholders. The Treaty Bodies also endorsed the self-regulatory Guidelines on the independence

<sup>10</sup> For more information, please refer to the Handbook for human rights Treaty Body Members, OHCHR, 2015, [http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_15\\_2\\_TB%20Handbook\\_EN.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_15_2_TB%20Handbook_EN.pdf)

and impartiality of members of the human rights Treaty Bodies (“Addis Ababa Guidelines”)<sup>11</sup>, stipulating further safeguards for the independence and impartiality of Treaty Body members.

The members are elected at the meeting of the State parties to the respective treaty. They are elected for a four-year term. To ensure continuity in membership, elections are staggered – the State parties hold elections for one-half of the membership every two years.

Treaty Body members do not receive a salary for their work. The United Nations pays the travel costs of members and a daily subsistence allowance to cover their costs (accommodation, board, local transport) during the session.

### 1.3.2. Functions

The Treaty Bodies are mandated in the respective treaties or optional protocols to undertake a number of functions to monitor treaty implementation, namely to review State parties’ reports; to consider complaints from individuals; or to conduct inquiries and country visits. They also undertake other functions, namely responding to requests for urgent action, elaborating general comments or reviewing inter-State complaints. How these functions are performed is also elaborated in the treaties or optional protocols, and further specified in the rules of procedure and working methods of each Treaty Body. Not all Treaty Bodies perform all of the above functions; a summary of each Treaty Body function is detailed below. Recent developments in exercising their functions are outlined in each Committee’s annual report to the United Nations General Assembly.

The main functions are the following:

- a) **Review of State parties’ reports:** all Treaty Bodies except the SPT are mandated to consider reports which State parties are obliged to submit periodically on steps taken to implement the provisions of the relevant treaty and any difficulties encountered in that regard. In the case of the CRC, its mandate also includes the substantive optional protocols of the Convention, namely on the ‘Sale of Children’ and on ‘Children and Armed Conflict’. This means that the number of reports a State is required to submit periodically will depend on the number of international human rights treaties to which that particular State is a party. The Treaty Bodies review these reports, identify issues of concern and make recommendations in what are known as “**concluding observations**”. The reporting procedure will be extensively explained in the following chapters of this Training Guide.
- b) **Consideration of complaints from individuals:** all Treaty Bodies apart from the SPT are entitled to receive and consider complaints (known as “**communications**”) from individuals (or groups of individuals) alleging that their rights under a treaty have been violated by a State party to that treaty. The CMW is the only Treaty Body of which the mandate to consider individual communications is not yet operative.<sup>12</sup>

The individual communication procedure is optional, which means that the State party to a treaty of which a violation is alleged must have expressly recognized the competence of the Treaty Body to receive and consider complaints from individuals under its jurisdiction. Such competence is recognized either through a declaration pertaining to a specific provision of the treaty (ICERD,

<sup>11</sup> A/67/222

<sup>12</sup> It will come into force when ten States Parties have declared that they recognize the competence of the Committee to receive and consider communications (under article 77 of the Convention on Migrant Workers).



CAT, CMW, CED) or through ratification of the relevant Optional Protocol (ICCPR, ICESCR, CEDAW, CRC, CRPD).

Communications are subject to admissibility criteria such as exhaustion of all domestic remedies prior to submission of the communication to the Treaty Body. The admissibility criteria are spelled out in the respective treaty or the optional protocol. They are mostly identical although slight differences exist depending on the treaty in question.<sup>13</sup>

Once the Treaty Body considers the submission of the individual and the observations of the State party concerned on the case, it adopts views (or a decision) on its admissibility and merits and any decision on remedies, if relevant. The Treaty Bodies' views (decisions) represent an authoritative interpretation of the respective treaties. They contain recommendations to the State party in question. All Treaty Bodies have developed procedures for monitoring whether State parties have implemented their decisions (so-called follow-up procedures), since they consider that, by accepting the complaint procedures, State parties have also accepted an obligation to respect the committee's findings. The State parties have to include information on implementation of the views and decisions of the committees in the individual cases systematically in their periodic reports.

- c) **Country Visits:** the Subcommittee on Prevention of Torture (SPT) has a mandate to visit all places where persons are or may be deprived of their liberty within the jurisdiction and control of State parties to the Optional Protocol to the Convention against Torture (OPCAT). State parties to the OPCAT are obliged to allow visits by the Subcommittee. The visits are of a preventative nature and are meant to strengthen the protection of persons deprived of their liberty against torture and ill-treatment. Following a visit, the Subcommittee issues a confidential report containing recommendations to the relevant State authorities with a view to improving the treatment of persons deprived of their liberty. These reports constitute the basis of the dialogue between a State party and the Subcommittee with a view to preventing torture and ill-treatment. Reports are made public at the request of the State party concerned.<sup>14</sup> The Committee on Enforced Disappearances (CED) has also the mandate to undertake country visits if it receives reliable information indicating that a State party is seriously violating the provisions of the International Convention for the Protection of All Persons from Enforced Disappearances. If the State party agrees to the visit, it works together with the Committee on the modalities of such a visit and provides the Committee with all the necessary facilities for the successful completion of the visit. Following the visit, the Committee communicates to the State party its observations and recommendations.<sup>15</sup>
- d) **Inquiries:** six Treaty Bodies (CAT, CEDAW, CESCR, CRC, CRPD and CED) have a mandate to conduct inquiries when they receive reliable information indicating grave or systematic violations by a State party of rights set forth in the treaty.<sup>16</sup> With the exception of CED, for which State parties automatically accept the committee's competence when they ratify the Convention, inquiries may be undertaken only with respect to State parties that have recognized the

<sup>13</sup> For more details, please refer to Factsheet No. 7 Rev. 2 on Individual Complaint Procedures under the United Nations human rights treaties, OHCHR, 2013, <http://www.ohchr.org/Documents/Publications/FactSheet7Rev.2.pdf>

<sup>14</sup> The SPT public visit reports are available at the SPT webpage at [tbinternet.ohchr.org/\\_layouts/TreatyBODyExternal/CountryVisits.aspx?SortOrder=Alphabetical](http://tbinternet.ohchr.org/_layouts/TreatyBODyExternal/CountryVisits.aspx?SortOrder=Alphabetical)

<sup>15</sup> Article 33 of ICPPED.

<sup>16</sup> Article 20 CAT, article 8 of the Optional Protocol to CEDAW, article 6 Optional Protocol to CRPD, article 33 of CED, article 11 of the Optional Protocol to ICESCR and article 13 of the Optional Protocol on a communications procedure to CRC.

competence of the relevant Treaty Body in that regard (by not opting out of the respective treaty provision or by becoming a State party to the Optional Protocol setting out the inquiry procedure).

The procedure may be initiated once information complying with the criteria set out above is received by a Treaty Body. Then the Treaty Body will invite the State party to cooperate in the examination of the information received by submitting its observations. Based on the State party's observations and other relevant information available to it, a committee may designate one or more of its members to conduct a confidential enquiry, which may include a visit to the State party concerned. The Treaty Body then would prepare a confidential report and send it to the State for comment. The procedure to conduct an enquiry is confidential although the Treaty Body may publish the final report or a summary thereof. Most treaties<sup>17</sup> state that the committee may, after consultation with the State party concerned, decide to include a summary account of the results of the proceedings in its annual report.<sup>18</sup>

- e) **Urgent actions:** the Committee on Enforced Disappearances (CED) has the authority to receive urgent requests from relatives of a disappeared person – or their legal representative or any other authorized person – that a disappeared person should be sought and found. Once the Committee is satisfied that the request meets certain criteria, the Committee may request the State party to provide it with information on the situation of the persons sought within a time limit set by the Committee (art. 30). In very serious and urgent cases the Committee may ask the State party to adopt measures to avoid irreparable harm to the person concerned or for other information relevant to locating the disappeared person (interim measures).<sup>19</sup>

For its part, the Committee on the Elimination of Racial Discrimination (CERD) established the early warning and urgent action procedures which seek to prevent and respond to serious violations of the Convention. While early warning measures are to be directed towards preventing existing problems from escalating into conflicts, urgent procedures are needed in response to problems requiring immediate attention so as to prevent or limit the scale or number of serious violations of the Convention. Under these procedures, which may be initiated on the Committee's own initiative or on the basis of information submitted by third parties, CERD may request information from State parties on relevant racial discrimination situations of concern and adopt a decision expressing specific concerns addressed to the State party in question. This decision can also be addressed to the Human Rights Council and its Special Procedures as well as to the High Commissioner for Human Rights and to the Secretary-General with a recommendation that the matter be brought to the attention of the Security Council, and the Committee can resort to further measures such as field visits.<sup>20</sup>

<sup>17</sup> For example, article 11.7 OP CESCR, article 13.6 OP CRC, article 20.5 CAT.

<sup>18</sup> In practice all Treaty Bodies have to date had the results of their findings published. CEDAW has included summaries of its findings or published the full report. CEDAW has recently taken a decision to publish all inquiry reports in the future. CRPD has done the same. CAT has always published the summary of its inquiry reports (which however are often quite extensive) while the full report has been published when the State party has consented to it. CED publishes the summary of all the information received in its annual report. Such summaries do not reveal the State party in question until it is given the opportunity to comment. After the comments are received the summary also indicates the name of the State party and includes its response in full length.

<sup>19</sup> For more information see: Guidance for the submission of a request for urgent action to the Committee, see CED/C/4, 29 April 2014, available at the following: [tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CED/C/4&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CED/C/4&Lang=en)

<sup>20</sup> Guidelines on early warning and urgent action procedures, Annual report A/62/18, Annexes, Chapter III (2007), are available at <http://www.ohchr.org/EN/HRBodies/CERD/Pages/EarlyWarningProcedure.aspx>



- f) **Bringing a matter to the attention of the GA:** CED may bring urgently to the attention of the General Assembly, information appearing to contain well-founded indications about widespread or systematic enforced disappearance occurring in a State party to the Convention. The Committee would do so after having sought from the State party concerned all relevant information (art. 34).
- g) **Inter-State complaints:** seven Treaty Bodies (CAT, CED, CERD, CESC, CRC, CMW and the Human Rights Committee) have the authority to receive and consider complaints from one State party to the effect that another State party is not giving effect to the provisions of the treaty. The inter-State complaints procedure is optional, and State parties must make a declaration that they accept the procedure before making or being subject to a complaint. The inter-State complaint procedure has been rarely invoked.
- h) **General comments:** All Treaty Bodies except the SPT prepare and publish general comments – referred to by CEDAW and CERD as **general recommendations** – which cover a wide range of issues. These can (i) contain the Treaty Bodies' interpretation of specific substantive provisions of their respective human rights treaty, such as the General Comment no. 35 of the Human Rights Committee on the right to liberty and security of the person; (ii) provide guidance on the general obligations of State parties to a treaty, such as General Comment no. 3 of CESC on the nature of State parties' obligations; or (iii) address wider cross-cutting issues and their relationship to the provisions of their respective treaty, such as General Recommendation no. 30 of CEDAW on women in pre-conflict, conflict and post-conflict situations.

As of September 2018, the Treaty Bodies have issued 162 general comments or general recommendations. The most up to date list of general comments is available at: <http://www.ohchr.org/EN/HRBodies/Pages/TBGeneralComments.aspx>

The aim of general comments is to help State parties better implement the rights enshrined in the treaties. In this context the CRC and CEDAW decided to work together to provide consistent guidance to State parties in eliminating harmful practices, as this is a human rights issue which relates to both the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. In 2014 this effort was translated into the first joint general comment adopted by the Treaty Bodies, namely the CEDAW-CRC joint general comment on harmful practices.

On the basis of existing practices and with a view to standardizing their working methods as requested by GA Res. 68/268, the chairpersons of the Treaty Bodies endorsed at their 27<sup>th</sup> meeting<sup>21</sup> a common methodology for the elaboration of and consultation on general comments.

<sup>21</sup> The annual Meeting of Chairpersons of the human rights Treaty Bodies provides a forum for members of Treaty Bodies to discuss their work and consider ways to enhance the effectiveness of the Treaty Body system as a whole. Issues addressed at these meetings have included, among other things, the streamlining and overall improvement of human rights reporting procedures, harmonization of the Committees' methods of work, follow-up to World Conferences, and financial issues. The first meeting of chairpersons took place in 1984. Since 1995, the chairpersons of human rights Treaty Bodies meet annually per GA resolution 49/178.

### Elaboration of general comments

- (a) A general comment could be adopted by one Treaty Body or more, jointly.
- (b) The decision to draft a general comment would be made in plenary.
- (c) A note describing the consultation process for general comments would be shared with State parties and made publicly available for other stakeholders (national human rights institutions, civil society, academia, international organizations).
- (d) Each time a Treaty Body initiated the drafting of a general comment, a working group composed of Treaty Body members or a rapporteur would be appointed and entrusted with the process of drafting the comment.
- (e) Advance versions of draft general comments would be shared with other Treaty Bodies and with relevant special procedures mandate-holders for input, comment or feedback, with a view to strengthening the coherence of treaty law interpretation.
- (f) Advance versions of draft general comments would be posted on the OHCHR website to make them accessible to State parties and a broad range of stakeholders.
- (g) Input, comment or feedback received from State parties, special procedures, national human rights institutions, civil society organizations and other stakeholders would be given due consideration by the Treaty Body, as appropriate.
- (h) The Treaty Body would lead the consultation process and decide on the content and adoption of the general comment.

Implementation of human rights instruments, Note by the Secretary-General, A/70/302, 2015, available at: <https://goo.gl/88t2Dd>

**TABLE 3 THE HUMAN RIGHTS TREATY BODY SYSTEM**

Treaty Body	Founding treaty (or instrument)	Optional protocol(s) to founding treaty	Functions of the Treaty Body	Number of experts
<b>Human Rights Committee (HRCtee)</b>	International Covenant on Civil and Political Rights (ICCPR, 1966)	<ul style="list-style-type: none"> <li>• Optional Protocol to the ICCPR (1966)</li> <li>• Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty (1989)</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring the implementation of the treaty by reviewing the State parties' reports (Art. 40)</li> <li>• Considering individual complaints (OP)</li> <li>• Handling inter-State complaints (Art. 41)</li> </ul>	18
<b>Committee on Economic, Social and Cultural Rights (CESCR)</b>	International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966) ECOSOC Resolution 1985/17	Optional Protocol to the ICESCR (2008)	<ul style="list-style-type: none"> <li>• Monitoring the implementation of the treaty by reviewing the State parties' reports (Art. 16)</li> <li>• Considering individual complaints (OP)</li> <li>• Conducting inquiries (OP)</li> <li>• Handling inter-State complaints (OP)</li> </ul>	18



Treaty Body	Founding treaty (or instrument)	Optional protocol(s) to founding treaty	Functions of the Treaty Body	Number of experts
<b>Committee on the Elimination of Racial Discrimination (CERD)</b>	International Convention on the Elimination of All Forms of Racial Discrimination (ICERD, 1965)	None	<ul style="list-style-type: none"> <li>Monitoring implementation of the treaty by reviewing the State parties' reports (Art. 9)</li> <li>Considering individual complaints (Art. 14)</li> <li>Handling inter-State complaints (Art. 11)</li> <li>Early warning and urgent action procedure (Art. 9, para. 1)</li> </ul>	18
<b>Committee on the Elimination of Discrimination against Women (CEDAW)</b>	Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979)	Optional Protocol to the CEDAW (1979)	<ul style="list-style-type: none"> <li>Monitoring implementation of the treaty by reviewing the State parties' reports (Art. 18)</li> <li>Considering individual complaints (OP)</li> <li>Conducting inquiries (OP)</li> </ul>	23
<b>Committee against Torture (CAT)</b>	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT, 1984)	Optional protocol to the CAT (2002) to prevent torture (see below the Sub-committee on Torture Prevention)	<ul style="list-style-type: none"> <li>Monitoring implementation of the treaty by reviewing the State parties' reports (Art. 19)</li> <li>Considering individual complaints (Art. 22)</li> <li>Conducting inquiries (Art. 20)</li> <li>Handling inter-State complaints (Art. 21)</li> </ul>	10
<b>Committee on the Rights of the Child (CRC)</b>	Convention on the Rights of the Child (CRC, 1989)	<ul style="list-style-type: none"> <li>Optional protocol to the CRC on the involvement of children in armed conflict (2000)</li> <li>Optional protocol to the CRC on the sale of children, child prostitution and child pornography (2000)</li> <li>Optional protocol to the CRC on a communications procedure (2012)</li> </ul>	<ul style="list-style-type: none"> <li>Monitoring implementation of the treaty by reviewing the State parties' reports (Art. 44)</li> <li>Monitoring implementation of the Optional Protocols on the Sale of Children (Art. 12) and on Children and Armed Conflict (Art. 8)</li> <li>Consideration of individual complaints (OP)</li> <li>Conducting inquiries (OP)</li> <li>Handling inter-State complaints (OP)</li> </ul>	18

Treaty Body	Founding treaty (or instrument)	Optional protocol(s) to founding treaty	Functions of the Treaty Body	Number of experts
<b>Committee on Migrant Workers (CMW)</b>	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW, 1990)	None	<ul style="list-style-type: none"> <li>Monitoring the implementation of the treaty by reviewing the State parties' reports (Art. 73)</li> <li>Considering individual complaints (Art. 77). <i>Not yet operative</i></li> <li>Handling inter-State complaints (Art. 76)</li> </ul>	14
<b>Committee on the Rights of Persons with Disabilities (CRPD)</b>	International Convention on the Rights of Persons with Disabilities (CRPD, 2006)	Optional Protocol to the CRPD (CRPD-OP, 2008)	<ul style="list-style-type: none"> <li>Monitoring implementation of the treaty by reviewing the State parties' reports (Art. 35)</li> <li>Considering individual complaints (OP)</li> <li>Conducting inquiries (OP)</li> </ul>	18
<b>Committee on Enforced Disappearances (CED)</b>	International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED, 2006)	None	<ul style="list-style-type: none"> <li>Monitoring implementation of the treaty by reviewing the State parties' reports (Art. 29)</li> <li>Urgent actions (Art. 30)</li> <li>Considering individual complaints (Art. 31)</li> <li>Conducting inquiries (Art. 33)</li> <li>GA procedure (Art. 34)</li> </ul>	10
<b>The Subcommittee on Prevention of Torture (SPT)</b>	Optional Protocol of the Convention against Torture (OPCAT, 2002)	None	<ul style="list-style-type: none"> <li>Conducting visits to places of deprivation of liberty (Art. 2)</li> </ul>	25



## **National Mechanisms for Reporting and Follow-up**

## 2. National Mechanisms for Reporting and Follow-up

This Chapter provides an overview of the governmental structures States have put in place to engage with the United Nations human rights mechanisms and to address the ever-growing, multiple and varied reporting and implementation requirements adequately. It discusses how national mechanisms for reporting and follow-up (NMRF) have proved very useful in coordinating reporting to Treaty Bodies by many State parties. Based on the experience of these State parties, the section describes NMRF's main functions, types and capacities, in respect of engagement, coordination, consultation and information management. It explains the benefits of NMRFs and provides some concrete, country-specific examples of these mechanisms.

### 2.1. Introduction

The developments in the UN human rights system, including the ongoing increase in ratifications, with the consequent rise in the numbers of both State reports and individual complaints, as well as the growing number of Human Rights Council Special Procedure mandates and related country invitations, is a positive development for human rights protection but it also has led to **increasingly competing requirements for States**. Basically States have to implement their treaty obligations, they need to cooperate with and periodically report to the UN human rights mechanisms (and also, when applicable, regional mechanisms) on related implementation, and track and follow-up on the many recommendations made by these mechanisms designed to facilitate such implementation. To address these requirements a rapidly increasing number of States have adopted a comprehensive, efficient approach to reporting and follow-up, by setting up a **national mechanism for reporting and follow-up**, referred to by the abbreviation “**NMRF**”.<sup>22</sup>

Although such national mechanisms are not entirely new, **both States and the United Nations** have in recent years put **more focus on establishing and reinforcing such mechanisms**, especially following the High Commissioner's 2012 report on strengthening the United Nations human rights Treaty Body system (A/66/860), in which their establishment was recommended. Moreover, the **General Assembly**, in its **Resolution 68/268** on strengthening and enhancing the effective functioning of the human rights Treaty Body system, recognizes that some State parties consider that they would benefit from improved coordination of reporting at national level. Treaty Bodies regularly emphasize that regular and timely reporting by State parties is crucial and routinely highlight the lack of coordination and collaboration among government agencies in data collection and their inadequate technical capabilities for data collection, analysis and reporting.<sup>23</sup> They also recommend that State parties ensure that an efficient division of responsibilities and reporting is guaranteed through the establishment of effective coordination and reporting mechanisms.<sup>24</sup> States have also repeatedly committed themselves to establishing such mechanisms in the context of the Human Rights Council's UPR.

In June 2016 OHCHR launched a **Practical Guide** and accompanying **Study on State Engagement with International Human Rights Mechanisms**, seeking to identify key ingredients for a well-

<sup>22</sup> It was also previously called standing national reporting and coordination mechanisms or Inter-ministerial Committees/Mechanisms on Human Rights.

<sup>23</sup> See, for instance, CRC/C/HUN/CO/2, para. 68, CRC/C/15/Add.246, para. 75, and CRC/C/BGD/CO/4, para. 24.

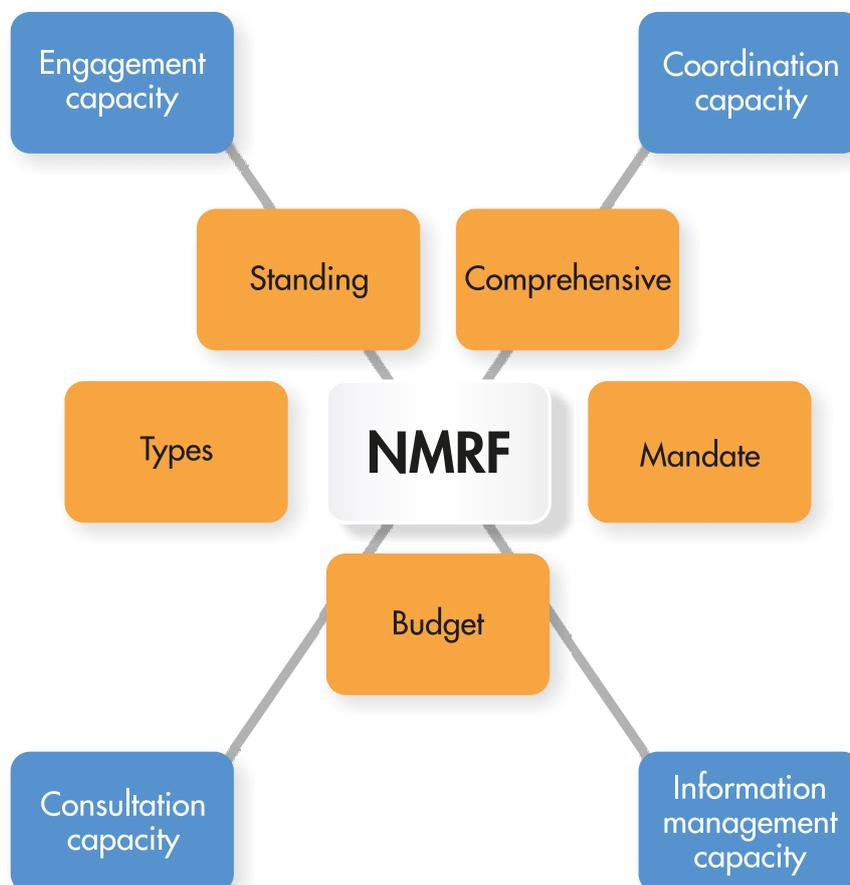
<sup>24</sup> See, for instance, CEDAW/C/DEN/CO/7, para. 15.

functioning and efficient NMRF, drawing on different State practices, while at the same time not proposing a one-size-fits-all solution. The research underlying these documents is based on input received from 23 Member States, with a closer focus on eight case studies (Mauritius, Morocco, Senegal, Cambodia, Republic of Korea, Bahamas, Mexico and Portugal).<sup>25</sup>

## 2.2. Definition and benefits

A national mechanism for reporting and follow-up is a governmental structure that is mandated to **coordinate with, prepare reports to, and engage with** international and regional human rights mechanisms (including Treaty Bodies, the UPR and Special Procedures), and to **coordinate and track national follow-up and implementation** of treaty obligations and the recommendations emanating from these mechanisms. An NMRF performs these functions in **coordination** with Ministries, specialized State bodies (such as the National Statistics Office), SDG implementation focal point (agency/Ministry), parliament and the judiciary, as well as in **consultation** with the national human rights institution(s), civil society including the most marginalized groups.

National mechanisms have the potential to become one of the key components of the national human rights protection system, bringing international and regional human rights norms and practices directly to national level. They build national ownership, empower line ministries, enhance human rights expertise in a sustainable manner, stimulate national dialogue, facilitate communication within the Government, and allow for structured and formalized contacts with parliament, the judiciary, national human rights institutions and civil society. Through such institutionalized contacts, the voices of victims and their representatives will also increasingly be heard.



<sup>25</sup> See: Practical Guide and accompanying Study on “Effective State Engagement with International Human Rights Mechanisms – National Mechanisms for Reporting and Follow-up”.

## 2.3. Types and key capacities

### Types

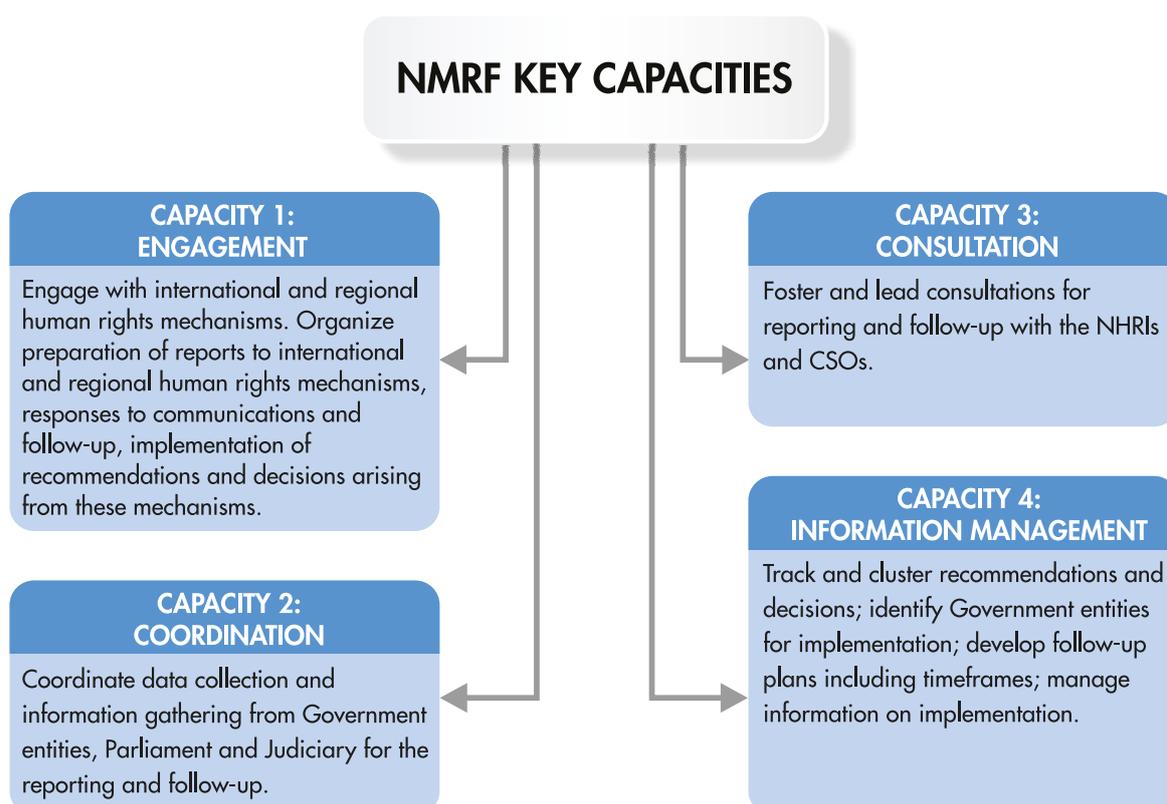
NMRFs can be established in different ways. Depending on their location and degree of institutionalization and status, OHCHR has identified four main types: *ad hoc*; ministerial; inter-ministerial; and institutionally separate. The last three are referred to as *standing* mechanisms. Inter-ministerial structures supported by an Executive Secretariat in one Ministry are the most common.

While not proposing a one-size-fits-all solution, key ingredients for well-functioning and efficient NMRFs, drawing on different State practices, include the following:

First, it is recommended that authorities consider investing in the establishment or strengthening of a **standing mechanism**, that is to say their structure should be maintained beyond the completion of a single report, be it ministerial, inter-ministerial or institutionally separate. Second, an effective NMRF may benefit from a **comprehensive legislative mandate**, as executive decrees or policies are more susceptible to amendment, as well as a common intra-governmental understanding of its role and political ownership at the highest level. The mandate should be comprehensive, allowing the NMRF to engage broadly with all international and regional human rights mechanisms on all human rights, and to follow-up on recommendations and individual communications emanating from all such mechanisms. Third, the NMRF should have **dedicated, appropriately equipped and permanent staff**, building sustainable expertise, knowledge and professionalism at country level. Early planning aids optimal **budget** allocation (e.g., when allocating resources from different Ministries for a delegation to travel to Geneva for a Treaty Body dialogue or UPR before the Human Rights Council).

### Key capacities

In addition, an effective national mechanism should have the following **four key capacities**:



**The engagement capacity** of a national mechanism is its capacity to:

- engage and liaise with international and regional human rights bodies (in the context of reporting, interactive dialogue, or facilitation of visits by special procedure mandate-holders or the Subcommittee on Prevention of Torture); *and*
- organize and centrally facilitate the preparation of reports to international and regional human rights mechanisms, and of responses to communications, follow-up questions and recommendations or decisions received from such mechanisms.

This requires, dedicated capacity and knowledge, for example through the establishment of a permanent Executive Secretariat with trained staff knowledgeable of each international human rights mechanism, but also through the development of standardized internal reporting guidelines, procedures or checklists for organizing Special Procedures visits.

**The coordination capacity** of a national mechanism is its ability and authority to disseminate information, and to organize and coordinate information-gathering and data collection from government entities, but also from other State actors such as the National Statistics Office, Sustainable Development Goals implementation focal point or lead “agency”, parliament and the judiciary, for reporting and follow-up to recommendations. This requires for example a solid mandate, terms of reference, or annual work plans involving all relevant Ministries.

**The consultation capacity** of a national mechanism for reporting and follow-up is its ability to foster and lead consultations with the country’s NHRI(s) and civil society including the most marginalized groups. This could take the form of a dedicated focal point for liaising with other stakeholders, regular meetings with different stakeholders, the establishment of an e-mail mailing list for information sharing, and so forth.

An **NMRF** is a **government structure** and thereby differs from a national human rights institution (NHRI), which is **independent** and has a mandate to promote and protect human rights at national level and to submit recommendations to the Government.

**The information management capacity** of a national mechanism for reporting and follow-up is its ability to:

- track the issue of recommendations and decisions by the international and regional human rights mechanisms;
- systematically capture and thematically cluster (including against Sustainable Development Goals) these recommendations and decisions in a user-friendly spreadsheet or database;
- identify responsible government ministries or agencies for their implementation;
- develop human rights recommendations implementation plans, including timelines, with relevant ministries to facilitate such implementation, which can feed into National Human Rights Action Plans or Sustainable Development Goals implementation plans; *and*
- manage information on implementation of treaty provisions and recommendations, including with a view to preparing the next periodic report.

The need for clustering and managing information around implementation of all recommendations has indeed become increasingly evident for countries confronted with several hundreds or even thousands of recommendations.

**Databases and online platforms** which cluster and keep track of recommendations and which are systematically and periodically updated with implementation information are important tools for enabling national mechanisms to improve and streamline national implementation. When publicly accessible, such tools will also greatly improve public accountability and transparency. The OHCHR **Universal Human Rights Index** (<http://uhri.ohchr.org/>) and its **jurisprudence database** (<http://juris.ohchr.org/>) assist in communicating recommendations and decisions to the range of national authorities responsible for taking action.

The four capacities are a conceptual framework for guiding national discussions on how Governments can better institutionalize their engagement with international human rights mechanisms in the context of each of the capacities. Maybe a country, when reviewing how it currently performs in terms of the four capacities, concludes that it is doing rather well on three but would like to improve working methods on the fourth? Or maybe a little more work is needed in each area?

The further development of the four capacities and institutionalization of a national mechanism for reporting and follow-up are intrinsically related to increasing the efficiency with which a State party reports to the Treaty Bodies and engages with all human rights mechanisms.

## 2.4. Linkages between human rights reporting and reporting on implementation of Sustainable Development Goals

**Principles that guide the Sustainable Development Goals follow-up and review process** (paragraph 74, especially d, e, f, g of the Agenda 2030):

74. Follow-up and review processes at all levels will be guided by the following principles:

...

- d. They will be open, inclusive, participatory and transparent for all people and will support the reporting by all relevant stakeholders.
- e. They will be people-centred, gender-sensitive, respect human rights and have a particular focus on the poorest, most vulnerable and those furthest behind.
- f. They will build on existing platforms and processes, where these exist, avoid duplication and respond to national circumstances, capacities, needs and priorities. They will evolve over time, taking into account emerging issues and the development of new methodologies, and will minimize the reporting burden on national administrations.
- g. They will be rigorous and based on evidence, informed by country-led evaluations and data which is high-quality, accessible, timely, reliable and disaggregated by income, sex, age, race, ethnicity, migration status, disability and geographic location and other characteristics relevant in national contexts.

...

<https://sustainabledevelopment.un.org/post2015/transformingourworld>

The 2030 Agenda sets out a clear imperative that the Sustainable Development Goals (SDGs) must aim to “realize the human rights of all” , and reaffirms that the development agenda is “grounded in the United Nations Charter, the Universal Declaration of Human Rights, international human rights treaties and other instruments, including the Declaration on the Right to Development”. Member States committed to ensure that development is implemented “in a manner that is consistent with the... obligations of states under international law”, which includes ensuring consistency with their existing obligations under human rights law. Additionally, all Member States committed to “engage in systematic follow up and review of implementation” of the Agenda, including through establishing a “robust, voluntary, effective, participatory, transparent and integrated follow-up and review framework” at national, regional and global levels. The Agenda encourages Member States to “conduct regular and inclusive reviews of progress at the national and sub-national levels, which are country-led and country-driven”. It suggests that this can be built as far as possible on existing national and local mechanisms and processes, but should ensure broad multi-stakeholder participation, and be based on a review of high-quality data that is accessible, timely, reliable and disaggregated.

Meeting this imperative will mean that SDG implementation should be consistent with human rights, and that SDG follow-up and review builds on existing mechanisms, including in the area of human rights. Seven of the nine core human rights treaties have been ratified by more than 160 States with an obligation to report every four to five years to the Treaty Bodies, which in turn make recommendations. In addition, within the human rights architecture, the Universal Periodic Review and the Special Procedures generate recommendations. The data generated in engaging with all three United Nations human rights mechanisms could contribute important evidence into the SDG implementation and follow-up processes. And the recommendations made by the human rights mechanisms can give substance to the analysis of national progress under each SDG target, including with respect to ensuring that no one is being left behind.

Additionally, many States are adopting national strategies and national review mechanisms or processes for implementation and follow-up of the SDGs including how to consult with other stakeholders in these processes. At the same time, many States have already established some form of national mechanisms for reporting and follow-up (NMRFs) on human rights treaties. It will be important to build synergies and linkages between these different follow-up and reporting mechanisms, procedures and processes for SDGs and human rights including to improve coherence, minimize the reporting burden on national administrations and to ensure meaningful participation by rights-holders.





## **The Benefits of Treaty Body Reporting**

# 3. The Benefits of Treaty Body Reporting

**This Chapter explains how the State parties can benefit from reporting to the Treaty Bodies. It discusses how reporting can help State parties evaluate compliance with international human rights treaties, through self-assessment, promotion of national dialogue and acquisition of access to international expert advice and experience from other countries.**

Reporting to the Treaty Bodies is not a one-off event or simply an administrative duty that has to be done merely to fulfil an international obligation under the treaty. It is rather a fundamental part of the whole human rights treaty implementation process and of the **engagement** of a State with the Treaty Bodies.

Keeping in mind that the ultimate goal of reporting is to improve the situation of right-holders at national level, State parties can greatly benefit from it as the whole reporting process, from preparing the national report to the constructive dialogue with the Treaty Bodies and follow-up of recommendations, enables them to conduct a self-assessment of their compliance with their human rights treaties obligations, promotes national dialogue, and allows States to benefit from international expert advice and experience from other countries.

## 3.1. Self-assessment of compliance with a treaty

The national process of preparing a treaty report allows States to take stock of and critically assess their own human rights situation, thus offering State parties an occasion for:

- **conducting a comprehensive review** of the measures it has taken to harmonize national laws, policies, programmes and practices with the provisions of a relevant international human rights treaty;
- **monitoring progress** made in promoting the enjoyment of the rights set forth in the treaties in the context of the promotion of human rights norms in general, including through human rights-based **data collection** and **analysis**;
- **identifying problems** and **gaps** as well as **achievements** in implementation;
- **planning, drafting and adopting** appropriate laws, policies and programmes to increase compliance with the treaties.

The State party report is the main document in the reporting process and it should provide **focused information and analysis** of the status of implementation of human rights under the respective treaty, including shortcomings and challenges in that regard.

### 3.2. Stimulation of national dialogue and “buy-in”

Reporting to the Treaty Bodies also offers a unique opportunity to State parties for better **coordination within the Government** as well as for consultation, dialogue and **partnerships with NHRIs and civil society** in order to conduct an assessment of legislation, policies and practices. Any such dialogue should be conducted in a constructive spirit of cooperation and mutual respect, with the aim of advancing the enjoyment by all concerned of the rights protected by the relevant treaty.

A participatory and consultative reporting process raises public awareness of the human rights enshrined in the treaty; informs the public of the measures the State party has undertaken to comply with the treaty; calls for partnerships to enhance treaty implementation; and solicits buy-in, ideas, suggestions and expert advice from all relevant stakeholders (including within Government) to better implement the treaty. Most of all, through participation in the national reporting process, relevant Ministries and institutions, along with independent stakeholders, take ownership of the treaty reporting process which will lead them to engage actively and constructively in implementation of the treaty’s provisions and with the Treaty Bodies’ concluding observations.

### 3.3. International expert advice and experience from other countries

At international level, reporting to the Treaty Bodies represents the basis of constructive dialogue between the State parties and the Treaty Bodies. The exchange of views held between the Treaty Bodies and State parties during the dialogue allows the former to play a supportive role in fostering and enabling effective national implementation of international human rights obligations. This interaction **improves understanding of the obligations stemming from the respective treaty** and also **provides State parties with an opportunity for finding solutions** to human rights treaty implementation challenges. In this context the Treaty Body is an adviser which renders its expertise, experience and technical advice to the State party through the constructive dialogue and recommendations provided in the concluding observations.

Additionally, through the publication of national reports and related recommendations from the Treaty Bodies, State parties can also profit from the experience and lessons learned in respect of human rights treaty implementation in other countries.







## **The Reporting Procedure**

## 4. The Reporting Procedure

This Chapter covers the whole reporting procedure. It explains in detail each stage of the procedure, starting with the preparation of the report up to the follow-up of recommendations and implementation by a State party. It clarifies the difference between two existing reporting procedures: Standard Treaty Reporting Procedure and Simplified Reporting Procedure (SRP) and provides guidance on the use of SRP. It also discusses the content and format of different types of State party reports: initial and periodic reports; common core document (CCD) and responses to the List of Issues (LOI); and List of Issues Prior to Reporting (LOIPR).

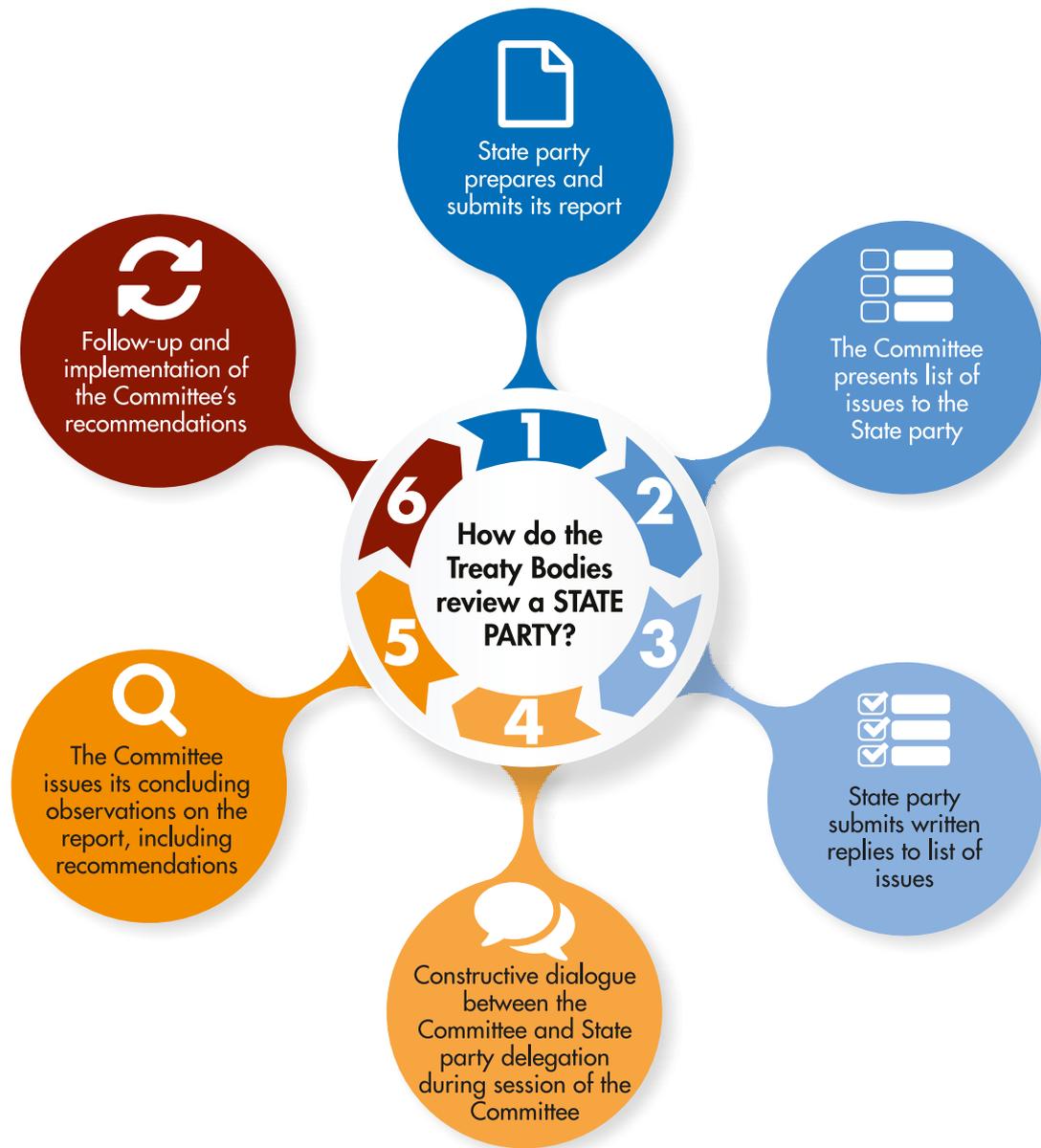
The reporting procedure is also known as the **reporting cycle**. It begins with preparation of the State party's report, followed by its consideration by a Treaty Body; and ends with the State party's follow-up and implementation of the recommendations issued by a Treaty Body. Each time a cycle ends and a new one starts, the concerned State is required to report back regularly on measures taken to implement the recommendations and on new measures aimed at realizing the rights set forth in the treaty. So the review of a State party forms a continuum and each cycle builds on the preceding one.

There are two reporting procedures available to State parties for submitting their reports, namely the **Standard** Treaty Reporting Procedure and the **Simplified** Reporting Procedure (SRP). Unlike the Standard Reporting Procedure, the SRP is optional. States can seek to avail themselves of the procedure, and may or may not be granted the opportunity by the Treaty Body, or indeed accept a Treaty Body's offer to them. The other main difference relates to the manner of reporting, which under the SRP entails responding to specific questions sent in advance to the State party by a Treaty Body. Therefore, the configuration of the **reporting cycle** under the SRP differs from that of the standard reporting procedure as shown in figure 1 and 2. The Simplified Reporting Procedure is extensively covered in Section 4.3 of this chapter. State parties can also simply continue submitting their reports under the **standard reporting procedure**. Under this procedure the reporting cycle consists of six stages, as represented in the figure below.

Under the **Simplified Reporting Procedure (SRP)**, the State party does not prepare and submit a report as the first step. Instead, the State responds to a List of Issues Prior to Reporting (LOIPR) that contains specific questions on treaty implementation. The responses of the State party to the List of Issues Prior to Reporting constitute the report of the State party. Under this procedure a Treaty Body will not send a List of Issues to a State party after the submission of its report. Therefore a State party will not be required to submit further written information prior to the constructive dialogue.

The SRP thus eliminates one step from the standard reporting cycle.

**FIGURE 1. STANDARD REPORTING PROCEDURE**



**FIGURE 2. SIMPLIFIED REPORTING PROCEDURE**

Besides State parties, other stakeholders such as national human rights institutions (NHRIs), civil society organizations (CSOs) and the UN system (agencies such as UNICEF or UNWomen, ILO, UNHCR, WHO; UN country teams; etc.) have an opportunity to engage in the reporting procedure at different stages. Their participation in the reporting process is further developed in Chapters 5 and 6 of the Training Guide.

#### 4.1. The Report of the State party

As the reporting cycle graphics show, the report of the State party constitutes the main element within the continuous review of a State party's progress in implementing the rights enshrined in the specific treaty. Before discussing in detail each of the stages of the reporting cycle, the following basic elements around the preparation of a State party report need clarification, namely the reporting periodicity, and the content and format of a report.

##### 4.1.1. Reporting Periodicity

Most of the international human rights treaties establish a framework for regular reporting by State parties, known as "reporting periodicity", which covers **initial** and **periodic** reports.<sup>26</sup> The timetable

<sup>26</sup> As noted in chapter 1, with the exception of the Subcommittee on the Prevention of Torture, all other Treaty Bodies have a reporting mandate.

for the submission of these reports is either explicitly set out in the provisions of the treaty or as indicated in the ICESCR and ICCPR at the discretion of the Treaty Body.

While **initial** reports are required to be submitted **within one or two years** of the entry into force of the relevant treaty for the specific State party, the timeframe for submitting **periodic reports varies from two to six years depending on the treaty**.

In the case of the ICCPED, the Committee may request State parties to provide additional information on its implementation, even though the Convention does not provide for a regular reporting framework in its provisions (article 29 (4)). The practice of the Committee has been to request the submission of such complementary information no later than three or six years after the consideration of a State party report, depending on the situation of the State party with respect to the issues covered by the Convention.

**TABLE 4 REPORTING PERIODICITY UNDER THE TREATIES**

Treaty	Initial reports (within)	Periodicity of reports
ICERD	1 year	2 years but <i>de facto</i> periodicity 4* years
ICESCR	2 years	5 years**
ICCPR	1 year	3 - 6 years***
CEDAW	1 year	4 years
CAT	1 year	4 years
CRC	2 years	5 years
CRC-OPAC	1 year	Integrated into next CRC report every 5 years; or 5 years for States not party to CRC
CRC-OPSC	2 years	Integrated into next CRC report every 5 years; or 5 years for States not party to CRC
ICRMW	1 year	5 years
CRPD	2 years	4 years
ICPPED	2 years****	-

\**De facto* periodicity since 1988, see A/43/18 (Supplement No. 18), paragraph 24 (c). CERD allows merging two reports into one.

\*\*Article 17 of the ICESCR states that ECOSOC shall establish the reporting periodicity under the Covenant, and so it did in its resolution 1988/4. See Rule 58 of CESCR's Rules of Procedure.

\*\*\*The average periodicity is four years. However, in line with article 40 of ICCPR the Human Rights Committee exercises its discretion to decide when periodic reports should be submitted and it does so depending on a State party's level of compliance with the provision of the Covenant (see Rules 66 and 70 (1) of the Human Rights Committee Rules of Procedure). The number of years chosen by the Committee for periodic reports is decided by the Committee on the adoption of concluding observations of each State and is based on the Committee's view of the human rights situation in the State party concerned.

\*\*\*\*CED does not refer to initial and periodic reports.

Despite the set reporting periodicity, **late or non-submission of a report by a State party**<sup>27</sup>, given the time lag between submission and consideration of a report, can result in a State party's next periodic report becoming due in the same year in which a Committee is considering that State's current report, or even earlier, with a consequent accumulation of overdue reports. To overcome this situation as well as to encourage reporting by State parties and to assist them in clearing their reporting backlog, Treaty Bodies allow the combination and submission of overdue reports in a single document. For example, the second and third overdue periodic reports may be combined with the due fourth periodic report into a single report. However, State parties are enabled to submit combined reports only if a Treaty Body has previously agreed to it. The combined report should focus on the current situation in the country while giving an update of developments over the period of the submission of the last report (to explain the current context as necessary) while being mindful of word limits. This also applies to very overdue initial reports capturing developments since the time the initial report was due as necessary to explain the current situation.

In this context and with the aim of ensuring compliance by all State parties, on an equal footing, with their reporting obligations, the CMW adopted a reporting calendar on the basis of the reporting periodicity established in the Convention, whereby implementation of the Convention by all State parties would be considered within a five-year cycle starting in 2014.<sup>28</sup>

State parties can easily identify the due date of their next periodic report in the Concluding Observations adopted by the relevant Treaty Body, or consult OHCHR's webpage (see link below).

→ **If you want to learn about the status of ratification and reporting of your country, click [here](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx) or visit the OHCHR website at the link: [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Countries.aspx](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx)**

#### 4.1.2. Content of reports

In 2006 the Treaty Bodies adopted harmonized reporting guidelines on the content of State parties' reports, the aim being to strengthen State parties' capacity to fulfil their reporting obligations in a timely and efficient manner, including avoidance of unnecessary duplication of information. This harmonized approach also facilitates consistency by all committees in considering reports; helps each committee consider the human rights situation in every State party on an equal basis; and reduces the need for a committee to request supplementary information before considering a report.<sup>29</sup> This approach was later supported and further encouraged by General Assembly Resolution 68/268 on strengthening and enhancing the effective functioning of the human rights Treaty Body system, adopted in April 2014 (A/RES/68/268).

<sup>27</sup> See also Compliance by States parties with international human rights Treaty Body reporting obligations, Note by the Secretariat, 1 March 2017, HRI/MS/2017/2.

<sup>28</sup> To ensure compliance with the reporting calendar, the Committee later amended its provisional rules of procedure to provide for the consideration of States parties in absence of a report (Rule 31 *bis*, available at: <https://goo.gl/CjesWJ>).

<sup>29</sup> The [Harmonized Guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents](https://goo.gl/F0Lmhi) (HRI/MC/2006/3) are available at: <https://goo.gl/F0Lmhi>

In line with the foregoing, the report of a State party to any Treaty Body, irrespective of the reporting procedure under which such a report is submitted (Standard or Simplified) comprises two distinct but complementary documents, namely:

The **Common Core Document (CCD)** + the **Treaty-Specific Report** (initial or periodic)

The CCD and treaty-specific reports should elaborate on the *de jure* and *de facto* situation regarding implementation of the provisions of the treaties to which States are party. Reports should not be confined to lists of descriptions of legal instruments adopted in the country concerned in recent years, but should indicate how those legal instruments are reflected in the actual political, economic, social and cultural realities and general conditions of the country. They should provide evidence-based analysis supported by relevant statistical indicators and data, disaggregated by sex, age and population groups that may be more vulnerable, marginalized or at risk of discrimination. While statistics tables can usefully be **annexed** to the report, related analysis should be integrated into the main text. Such information should allow comparison over time and should indicate data sources. States should endeavour to analyse this information insofar as it is relevant to implementation of treaty obligations.

The **Common Core Document (CCD)** provides information of a general factual nature relating to the implementation of all treaties to which the reporting State is a party and which may be of relevance to all or several Treaty Bodies.<sup>30</sup> It constitutes the common initial part of all State reports to the Treaty Bodies. Its aim is to avoid unnecessary duplication of information among the various reporting obligations of State parties. It should contain general information on the reporting State, for example on land, population and political structure; on the general framework for the protection and promotion of human rights; and on non-discrimination and equality issues, including effective remedies. The information submitted should take into consideration the list of indicators on the political system as well as on crime and administration of justice as provided in Annex 3 of the afore-mentioned Harmonized Guidelines on reporting under the international human rights treaties. The suggested structure for a Common Core Document is outlined below.

<sup>30</sup> Since the adoption of the revised guidelines on the common core document in 2006, 92 State parties had submitted a common core document. See Note by the Secretary-General, Implementation of human rights instruments, A/71/270, 2 August 2016, page 9.

## Structure of the Common Core Document

### I. General information on the reporting State

1. Demographic, economic, social and cultural characteristics of the State
2. Constitutional, political and legal structure of the State

### II. General framework for the protection and promotion of human rights

3. Acceptance of international human rights norms
4. Legal framework for the protection of human rights at national level
5. Framework within which human rights are promoted at national level
  - National and regional parliaments and assemblies
  - National human rights institutions
  - Dissemination of human rights instruments
  - Raising human rights awareness among public officials and other professionals
  - Promotion of human rights awareness through educational programmes and Government-sponsored public information
  - Role of civil society, including non-governmental organizations
  - Budget allocations and trends
  - Development cooperation and assistance
6. Reporting process at national level
  - Follow-up to concluding observations of human rights treaties
7. Other related human rights information
  - Follow-up to international conferences

### III. Information on non-discrimination and equality and effective remedies

State parties should submit the CCD only once, and they should update it regularly, usually every five years, or whenever major changes in the country take place. A Treaty Body may also request that the CCD be updated if it considers that the information it contains is out of date. Updates may be submitted in the form of an addendum to the existing CCD if only a few changes need to be incorporated, or a newly revised version if many changes have been made.<sup>31</sup> State parties can submit the CCD at the same time as or independently of a treaty-specific report. It always remains a separate document but is transmitted to all relevant Treaty Bodies for upcoming reviews. Practical details as to how reports should be submitted can be found in Section 4.2.1 (vii).

→ For examples of Common Core Documents, click [here](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/CoreDocuments.aspx) or consult OHCHR website at [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/CoreDocuments.aspx](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/CoreDocuments.aspx)

**Treaty-specific reports**, submitted under the Standard Reporting Procedure, should include the information requested by the relevant Treaty Body in its most current reporting guidelines for State parties (see below the excerpt from the reporting guidelines of the Committee on Economic, Social and Cultural Rights). The reporting guidelines are available on the website of each committee at the following: <http://www.ohchr.org/EN/HRBodies/Pages/TreatyBodies.aspx>.

**Initial treaty-specific reports** should focus on providing information relating to implementation of each of the rights (i.e., all substantive provisions) covered by the treaty concerned, including information on the State's constitutional and legal framework that is not provided in the common core document, as well as the legal and practical measures adopted to implement the treaty. It should contain an explanation, for example, of how a particular right is protected by national legislation, of which policies are in place to implement it, and of the types of mechanisms in place to monitor implementation of the right.

**Periodic treaty-specific reports** should in particular include recent developments affecting full realization of the rights recognized in the treaty, as well as information on measures taken and progress achieved to follow-up and implement the recommendations issued by the specific Treaty Body during the last consideration of the State party.

Periodic treaty-specific reports submitted under the Simplified Reporting Procedure should correspond to the List of Issues Prior to Reporting sent beforehand to State parties (see Section 4.3 on the SRP).

It is possible to include annexes in support of information contained in treaty-specific reports. States may wish to submit separately, as annexes and in a working language of the relevant committee, copies of the principal legislative, judicial, administrative and other documents such as statistics and texts referred to in the reports. As such they should not contain new or key information as this type of information should be included in the treaty-specific report. Annexes should be referenced in the report (e.g., Table 2 in Annex 1).

State parties should bear in mind that in principal annexes do not count against the word limit but are also not translated. Attention needs to be paid to finding the right balance between relevance and the length and number of annexes. For example, instead of including a 200-page piece of legislation (for example the entire Criminal Code), the annex may only contain the relevant provision from the legislation (for example an excerpt from the law relating to the prohibition of torture).

In 2017 CEDAW decided to inform State parties to the Convention that annexes to State party documentation submitted to the Committee should not exceed **8,000** words in the case of common core documents, **6,000** words in the case of initial reports, **4,000** words in the case of periodic reports, and **2,000** words in the case of written replies to lists of issues and questions.

**GUIDELINES ON TREATY-SPECIFIC DOCUMENTS TO BE SUBMITTED BY STATE PARTIES UNDER Articles 16 AND 17 OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS** (E/C.12/2008/2), available at: <https://goo.gl/cYjMOj>

Example of two provisions:

**Article 6**

15. Provide information on effective measures taken to reduce unemployment including on:
- (a) The impact of targeted employment programmes in place to achieve full and productive employment among persons and groups considered particularly disadvantaged, in particular women, young persons, older persons, persons with disabilities and ethnic minorities, in rural and deprived urban areas; and
  - (b) The impact of measures to facilitate re-employment of workers, especially women and long-term unemployed workers, who are made redundant as a result of privatization, downsizing and economic restructuring of public and private enterprises.
16. Provide information on work in the informal economy in the State party, including its extent and the sectors with a large percentage of informal workers, and the measures taken to enable them to move out of the informal economy, as well as on measures taken to ensure access by informal workers, in particular older workers and women, to basic services and social protection.
17. Describe the legal safeguards in place to protect workers from unfair dismissal.
18. Indicate what technical and vocational training programmes are in place in the State party and their impact on empowering the workforce, especially disadvantaged and marginalized individuals, to enter or re-enter the labour market.

**Article 13**

58. Indicate to what extent the form and substance of education in the State party are directed towards the aims and objectives identified in article 13, paragraph 1, and whether school curricula include education on economic, social and cultural rights.
59. Indicate how the obligation to provide primary education that is compulsory and available free for all is implemented in the State party, in particular:
- (a) The level or grade until which education is compulsory and free for all;
  - (b) Any direct costs such as school fees, as well as the measures taken to eliminate them; and
  - (c) Any indirect costs (e.g., expenses for school books, uniforms, transport, special fees such as exam fees, contributions to district education boards, etc.) and the measures taken to alleviate the impact of such costs on children from poorer households.

60. Indicate the measures taken to make secondary education in its different forms, including technical and vocational education, generally available and accessible to all, including:
  - (a) Concrete steps taken by the State party towards progressively achieving free secondary education; and
  - (b) The availability of technical and vocational education, and whether it enables students to acquire knowledge and skills which contribute to their personal development, self-reliance and employability.
61. Indicate the measures taken to make higher education equally accessible to all and without discrimination, on the basis of capacity, and the concrete steps taken towards progressively achieving free higher education.
62. Indicate the measures taken to promote literacy, as well as adult and continuing education, in a life-long perspective.
63. Indicate whether minority and indigenous children have adequate opportunities to receive instruction in or of their native language and the steps taken to prevent lower educational standards for these children, their segregation in special classes, and their exclusion from mainstream education.
64. Indicate the measures taken to ensure the same admission criteria for boys and girls at all levels of education, and to raise awareness among parents, teachers and decision-makers on the value of educating girls.
65. Indicate the measures taken to reduce the drop-out rates, at the primary and secondary levels, for children and young persons, in particular girls, children from ethnic minorities, indigenous communities and poorer households, as well as migrant, refugee and internally displaced children.

#### **4.1.3. Format of reports**

The information which a State party considers relevant for illustrating the implementation of a treaty should be presented in a concise and structured manner. While it is understandable that some States have more complex national frameworks than others, whether legislative or institutional, reports should not be excessively long. State parties should abide by the word limits established by General Assembly Resolution 68/268 for all State party documentation submitted to the Human Rights Treaty Body System, in accordance with which common core documents should not exceed **42,400** words, initial treaty-specific reports should not exceed **31,800** words, and treaty-specific periodic reports should be limited to **21,200** words. This applies to reports submitted under either the Standard or Simplified Reporting Procedure. **Reports exceeding the word limit are returned for redrafting.**

Reports should be comprehensible and accurate. They should contain a full explanation of all abbreviations used in the text, especially when referring to national institutions, organizations, laws and so on.

Reports must be submitted in one of the official languages of the United Nations (Arabic, Chinese, English, French, Russian or Spanish). Reports submitted by States whose official language is not one of the official languages of the United Nations may be edited by the Secretariat before being sent for translation into the official working languages of the respective Committee. The treatment of report annexes has already been covered in an earlier paragraph.

### Word limits and translations of State party reports

The cover page counts towards the word limit and, given United Nations formatting standards, typically 100 words need to be set aside for it.

Titles, footnotes and paragraph numbers, as well as text in graphics, charts and tables also form an integral part of the document and are therefore included in the word limit.

To ensure that reports are accessible, State parties should avoid including graphics, charts and tables. If reports include such graphics, charts or tables, the information contained therein should be transcribed to a position immediately following the respective graphic, chart or table. Such graphics, charts and tables should also be editable to facilitate the translation process.

In principle annexes do not count against the word limits and are not translated, although CEDAW introduced separate word limits for annexes, as mentioned above.

The pages should be formatted for A4-size paper, single spaced. Paragraphs should be numbered, and the text set out in 10 point Times New Roman type.

State parties should submit their reports in **electronic format by email to [registry@ohchr.org](mailto:registry@ohchr.org) in Word format** (not PDF format). **No hard copies** should be sent. All documents submitted should be accompanied by a *note verbale* (see an example in 4.2.1, Preparation and Submission of the Report, Section vii. Submitting the Report).

### Format of State party reports

Word limit (see GA 68/268, para. 16):

- **Common core document: 42,400 words**
- **Initial reports: 31,800 words**
- **Periodic reports: 21,200 words**

Format

- **Word format (not PDF format)**
- **Single spaced**
- **Paragraphs numbered**
- **10 point Times New Roman type**
- **Submission: In electronic form only- no hard copies – to [registry@ohchr.org](mailto:registry@ohchr.org)**

Reports which on receipt are found to exceed the word limits, are manifestly incomplete or require significant editing are returned to the State party for modification before being officially accepted by the Treaty Bodies on behalf of the United Nations Secretary-General.

## 4.2. The stages of the reporting cycle

For a State to report meaningfully to the Treaty Bodies, each stage of the reporting cycle requires that it has certain capacities. General knowledge of the different stages and working methods of the Treaty Body system forms part of the State's **engagement capacity** (and such detailed knowledge is often only required of a few specialized colleagues in Government, most often in the Ministry of Foreign Affairs, whereas general knowledge of the treaties' obligations and corresponding reporting

is to a certain degree also required of personnel at focal points in all implementing ministries and institutions). Preparing the report, the constructive dialogue with the Treaty Body and the follow-up to the concluding observations requires that the State has the capacity to **coordinate** with relevant Ministries, the national statistics office, parliament and the judiciary but also to **consult** with NHRI and civil society. All Government work is best underpinned by a **capacity to manage all information** relating to treaty reporting. Therefore State parties should take the opportunity of further developing these capacities, notwithstanding the type of mechanism for reporting and follow-up functioning in the country, with the aim of establishing or strengthening their NMRF. It is suggested that this chapter be read in conjunction with *OHCHR National Mechanisms for Reporting and Follow-up: a Practical Guide to Effective State Engagement with International Human Rights Mechanisms*, available at the OHCHR website as follows: [www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf).

#### 4.2.1. Preparation and submission of the report

State parties are encouraged to make use of the process of preparing a report as an opportunity for conducting a self-assessment of the state of human rights protection under their jurisdiction and for stimulating national dialogue (see Chapter 3, The Benefits of Reporting). In order to meaningfully fulfil their legal reporting obligation, State parties should make the process of preparing a report as efficient and effective as possible. To help achieve this objective, a table is provided below which lists seven practical steps (further detailed in this chapter), the aim of which is to suggest a methodology to facilitate the work of State parties in preparing their reports. The table also indicates how this first stage of the reporting cycle relates to the key capacities of NMRF.

Steps in preparing a State party report	Related NMRF key capacity
i. Planning and organizing	Engagement and coordination capacities
ii. Identifying key issues	Engagement and coordination capacities
iii. Gathering information and collecting data	Coordination and information management capacities
iv. Analysing data and drafting the report	Engagement and coordination and Information management capacities
v. Coordinating with and consulting relevant stakeholders	Coordination and consultation capacities
vi. Finalizing and endorsing the report	Coordination capacity
vii. Submission of the report	Engagement capacity

##### i. Planning and Organizing

State parties should keep a compilation of the instruments the country has ratified or acceded to (or plans to in the near future), including information on reporting cycles, the dates when individual reports are due, and the dates when the reports have been submitted in the past. State parties should regularly review which reports are to be prepared and develop a workplan, which can span several years, for drafting them with set deadlines and broadly assigned responsibilities. Any such inventory and workplan should include other instruments that require periodic reporting, such as UPR reporting or reporting under the ILO conventions and regional human rights instruments.

→ **If you want to learn about the status of ratification and reporting in your country, click [here](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx) or visit the OHCHR website at the link [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Countries.aspx](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx)**

Ideally the planning is undertaken by a NMRF, as the governmental entity responsible for coordinating the preparation of the report. Otherwise the lead responsibility should be clearly assigned to a Ministry. The reporting process requires the involvement and commitment of all relevant governmental officials from top leadership to working-level staff. It is particularly important to attract the **interest of and support from the political leadership** to ensure a common approach to the report and to also send a strong message to all relevant line ministries and public agencies that they must cooperate in the process of preparing the report and implementing the recommendations emanating from its review. This will help the reporting team fulfil its task effectively.

Preparation of a report is a **labour-intensive process** which requires an investment mainly in terms of human resources. An effective reporting process usually lasts **between six and a maximum of twelve months**. To maximize the available resources, States are encouraged to plan their national reporting process carefully.

It is suggested that a **workplan** specific to the preparation of each report be developed, giving **clear timelines** (for collecting data, drafting, meetings, etc.), assigning responsibilities to the different actors involved in the reporting process (e.g., focal points within ministries for information-sharing purposes); and presenting cost estimates, including for participation in the constructive dialogue. The timelines should also factor in any needed capacity-building activity for the officials directly involved in preparing the State party report. Capacity-building activities should ideally be conducted before preparation of the report begins.

It can be useful to create a small **drafting group** responsible for drafting the respective State party report under the coordination of the NMRF or a high-level official from the respective lead Ministry, composed of focal points from key ministries and other relevant governmental entities. In the composition of the drafting group due consideration should be given to gender balance. The drafting group could also include subject-matter experts. Their participation may increase the substantive quality of the report and enhance the understanding of government officials with respect to the impact of international human rights law on their respective areas of work and thereafter facilitate implementation of recommendations in their areas of work. Moreover, the mandate and authority of the drafting group to collect the data and information necessary to accomplish its task should be clearly stated, so as to ensure a smooth flow of information.

In conclusion, notwithstanding the type of reporting mechanism chosen by a State party, a clear political and administrative commitment to human rights reporting along with a common approach to the report, proper coordination, and clear timelines and assignment of tasks, are essential elements in the preparation of a State party report.

## **ii. Identifying key issues**

With the word limit established by the General Assembly on State parties' reports to the Treaty Bodies, it is essential to conduct an exercise aimed at identifying the most relevant issues relating to implementation of the treaty on which a State party should report to a Treaty Body (i.e., issues of particular importance to that State party). To be able to identify these issues as well as all relevant

sources of information needed for drafting a report to a Treaty Body, members of the drafting group should be thoroughly acquainted with the rights enshrined in the relevant **treaty** and with its **reporting guidelines**; with **general comments** from the specific Treaty Body; and, where applicable, with the **decisions on individual communications** addressed to the State party. The drafting group should also be familiar with **sources at national level** which could be useful in identifying the most important issues to be included in the report (e.g., relevant reports from government institutions and agencies as well as from monitoring mechanisms; statistics and data, *inter alia* from intergovernmental organizations on the situation in the country on a certain issue; official statements; and reports from NHRI, CSOs, media, academia, etc.).

In the case of periodic reports, the **last concluding observations** issued to the State party should in principle be the starting point for identifying the issues to be included in the report; as one reporting cycle builds on the preceding cycle, Treaty Bodies will be enquiring on progress and challenges faced by the State party in implementing earlier recommendations. However, this does not mean that the State party should not report on additional issues it has identified as relevant to implementation of the relevant treaty.

A review of concluding observations issued by the relevant Treaty Body from various preceding reporting cycles, if applicable, may be also relevant in the identification of relevant issues for inclusion in the report, as they would indicate which human rights issues have been consistently addressed by the Treaty Body. If those issues have remained a concern, relevant information updating the actions taken to address them should be included in the report.

It should be noted that in the case of reports submitted under the **Simplified Reporting Procedure**, the **List of Issues Prior to Reporting** already indicates the issues which should be further elaborated in the report; this however does not preclude the State party from reporting on any other issues it considers relevant (e.g., new developments, pressing issues, etc.). Please refer to Section 4.3 for more information on the Simplified Reporting Procedure.

Other international sources which the drafting group may find useful include concluding observations from **other Treaty Bodies**, as they may have raised concerns and addressed recommendations on the same issue but from a different angle as well as **recommendations from the UPR and Special Procedures**. This is so because concerns and recommendations on the same issues are often reaffirmed and reinforced by all human rights mechanisms.

In this context it can happen that in implementing a recommendation from one human rights mechanism, recommendations from other human rights mechanisms may also have been implemented, or a State party may have already reported on those recommendations to a human rights mechanism. Therefore the preparation of a report to a Treaty Body (or other mechanism such as to the UPR) should not remain an isolated exercise. The drafting group must have the full picture of international human rights treaties ratified by the State party as well as of the recommendations addressed to it by the United Nations human rights mechanisms. The information identified and gathered for a particular report may be useful for reporting to one or more of the Treaty Bodies or to the next UPR cycle.

**Sources to identify relevant issues to be included in the report****International sources:**

Relevant UN human rights treaty and its reporting guidelines  
 General comments of the relevant Treaty Body  
 Decisions on individual communications, where relevant  
 The last concluding observations (for periodic reports)  
 List of issues prior to reporting, where applicable  
 Reports submitted to other Treaty Bodies and to the UPR  
 Concluding observations from other Treaty Bodies and recommendations from the UPR and Special Procedures

**National sources (non-exhaustive):**

Reports from government institutions and agencies  
 Reports from monitoring mechanisms  
 Statistics and data  
 Official statements  
 Reports from NHRI, CSOs, media, academia, etc.

**If you want to find:**

- ➔ **Reporting Guidelines**, click [here](https://www.ohchr.org/EN/HRBodies/Pages/Overview.aspx)/visit the OHCHR website at the link: <https://www.ohchr.org/EN/HRBodies/Pages/Overview.aspx>
- ➔ **Recommendations from Treaty Bodies, UPR and Special Procedures**, click [here](http://uhri.ohchr.org/)/visit OHCHR Universal Human Rights Index at <http://uhri.ohchr.org/>
- ➔ **Views/decisions of the Treaty Bodies**, click [here](http://juris.ohchr.org/)/visit OHCHR's jurisprudence database at <http://juris.ohchr.org/>

**iii. Gathering information and collection of data**

It is suggested that before starting collection of information and data, the drafting group elaborates the afore-mentioned **list of relevant issues** on which the report is going to focus. Based on this list, the drafting group can conduct a **mapping** of the **information needed** to draft the report, that is, which **legislation, policies and programmes** already in place contribute to implementation of the specific treaty in the territory of the State party, particularly those issues on which the report will further elaborate. The drafting group must know who has such information and in which form. It may therefore also wish to list **all important sources of information**, including relevant governmental and administrative agencies and any organization and individual resource person outside the government who might have the information needed to prepare a specific report. Then a matching between the mapping of the information needed and the sources of information should be undertaken. Identification of the issues, along with the result of this matching exercise, will serve as

the basis for developing an **outline of the report** so that the drafting group can start gathering the information needed to draft the report.

**TIP** → *To ensure that the identified sources of information provide focused and relevant inputs, the drafting group may formulate guiding questions, clearly stipulating a word limit on the responses it expects to receive.*

The drafting group should be able to access information and data from reports prepared by ministries, governmental institutions and agencies, and intergovernmental bodies. The last-mentioned are suggested since these bodies, for example the United Nations specialized agencies, often prepare reports on a variety of issues that should be evaluated for their relevance in human rights reporting. These documents, reports, surveys and statistical tables are usually based on information and data collected directly from the governments, so they can be a very important source of information in the preparation of reports for UN human rights Treaty Bodies.

Gathering the information needed to draft a report implies handling and keeping track of an enormous amount of information for the drafting group. The creation of a **documentation and data management system** or centre is therefore suggested so as to facilitate this work.

Ideally States – the NMRF – should maintain their documentation and data management system by updating it on a regular basis with a view to facilitating an accurate, timely and comprehensive assessment of their human rights situation at all times.

Any information management system should also include tracking of the implementation of the large number of recommendations and decisions from the three main UN human rights mechanisms and regional human rights mechanisms, which can **save time and resources in the future preparation of treaty reports**. This can be done through developing and maintaining an **implementation plan in basic Word or Excel formats**, thematically clustering recommendations and decisions, identifying the agencies or departments responsible for implementation, assigning responsibilities as well as timeframes and indicators for implementation, and keeping track of implementation. Such an implementation plan can additionally be oriented to achieving the Sustainable Development Goals (of the 2030 Agenda for Sustainable Development) so as to facilitate reporting in that context to national, regional and global review mechanisms, including the High-Level Political Forum.

An implementation plan can also be established through using specific **databases or online platforms**. When publicly accessible, such tools greatly improve public accountability and transparency. OHCHR is in the process of offering a prototype of a National Recommendations Tracking Database to countries which are interested in using such a database.

A documentation and data management system or centre *may include the following types of information:*

- **the international and regional human rights instruments to which the State is a party;**
- **previous reports to international and regional human rights mechanisms;**
- **laws, policies and programmes relevant to international and regional human rights instruments;**
- **relevant reports for the State party produced by the international, regional and national organizations, including the UN and academic and research institutions;**
- **relevant reports from other stakeholders (CSOs, NHRIs);**
- **relevant statistical data and information;**
- **an implementation plan tracking implementation of recommendations from all human rights mechanisms including in the context of achieving the Sustainable Development Goals (of the 2030 Agenda for Sustainable Development).**

#### iv. Analysing data and drafting the report

Once the necessary information for a given report has been gathered, the drafting group will begin analysing the information and writing the report. First the drafters should review laws, policies and practice to examine the extent to which they address the issues which are the subject of the report in compliance with the treaty provisions. This should go beyond merely listing the legislation, policies and programmes that the State party has adopted; the report should provide information on the impact of such measures.

This means that a comprehensive review of the measures in place to implement the provisions of the relevant human rights treaty (e.g., harmonization of legislation; policies and programmes aimed for example at reducing maternal mortality or improving the conditions of detainees; availability of effective remedies for victims of human rights violations; etc.) should be undertaken with the aim of identifying achievements but also challenges and gaps in implementation. In the case of periodic reports, drafters should ensure that they analyse the measures undertaken by the State party to implement previous concluding observations. In so doing, the drafting group should look up additional data, including studies, surveys and statistics, and analyse them in such a way as to back up the legal and policy analysis with facts and figures that reflect the current situation with respect to implementation of the human rights stipulated in a treaty<sup>32</sup>. The data collected should not simply be reproduced, but be analysed with reference to the provisions of the treaty in order to identify the extent to which they are being implemented and also reveal the challenges<sup>33</sup>.

When analysing the legislation, policies and programmes with a view to assessing the level and extent of implementation of a treaty and previous concluding observations, drafters should also pay careful attention to the various gender-related impacts of such measures as well as their impact on different groups such as persons with disabilities, migrants, indigenous people and minorities, asylum seekers and refugees. It is essential that **statistics and data are disaggregated** by various categories such as sex, age, ethnicity, migration, displacement status, disability, religion, civil status, income, sexual orientation and gender identity. If the measures taken by the State party have any

<sup>32</sup> The Convention on the Rights of Persons with Disabilities Training Guide (Professional Training Series No. 19), p. 100.

<sup>33</sup> Ibid.

significantly different impact on the various groups, the report should provide information explaining the reasons for such differences and provide details on any measures taken to address them.



→ **The Treaty Bodies regularly require disaggregated statistics and data to measure implementation of the rights stipulated in the treaties. The Treaty Bodies look at the “small numbers”. For example, when 96% of girls between the ages of 6-10 years attend primary school, the Treaty Body will wish to know why 4% do not.**

Recommendations from Treaty Bodies, Special Rapporteurs and the Universal Periodic Review mechanism have referred to the guidance published by OHCHR on human rights indicators and data. This guidance helps national stakeholders develop and use relevant indicators to inform and measure implementation of recommendations and facilitate the integration of human rights norms and principles, such as participation, data disaggregation, privacy, self-identification, transparency and accountability, into data collection and analysis. Please refer to OHCHR publications: **Human Rights Indicators, A Guide to Measurement and Implementation**<sup>34</sup> and **Human Rights-Based Approach to Data**<sup>35</sup> for more information.

#### v. Coordinating with and consulting relevant stakeholders

The draft report should be circulated to the relevant government entities to ensure that it coherently reflects their position. The individual components of the report should be discussed as widely as possible among the relevant government agencies, and especially among the officials in charge of specific sectors, to ensure the completeness and correctness of the final report.

The Government can establish a standing procedure for interaction with parliament, including informing parliament on the reporting and review process, submission of draft reports for comments, and forwarding of recommendations following review of the report by a Treaty Body.

The State party should also consider ways of circulation the draft to stakeholders outside the State bodies. In many cases States hold a public consultation on the draft report and invite relevant stakeholders – including national human rights institutions, civil society organizations and other stakeholders – to give their feedback on a draft report. Although such a process entails an investment in time, it will contribute to raising awareness among the general public regarding the State’s obligations under the international human rights treaties and in the light of the human rights situation in the country. It can also contribute to making the preparation process transparent and participatory.

Information technology could be used to reach out to a wider public. Some States post their draft report on the Internet for a fixed period of time and invite all relevant stakeholders, including governmental agencies, NHRIs, civil society and the general public, to comment on the draft. Later they also post a compilation of comments made by the public and a revised draft on the webpage to demonstrate how the comments have been considered and incorporated into the final report.

34 <http://www.ohchr.org/EN/Issues/Indicators/Pages/documents.aspx>

35 <http://www.ohchr.org/Documents/Issues/HRIndicators/GuidanceNoteonApproachtoData.pdf>



### Consultations with NHRI and CSOs

- Establish a NHRI/ Civil Society contact network and mailing list
- Draw up a calendar of consultations
- Send draft reports to NHRI for comments
- Invite CSOs to participate in national consultations prior to the drafting of reports, if envisaged
- Hold subject-specific meetings with NHRI/CSOs (including in response to requests from CSOs)
- Post draft report on the Internet
- Disseminate the outcome of the Treaty Body review among the greater public through the Internet, briefings, other media, etc.
- Further information on strengthening the consultation capacity with NHRIs and CSOs can be found at [www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf).

## vi. Finalizing and endorsing the report

Following the internal coordination and consultation process with other stakeholders, the drafting group should revise the draft report based on the comments and feedback received and submit it to the Cabinet or other relevant authority (e.g., parliament) for final endorsement.

## vii. Submitting the report

Once the report is endorsed by the relevant authority in the State party, it should be submitted immediately to the Secretariat of the Treaty Body concerned. The report should be submitted in **electronic form**, and in a **Word**, not PDF, **version**. (see Section 4.1.3, Format of Reports)

The report should be sent to the Secretariat by **e-mail** with a note verbale, a sample of which is provided in the box below. The contact details of the Secretariat of each Treaty Body are provided in Table 5 below.

### **Example of a note verbale for submission of a report to a Treaty Body**

The Permanent Mission of (the State party) to the United Nations Office at Geneva presents its compliments to the Secretary-General of the United Nations, Office of the High Commissioner for Human Rights, and has the honour to transmit herewith a (initial/periodic) report to the United Nations Committee on the (name of the Committee) on the measures taken to implement the rights recognized in the United Nations Convention (name of the Convention).

The Permanent Mission of (the State party) avails itself of this opportunity to reiterate to the Secretary-General of the United Nations, Office of the High Commissioner for Human Rights, the assurances of its highest consideration.

When the Secretariat receives a report from a State party, it confirms receipt of the report by e-mail. The report is registered, assigned the UN document symbol, and posted on the OHCHR website.

### *Confirmation of dates for consideration of a report*

Once the report is submitted to the Secretariat, the State party should follow-up with the Secretariat on the date of review of the report in order to prepare for its review by the Treaty Body.

The Treaty Bodies determine when the report is going to be considered, which usually follows the order of their submission. Once the date for consideration of a State party report has been set, an invitation is sent to the relevant authorities at least six months in advance of the proposed date. The Secretariat sends the invitation through the Permanent Mission of the State party to the United Nations in Geneva. If the State party does not have a permanent representation in Geneva, the invitation is sent through its Permanent Mission in New York.

#### **Example of an invitation of the Committee on the Elimination of Discrimination against Women:**

The Secretary-General of the United Nations presents his compliments to the Permanent Representative of (the State party) to the United Nations Office in Geneva and has the honour of conveying to the Government of (the State party) the invitation of the Committee on the Elimination of Discrimination against Women to present its (number) periodic report to the Committee, at its (number) session, which is scheduled to be held (dates) at the United Nations Office at Geneva.

In accordance with the rules of procedure of the Committee, a State party is expected to be present at meetings of the Committee when its report is being examined, to participate in a constructive dialogue and answer questions from the Committee concerning the report. An indication of the date and time when the Committee intends to consider your country's report will be communicated to you at a later stage.

In accordance with the Committee's practice, a List of Issues and questions relating to implementation of the Convention in the State party concerned will be prepared by the pre-session working group of the Committee, based on the State party's report and information received from United Nations entities, non-governmental organizations and other relevant sources. This list will be transmitted to the Permanent Mission of (the State party) shortly after the (number) session of the Committee in (date). The written replies of the State party to the List of Issues and questions must be submitted electronically in Word format to the Committee well in advance of the dialogue to allow for their timely translation into the three working languages of the Committee (English, French and Spanish). In addition, in view of concerns expressed by the United Nations Conference Services on the length and quality of submissions by State parties, it is recommended that all submissions are written in a clear and concise style. **Written replies to the List of Issues and questions should not exceed 10,700 words.**

The Secretary General would be grateful if the Government of (the State party) could confirm to the Secretariat of the Committee, as soon as possible, but not later than (date), its availability to present its report at the (number) session of the Committee. The confirmation should be sent by *note verbale* to (name), Secretary of the Committee, at (e-mail).

Owing to the considerable preparation and costs involved, the Committee discourages any request for postponement of the dialogue after (date). It further notes that any such requests must be justified. The Committee also reserves the right to examine a State party in the absence of a delegation, in accordance with Rule 51 of the Rules of Procedure of the Committee, if warranted.

The Secretary-General of the United Nations avails himself of the opportunity to renew to the Permanent Representative of (the State party) to the United Nations Office at Geneva the assurance of his highest consideration.

The session during which the constructive dialogue is to be held may only be altered in exceptional circumstances, as determined by each Treaty Body.

State parties' reports under the Simplified Reporting Procedures (SRP) and initial reports are normally scheduled within a year following submission. Scheduling of State parties' reports submitted under the Standard Reporting Procedures varies from one Treaty Body to another, depending on the backlog of reports to be reviewed by the Treaty Body.

➔ To check an expected date of consideration of your report, click [here](#) or check the OHCHR website at [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/MasterCalendar.aspx?Type=Session](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/MasterCalendar.aspx?Type=Session)

**TABLE 5 CONTACT DETAILS OF THE SECRETARIAT OF THE UN HUMAN RIGHTS TREATY BODIES**

Treaty Body	E-mail / Phone	Postal address / Email
Committee on the Elimination of Racial Discrimination (CERD)	<a href="mailto:cerd@ohchr.org">cerd@ohchr.org</a> Tel: +41 22 917 97 57	<b>Postal address:</b> UNOG-OHCHR CH-1211 Geneva 10 Switzerland  OHCHR email: <a href="mailto:registry@ohchr.org">registry@ohchr.org</a>
Human Rights Committee (HRCttee)	<a href="mailto:ccpr@ohchr.org">ccpr@ohchr.org</a> Tel: +41 22 917 92 61	
Committee on Economic, Social and Cultural Rights (CESCR)	<a href="mailto:cescr@ohchr.org">cescr@ohchr.org</a> Tel.: +41 22 917 90 00	
Committee on the Elimination of Discrimination against Women (CEDAW)	<a href="mailto:cedaw@ohchr.org">cedaw@ohchr.org</a> Tel.: +41 22 917 94 43	
Committee against Torture (CAT)	<a href="mailto:cat@ohchr.org">cat@ohchr.org</a> Tel.: +41 22 917 97 06	
Committee on the Rights of the Child (CRC)	<a href="mailto:crc@ohchr.org">crc@ohchr.org</a> Tel.: +41 22 917 91 41	
Committee on Migrant Workers (CMW)	<a href="mailto:cmw@ohchr.org">cmw@ohchr.org</a> Tel +41 (0) 22 917 93 35	
Committee on the Rights of Persons with Disabilities (CRPD)	<a href="mailto:crpd@ohchr.org">crpd@ohchr.org</a> Tel.: +41 22 917 97 03	
Committee on Enforced Disappearances (CED)	<a href="mailto:ced@ohchr.org">ced@ohchr.org</a> Tel.: +41 22 917 91 89	

### 4.2.2. Consideration of the report

As mentioned earlier, the State party report may be submitted under the Standard Reporting Procedure or the Simplified Reporting Procedure and, depending on the procedure selected, the reporting cycle may comprise six or seven stages. The Simplified Reporting Procedure is generally offered to State parties for their periodic reports (see Chapter 4.3, The Simplified Reporting Procedure).

The following sub-sections discuss the process of consideration of a State party report under both procedures (whenever information refers only to one of these procedures, it is clearly indicated in the text). Therefore, the following stages of the reporting cycle are explained in detail: adoption of List of Issues; replies to the List of Issues; constructive dialogue; and the concluding observations. The participation of the State party is not required at all these stages, but those stages which do require State party action need to be based on the key capacities of a NMRF, as follows:

Consideration of the report	Related NMRF key capacity
i. Written replies to the Lols	Engagement and coordination capacities
ii. Replies to the LolPR (report of SP)	Engagement, coordination, consultation and information management capacities
iii. Constructive dialogue	Engagement and coordination capacity

#### i. Adoption of the List of Issues

##### *a) Preliminary review of the report – Standard Reporting Procedure*

Once a report is submitted, the Treaty Body holds a preliminary review of the report with a view to determining any additional information it may need to request from the State party. This internal discussion is often held during a so-called pre-session or country task force meeting. Such a meeting usually takes place several months ahead of the review, one or two sessions ahead of the session at which the Treaty Body formally considers the State party's report. Treaty Bodies appoint one or two country rapporteurs or a country task force, which are responsible for drafting the List of Issues on any given State party's report.

The Treaty Body considers information included in the State party report, along with reports from other sources, and adopts **a List of Issues** or **a List of Themes** (CERD). The purpose of this list is to indicate to the State party any additional required information that may have been omitted from the report, that may be out-dated, or that members consider necessary for an assessment of the state of implementation of the treaty in the country concerned. The List of Issues provides the State party with advance notice of issues of concern to the Treaty Body, so that the delegation can be duly prepared. Most Treaty Bodies structure their constructive dialogue around the List of Issues or themes.

It has become common practice for the UN system, national human rights institutions (NHRIs) and civil society organizations (CSOs) to submit written information to the committee or brief a country rapporteur, country task force or the entire committee on the issues of particular concern to them, once a List of Issues is discussed and adopted (see Chapters 5 and 6).

The State party is requested to respond to the List of Issues within a timeframe of several weeks. The deadline is usually indicated in the list. All Treaty Bodies except the CERD require State parties to submit **their replies in writing**. CERD submits its list of themes just prior to the session so as to inform the structure of the dialogue.

Once the Treaty Body adopts a List of Issues, the Secretariat of the respective committee sends the list to the Permanent Mission of the State party to the United Nations in Geneva or New York (if the State party does not have its Permanent Mission in Geneva) so that it can be transmitted to the State party's capital.

#### *b) List of Issues prior to Reporting – Simplified Reporting Procedure*

In the case of the Simplified Reporting Procedure, the first step is a preparation of a List of Issues Prior to Reporting (LoIPR) by the Treaty Body. The preparation of a LoIPR is based on the previous concluding observations and on information provided to the Treaty Body by other sources such as the UN system, NHRIs and CSOs. These documents are included in the “**country file**” posted on the OHCHR website. The process of elaboration and adoption of LoIPR is similar to adoption of the LoI (see i(a)).

### ii. Written replies to the List of Issues

Under the **Standard Reporting Procedure**, the State party has the opportunity of supplementing and clarifying the information contained in the report in their replies to the List of Issues. In preparing its replies to LoIs, the State party should provide the Treaty Body with specific and fully updated information and data relating to the issues in question, including with statistics if available.

Written replies are considered official documents and are posted on the website of the relevant Treaty Body. **The word limit for written replies under the Standard Reporting Procedure, recommended overall for all Treaty Bodies, should not exceed 10,700 words.** State parties should follow the same format used for a regular report.

In the case of **the Simplified Reporting Procedure**, the State party's written replies to the List of Issues Prior to Reporting constitute the State party report (for further information see Chapter 3, Benefits of Reporting and 4.2.1, Preparation and Submission of the Report). The format and submission of reports under the Standard Reporting Procedure are also applicable to reports under the SRP, including **word limits of 31,800 words for initial reports and 21,200 for periodic reports** (see Section 4.1.3, Format of the reports).

### iii. Constructive dialogue

The actual review of a State party's report by a Treaty Body is conducted through a six-hour **constructive dialogue** between members of the concerned Treaty Body and a State party delegation. In addition to the written reports received, the dialogue helps Treaty Bodies understand and review the human rights situation in the State party as it pertains to the treaty concerned. It serves as a basis for the concluding observations of the Treaty Bodies. The constructive dialogue provides an opportunity for State parties to receive expert advice on compliance with their international human rights commitments.

### *a) The State party's delegation*

State parties are encouraged to have their delegations led by a senior State official with responsibility for implementation of the respective treaty, and also to include in their delegations, as far as possible, representatives with relevant technical expertise from key executive and other authorities responsible for implementation of the treaty concerned, with due regard to expertise. The delegation should have a gender balance in its composition. The State party may also wish to consider including in its delegation representatives of other relevant institutions or entities.

### *b) Country rapporteurs and country task forces of Treaty Bodies*

Treaty Bodies may appoint members to serve as **country rapporteurs**, who may act as focal points for introducing and coordinating the constructive dialogue with the State party delegation. Treaty Bodies may also decide to mandate a broader group of members (usually called a "Country Task Force") to act in this capacity. Country rapporteurs (or their equivalent within groups established for this purpose) will usually exercise primary responsibility for the preparation of the constructive dialogue with a State party. This includes prior consultation and coordination on any priority areas or issues to be considered, with a view to encouraging members of the Committee to avoid both repetition and gaps during the dialogue. Supplementary questions may be posed by any Treaty Body member as necessary.

Before the constructive dialogue between the State party's delegation and the members of the Treaty Body takes place, it is nowadays common practice for the UN system, national human rights institutions (NHRIs) and civil society organizations (CSOs) to submit written information to the committees and brief a country rapporteur, a country task force or the entire committee on issues of particular concern to them (see Chapters 5 and 6).

### *c) Format of the constructive dialogue*

The constructive dialogue with State parties is conducted in public, usually in two sessions of up to three hours and will usually take place over two consecutive working days. An additional session of up to a further three hours may be held exceptionally when the Committee considers it appropriate and feasible. Observers, such as representatives of the United Nations System, national human rights institutions and of civil society organizations, may attend the constructive dialogue (see Chapters 5 and 6).

#### **Webcasting**

As of September 2016 all public sessions of Treaty Bodies are available on UN WEB TV, can be watched live online and retrospectively at <http://webtv.un.org/meetings-events/treaty-bodies/>. The webcasting provides an opportunity for the State party delegation to prepare for a constructive dialogue through observing other dialogues. It also allows the authorities, stakeholders and all interested parties to follow the dialogue (directly or subsequently) without travelling to Geneva.

The common procedure for the dialogue is as follows:

1. introduction of the State delegation by the head of the delegation;
2. opening statement by the head of delegation (10-30 minutes);
3. constructive dialogue between the Committee and the Delegation;
4. closing remarks by the head of delegation (up to 10 minutes).

The dialogue is conducted in the three official working languages of the Treaty Body concerned (English, French, Spanish), a fourth official language being permitted on an exceptional basis, as determined by the committee concerned and without prejudice to the right of each State party to interact with the Treaty Bodies in any of the six official United Nations languages (Arabic, Chinese, English, French, Russian and Spanish). A State party may bring its own interpreters to interpret into a language other than one of the official languages provided that it informs the Secretariat at least four weeks prior to the constructive dialogue.

To facilitate more informed discussions and wider participation of the State party in the dialogue, the Office of the UN High Commissioner for Human Rights provides, with the assistance of the United Nations country team and at the request of the State party, an opportunity for part of its official delegation to participate in the constructive dialogue via **video-conference** (VTC) from the capital of the country. State parties should contact the Secretariat of the Treaty Body concerned if they wish to avail themselves of this opportunity, which may or may not be granted by the Treaty Body.<sup>36</sup> As a very exceptional measure, in 2013 some constructive dialogues were entirely held by videoconference (for example by the CRC with Pacific Island States)<sup>37</sup>. The dialogue took a half-day and interpretation was provided.

#### *d) Guidance for State parties*

To assist State parties in their preparation for the face-to-face dialogue between their representatives and a Treaty Body, the Treaty Bodies have adopted a **Guidance note for State parties on the constructive dialogue with the human rights bodies**, available at: <https://goo.gl/efnuPi>. Additionally, the Secretariats of the Treaty Bodies conduct **technical briefings** for the respective Permanent Missions in Geneva prior to each Treaty Body session to provide any further information that may be required by State parties prior to the constructive dialogue.

#### **iv. Concluding observations**

Based on its dialogue with the State party and on information it has received from the State party and other sources – which assists it in conducting a well-informed country review – the Treaty Body adopts **concluding observations** which relate both to **positive aspects** of a State party's implementation of a treaty and also to **areas of concern** on which the Treaty Body makes **recommendations** on further action to be taken by the State party.

<sup>36</sup> See General Assembly resolution, A/RES/68/268, para. 23.

<sup>37</sup> Consideration of the initial reports of Niue and Tuvalu was held by the Committee on the Rights of the Child on 22 January and on 20 September 2013, respectively.

As part of the efforts to harmonize their working methods, the Chairpersons of the Treaty Bodies endorsed, at their 26<sup>th</sup> meeting, a **Framework for Concluding Observations** (available at <https://goo.gl/efnuPi>). The aim of the framework is to encourage Treaty Bodies to adopt short, focused and concrete concluding observations which are implementable. However, when using the framework, each Treaty Body has the flexibility to adapt it so as to reflect and respect the specific nature of each treaty and committee.

The **drafting process** for the concluding observations is usually coordinated by the country rapporteur(s) or country task force. This process entails *inter alia* collection of comments and suggestions from members of the Treaty Body before the draft is discussed and adopted in a formal session. Once the concluding observations are adopted, the Treaty Body may, at its discretion, share a courtesy advance copy of the concluding observations to allow the State party to submit factual (not substantive) amendments for consideration by the Treaty Body prior to publication of the concluding observations. The Treaty Bodies publish the concluding observations, as an unedited version, on their respective webpages on the last day of each session or the next working day thereafter. On completion of the translations the concluding observations are available in all six UN official languages.

#### **4.2.3. Follow-up and implementation of concluding observations**

This section discusses the last stage of the reporting cycle, namely follow-up and implementation of concluding observations (recommendations), which requires active engagement by the State party. State party action taken at this stage can be related mainly to the **information management capacity of a NMRF**.

##### **i. Treaty Bodies follow-up procedure**

Seven Treaty Bodies (HRCtee, CESCR, CERD, CAT, CEDAW, CED and CRPD) have adopted a **follow-up procedure** under which they identify between one and three recommendations from the concluding observations which require immediate attention and implementation; and, in consequence, request State parties to submit, within one or two years, **an interim follow-up report** on the measures taken to implement those priority recommendations. The procedure is a desk review which provides the opportunity for continuation of the State party's engagement with the Treaty Body. Ideally the national mechanism for reporting and follow-up (NMRF) should be the governmental structure responsible for preparing follow-up reports (see Chapter 2). Treaty Bodies also welcome written information from the United Nations System, NHRIs and CSOs in this procedure.

Usually a member of the relevant Committee is appointed as the responsible Rapporteur for the follow-up procedure. For example, the Human Rights Committee appoints a special rapporteur for follow-up to concluding observations, who takes the lead in producing a follow-up progress report at each session. This report includes a summary of the State party's follow-up report and information from NHRIs and CSOs and other sources, along with the Committee's assessment of the extent of implementation. If further information is required, the Committee may request the State party to include it in its next periodic report. As regards State parties that have not supplied their follow-up reports, the Rapporteur will send reminders requesting the outstanding information.

## Examples of recommendations made by the Committees requesting information for a follow-up report

### CAT

29. The Committee requests the State party to provide, by 31 May 2014, follow-up information in response to the Committee's recommendations related to (a) ensuring or strengthening legal safeguards for persons detained, (b) conducting, prompt, impartial and effective investigations, and (c) prosecuting suspects and sanctioning perpetrators of torture or ill-treatment, as contained in paragraphs 10, 11 and 15 of the present concluding observations. In addition, the Committee requests follow-up information on remedies and redress to the victims, as contained in paragraph 19 of the present concluding observations.<sup>38</sup>

### CEDAW

50. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 15 and 21 (a), (b) and (c) above.<sup>39</sup>

### HRCtee

26. In accordance with rule 71, paragraph 5, of the Committee's rules of procedure, the State party should provide, within one year, relevant information on its implementation of the Committee's recommendations made in paragraphs 7, 10 and 23 above.<sup>40</sup>

### CERD

17. In accordance with article 9, paragraph 1, of the Convention and rule 65 of its amended rules of procedure, the Committee requests the State party to provide information, within one year of the adoption of the present concluding observations, on its follow-up to the recommendations contained in paragraphs 6, 8 and 12 above.<sup>41</sup>

### CED

41. In accordance with the Committee's rules of procedure, by 19 April 2014 at the latest, the State party should provide relevant information on its implementation of the Committee's recommendations as contained in paragraphs 14, 22 and 36.<sup>42</sup>

The same format and manner of submission (Word, an electronic format) used for a regular report, applies to a follow-up report (see Section 4.1.3, Format of the reports). The word limit for replies is 3,500 words. Below is an excerpt from a State party's follow-up report to CAT.

<sup>38</sup> CAT/C/GBR/CO/2

<sup>39</sup> See CEDAW/C/KHM/CO/4-5

<sup>40</sup> See CCPR/C/AGO/CO/1

<sup>41</sup> See CERD/C/JAM/CO/16-20

<sup>42</sup> See CED/C/URY/CO/1

**Follow-up procedure****Word limits:**

- **Replies from the State party: 3,500 words**

**Excerpt from a State party follow-up report to CAT concluding observations**

1. (The State party) wishes to thank the Committee against Torture for the comprehensive work and observations made on the fifth periodic report of the State party, adopted by the Committee at its (number) session in (date) (document number).
2. (The State party) herewith submits the follow-up information as requested in paragraph (number) of the Committee's concluding observations.

**Conducting prompt, impartial and effective investigations**

3. (The State party) would like to state that, according to the Code of Criminal Procedure, investigation is started if there is a suspicion of brutality or excessive use of force by law enforcement personnel. Victims of such brutality can make a complaint to the police or the Prosecutor's Office. In order to prevent possible abuse and brutality, these issues are systematically addressed by the Chancellor of Justice, also by means of visits of the Chancellor to police stations and detention facilities. Victims of domestic violence receive help through victim support services and the system is regulated by the Victim Support Act. A victim of domestic violence has the opportunity to forward his or her complaint either as formal allegation to the police or to the victim support services. Also they can call a 24/7 helpline free of charge in case they feel unsure about starting a formal criminal procedure. It is possible to contact the victim support services and helpline anonymously.
4. ...

**Ensuring or strengthening legal safeguards for persons detained**

5. As regards the legal safeguards for detained persons, (the State party) would like to provide the following detailed information. The rights and obligations of a suspect shall be immediately explained to him or her. Every suspect has, inter alia, the right: (a) to know the content of the suspicion and give or refuse to give testimony with regard to the content of the suspicion; (b) to know that his or her testimony may be used in order to bring charges against him or her; (c) the assistance of a counsel; (d) to confer with the counsel without the presence of other persons; (e) to be interrogated and participate in confrontation, comparison of testimony to circumstances and presentation for identification in the presence of a counsel.
6. – 11...

**Prosecuting suspects and sanctioning perpetrators of torture or ill-treatment**

12. (The State party) authorities take very seriously every allegation of denial of fundamental legal safeguards of persons deprived of their liberty. All complaints of violations are promptly and independently investigated.
- 13 – 15...

**ii. State party follow-up and implementation**

The first step of a State party towards implementation of the concluding observations is to make those observations widely known to the Government entities, parliament, judiciary, civil society, the media and the public by translating, if necessary, the concluding observations into their national or local language(s) and disseminating them, including through posting them on the relevant websites.

NHRIs and CSOs can help in the wide dissemination of the concluding observations through their awareness-raising and human rights education activities. It is essential to make the public aware of the concluding observations and help them understand how the concluding observations may affect the legislation, policies and practice relevant to their day-to-day life.

The concluding observations should be circulated to all relevant ministries and State institutions, including local governments, the judiciary and the parliament with a view to identifying recommendations relevant to their respective mandate and developing a plan for implementing the identified recommendations. As previously mentioned, many State parties designate a lead ministry or establish a national mechanism for reporting and follow-up, an NMRF, to take the lead in developing an overall implementation plan which includes clustered recommendations received from different human rights mechanisms, assigning responsibilities for their implementation with timelines, and tracking implementation of the recommendations by relevant Governmental ministries and State bodies (see Chapter 2, National Mechanisms for Reporting and Follow-up).

In some countries a national human rights action plan (NHRAP) could be a useful tool for facilitating the implementation process in a holistic, transparent and responsible manner. Such a NHRAP would require regular updating as new concluding observations from Treaty Bodies and recommendations from other human rights mechanisms are received.

The parliament should oversee and contribute to full and meaningful implementation of the concluding observations through its activities, including legislation, adoption of the budget, and oversight of the executive branch. In particular, parliament can regularly monitor the progress made in implementation of the concluding observations by making the executive branch accountable for reporting back to parliament on progress in this regard.

### 4.3. The Simplified Reporting Procedure

In 2014 the General Assembly through its Resolution 68/268 encouraged the Treaty Bodies to offer to State parties for their consideration the Simplified Reporting Procedure (SRP). It also encouraged State parties to use the SRP, when offered, to facilitate preparation of their reports and the constructive dialogue on implementation of their treaty obligations.

The SRP does not apply to the SPT and CED, given that the former does not have a reporting mandate and the latter does not envisage periodic reports. All other Treaty Bodies agreed to offer to State parties the Simplified Reporting Procedure (SRP); indeed some were already offering or had already decided to offer the SRP prior to the adoption of GA Res. 68/268 (see Table 6). As at 1 April 2017 all eight concerned Treaty Bodies are making available this procedure to State parties for the submission of their periodic reports.<sup>43</sup> So far only CAT and CMW offer the SRP to State parties with long overdue initial reports.<sup>44</sup> The procedure is usually offered by the Treaty Body through sending a *note verbale* to the State concerned; however, some State parties have also proactively sought agreement to use the SRP.

43 In response to the call of the GA to offer to State parties the SRP and its decision to establish word limits for State party reports (GA/RES/68/268), at its 26<sup>th</sup> annual meeting the Chairpersons of the UN human rights Treaty Bodies endorsed the view that the Treaty Bodies which examine periodic reports should consider making such a procedure available as from 1 January 2015. The report and recommendations of the 26<sup>th</sup> meeting are available at: <https://goo.gl/9jgBxv>

44 The Chairperson of the human rights Treaty Bodies also endorsed at its 26<sup>th</sup> meeting the view that the Committees should consider making the SRP available for consideration of initial reports in those specific instances where they believe this would enhance the constructive dialogue.

**TABLE 6 SIMPLIFIED REPORTING PROCEDURE**

Treaty Body	Year of adoption of SRP	Modalities
CAT	2007	• All periodic reports and long overdue initial reports
HRCtee	2010	• All periodic reports *
CMW	2011	• All periodic reports and long overdue initial reports**
CRPD	2013	All periodic reports
CRC	2014	For periodic reports due as of 2019
CESCR	2014	From third periodic report and onwards, due in 2017
CERD	2014	Periodic reports overdue for more than 5 years, prioritizing those more than 10 years overdue
CEDAW	2014	Periodic reports overdue as of 1 January 2015, and provided that the State party concerned has submitted an updated common core document, in accordance with harmonized guidelines, that date back no more than five years, or less in cases where there have been significant political or socioeconomic changes during the five-year period.

\*As decided by the Committee at its 111<sup>th</sup> session held in July 2014.

\*\*The procedure is applied in line with the Committee's reporting calendar (see Section 4.1.1, Reporting Periodicity).

As previously briefly explained, the Simplified Reporting Procedure abolishes one step of the reporting cycle under the Standard Reporting Procedure, namely the written replies of the State party to the List of Issues transmitted once a State party report has been submitted. Under the SRP the reporting cycle starts when the relevant Treaty Body sends a List of Issues prior to Reporting (LOIPR) to a State party (see Figure 2, The Simplified Reporting Procedure). This means that under the SRP and in line with the harmonized guidelines on reporting (see Section 4.1.2, Content of Reports), the State party report is made up of the replies of the State party to the LOIPR, together with the common core document.

### The State party report under the Simplified Reporting Procedure

Replies of the State party to the LOIPR (treaty-specific report)

+

Common Core Document

The aim of a LOIPR is to provide an outline for the review of a State party so as to make it more focused and effective. In general, a LOIPR requests that State parties provide information on a) the follow-up and implementation of the previous concluding observations of the relevant Treaty Body; b) the adoption of other measures and recent developments relating to implementation of the treaty; and c) specific human rights issues identified by the Treaty Body and relating to implementation of the relevant treaty. As a result, treaty-specific reports under the Simplified Reporting Procedure are rather more straightforward in terms of the information that State parties should include than are reports submitted under the Standard Reporting Procedure.

LOIPR is prepared on the basis of the previous concluding observations to the State party by the Treaty Body concerned. However, Treaty Bodies avail themselves of other sources of information during the preparation of the LOIPR, with the aim of better identifying priority human rights areas of concern relating to implementation of the treaty. This can include recommendations made by other Treaty Bodies, recommendations made during the UPR and under the Special Procedures; relevant reports and documentation from the United Nations system and regional human rights mechanisms, where applicable; and information provided to the Treaty Body by United Nations entities, national human rights institutions (NHRIs), civil society organizations (CSOs) and other stakeholders.

The Committee against Torture and the Human Rights Committee have developed an outline of the LOIPR used by them (available at <https://goo.gl/HQelaw>), and the Committee on the Rights of Persons with Disabilities have adopted specific guidelines for State parties on the SRP (available at <https://goo.gl/bilsOc>). The same format for reports under the Standard Reporting Procedure applies to the reports under a simplified procedure, in particular the **21,200 word limit** for periodic reports.

### Simplified Reporting Procedure

#### Word limits:

- **Initial reports: 31,800 words**
- **Periodic reports: 21,200 words**

Below are samples of an outline of a LOIPR from the Human Rights Committee and the Committee against Torture:

## TABLE 7 THE OUTLINE OF A LIST OF ISSUES PRIOR TO REPORTING (HRC/TEE)

### General information on the national human rights situation

- Please provide detailed information on any significant developments in the legal and institutional framework within which human rights are promoted and protected at national level that have taken place since the previous periodic report, including any relevant case law. Please also provide information on measures adopted to disseminate the Covenant among judges, lawyers and prosecutors.
- Please provide information on significant political and administrative measures taken since the previous report to promote and protect human rights under the Covenant, and the resources allocated thereto, their means, objectives and results.
- Please provide any other information on new measures taken to disseminate and implement the Committee's previous recommendations, including any necessary statistical data.

### Specific information on the implementation of articles 1 to 27 of the Covenant, including with regard to the Committee's previous recommendations

- Constitutional and legal framework within which the Covenant is implemented, right to an effective remedy (art. 2)
- Counterterrorism measures and respect for rights guaranteed in the Covenant (arts. 2, 7, 9, 14 and 26)
- Equality and non-discrimination (arts. 2 and 26)
- Violence against women (arts. 2, 3, 7 and 26)
- Right to life and prohibition of torture and of other cruel, inhuman or degrading treatment or punishment, rights of non-citizens (arts. 3, 6, 7, 9 and 13)
- Elimination of slavery and servitude (art. 8)
- Treatment of persons deprived of their liberty, independence of the judiciary and fair trial (arts. 2, 9, 10 and 14)

- Protection of the rights of children (arts. 7 and 24)
- Discrimination and incitement to discrimination, hostility or violence (arts. 20 and 26)
- Equality and non-discrimination, right to participate in public life and the protection of rights of persons belonging to ethnic minorities (arts. 2, 25, 26 and 27)

**Focused reports based on replies to lists of issues prior to reporting (LOIPR): implementation of the new optional reporting procedure (LOIPR procedure)**, CCPR/C/99/4, available at OHCHR website: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?key=92g0+9Fn15fX/ePqHxWObPpm//kusKEXT+B4cp/uCKqWAFsFrDexWgk2iQgS46+H&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?key=92g0+9Fn15fX/ePqHxWObPpm//kusKEXT+B4cp/uCKqWAFsFrDexWgk2iQgS46+H&Lang=en)

**TABLE 8 THE OUTLINE OF A LIST OF ISSUES PRIOR TO REPORTING (CAT)**

#### Questions by article or a cluster of articles

- Articles 1 and 4 – definition of torture, criminalization of acts of torture
- Article 2 – obligation to adopt measures to prevent acts of torture
- Article 3 – *non-refoulement*
- Articles 5, 7 and 8 – jurisdiction over the acts of torture, *aut dedere aut judicare*
- Article 10 – education and training
- Article 11 – review of rules in detention to prevent torture
- Articles 12 and 13 – investigation of acts of torture
- Article 14 – right to a redress
- Article 15 – non-admission of confession/testimony made under torture
- Article 16 – prohibition of cruel, inhuman, degrading treatment or punishment

#### Others

##### General information on the national human rights situation, including new measures and developments relating to implementation of the Convention

- Please provide detailed information on the relevant new developments on the legal and institutional framework within which human rights are promoted and protected at national level that have occurred since the previous report, including any relevant jurisprudential decisions.
- Please provide detailed relevant information on the new political, administrative or other measures taken to promote and protect human rights at national level since the previous periodic report, including on any national human rights plans or programmes, and the resources allocated thereto, their means, objectives and results.
- Please provide any other information on new measures and developments undertaken to implement the Convention and the Committee's recommendations since consideration of the previous periodic report in 2010, including the necessary statistical data, as well as on any events that have occurred in the State party and are relevant under the Convention.

CAT optional reporting procedure, more information available at OHCHR website: <http://www.ohchr.org/EN/HRBodies/CAT/Pages/ReportingProcedures.aspx>

### The Benefits of the Simplified Reporting Procedure

The SRP presents advantages for both State parties and Treaty Bodies. For State parties the reporting workload is decreased without compromising the quality of the review as they are no longer required to submit both a report and written replies to a List of Issues. More importantly, through responding to specific requests for information, State parties' reports are easier to prepare and more focused. Replying to questions also facilitates the distribution of tasks at national level with respect to the preparation of the State party report. The Simplified Reporting Procedure would probably result in more focused reports that will in turn have an impact on the constructive dialogue and, subsequently,

the concluding observations, which will be more targeted, precise and implementable, and therefore easier to follow-up by State parties. Many State parties which used the SRP have indicated that they found it more helpful to reply to a set of focused and concrete questions than to provide information on all aspects of a treaty as requested under the Treaty Bodies' specific guidelines under the Standard Reporting Procedure. Some State parties have requested the Simplified Reporting Procedure for all their reporting obligations.

For Treaty Bodies the SRP streamlines and enhances the State party review by rendering it more focused and effective as it allows them to conduct a more targeted analysis of human rights concerns through the LOIPR. In addition, the constructive dialogue is facilitated by the receipt of a more focused State party report that contains precise information. This procedure further allows them to re-engage with State parties that are long overdue in submitting their periodic reports and it also strengthens their ability to follow-up on previous concluding observations.



## **Engagement of the United Nations System in the Reporting Procedure**

# 5. Engagement of the United Nations System in the Reporting Procedure

**This Chapter discusses the involvement of the United Nations system, particularly specialized agencies, funds and programmes and other entities, and Resident Coordinators and United Nations Country Teams (UNCTs), in the different stages of the reporting process – from supporting the drafting of the report to implementation of the concluding observations.**

The UN system, in particular Resident Coordinators and country teams (UNCTs) have several unique opportunities for engaging with the Treaty Bodies, including by **supporting State parties in the preparations of their reports, facilitating participation by relevant national stakeholders in the reporting process and in follow-up activities to support the implementation of recommendations.** Such an engagement at country level has the potential to transform the regular reporting process into a dynamic tool for assessment, inclusive national dialogue and collaboration between a State party, the UN and civil society.

The United Nations specialized agencies, funds and programmes, and Resident Coordinators and UNCTs are in a privileged position to use the Treaty Body system in their own activities to strengthen human rights at national level.<sup>45</sup> UN entities have highlighted the opportunities provided by the UN human rights mechanisms at country level to further strengthen UN coherence, with a human rights-based approach as one of the key programming principles. Concluding observations are valued as a useful analytical base and can be used to inform the elaboration of CCA/UNDAFs<sup>46</sup> and thus are valued as strong programming and advocacy tools to support normative and operational linkages. Specific joint programmes to assist State parties with the implementation of Treaty Body recommendations have been developed in various contexts and regions. By helping national partners engage with the UPR, Treaty Bodies and Special Procedures, UNCTs have been able to effectively address key human rights issues.

45 For further information see: Human Rights Guidance Note for Resident Coordinators and UN Country Teams (2015), p. 53, available at: <https://undg.org/document/undg-guidance-note-on-human-rights-for-resident-coordinators-and-un-country-teams/>.

46 The United Nations Development Assistance Framework (UNDAF) is the strategic programme framework that describes the collective response of the UN system to sustainable development. It supports national development priorities and inclusive and participatory development processes that contribute to the fulfilment of national obligations and commitments for the achievement of sustainable development and human rights. Informed by a UN common country analysis (CCA) the UNDAF focuses UN engagement on a limited number of strategic priority areas where it can have the greatest impact, taking into consideration both mandate and comparative advantage, in helping a country achieve sustainable development. In order to maximize the UN system's contribution to achieving the latter, the development of the UNDAF requires, at all stages of the process, leadership by the Government and the involvement of all relevant stakeholders. Therefore, an UNDAF is a document agreed between a government and the UNCT. See: <https://undg.org/document/2017-undaf-guidance/>

### UNCT's engagement with the CEDAW Committee to challenge domestic violence

In one State party, the Resident Coordinator and the country team had reached a deadlock in trying to tackle human rights issues relating to domestic violence. Engaging with the State party's periodic reporting process to the CEDAW Committee proved to be useful in laying the ground for subsequent addressing of the issue in the country. The strategy of the Resident Coordinator consisted of bringing together all UN concerned agencies (in this case UN Women, UNICEF and UNDP) to identify key issues of concern; supporting the government with its reporting preparations; and presenting clearly the UNCT's position to the CEDAW Committee and to the government. As a result, the Committee issued to the State party more focused recommendations on domestic violence, which then opened the door for capacity development assistance from the UNCT.<sup>47</sup>

To strengthen engagement of States with all human rights mechanisms, UNCTs can support the setting-up and effective functioning of a national mechanism for reporting and follow-up (NMRF) with the involvement of all key stakeholders (see Chapter 2), which can be a critical first step in bringing about legislative, policy and programming change to ensure implementation of treaty obligations. UNCTs can also encourage governments to elaborate a **plan for implementation of human rights recommendations** or a **National Human Rights Action Plan** (NHRAP) to ensure implementation of the recommendations of the human rights mechanisms (TBs, UPR and Special Procedures of the HRC), linking them to national development priorities and setting specific timelines, indicators and benchmarks for success. In the context of the 2030 agenda and the SDGs, this type of exercise can play an important role in ensuring that policies and strategies aimed at SDG implementation at national level are human rights-based, do not leave anyone behind, and reduce inequalities. UNCTs can advocate regularly and track implementation of recommendations from the international human rights mechanisms.

All Treaty Bodies also encourage participation by UN specialized agencies, funds and programmes at all stages of the reporting process including submission of information when a State party's report is due for consideration. This information may be provided on two occasions during the reporting cycle, that is to inform a) the preparation of List of Issues and questions (under the Standard or Simplified Reporting Procedures); and b) the consideration of State parties' reports. UN partners also have the opportunity to meet in private with the members of the Treaty Bodies or connect *via* phone or video-conference (VTC) by making a specific request to the Secretariat, during their pre-sessional working groups or sessions, to discuss the country situation and relevant activities, programmes and priorities (see figure, below).

### UNICEF's interaction with CRC

As part of UNICEF's long-standing engagement in the reporting process to the Committee on the Rights of the Child, a meeting between its Headquarters and Regional and Deputy Directors and the Committee members has taken place biannually since 2008 in Geneva<sup>48</sup>. The aim of those meetings is to discuss ways of enhancing their existing cooperation with a view to realizing children's rights on the ground, particularly through actions which would ensure follow-up and implementation of the Committee's recommendations, such as the organization of joint CRC-UNICEF country visits to better support State parties in this regard.<sup>49</sup>

<sup>47</sup> More information on the engagement of UNCTs with the human rights mechanisms can be found at: Guidance Note on Human Rights for Resident Coordinators and UNCTs, *op. cit.*

<sup>48</sup> General Assembly (official records) 71<sup>st</sup> session, Report of the Committee on the Rights of the Child, A/71/41 (supplement), para. 52 (a).

<sup>49</sup> *Ibid*, para. 19.

## UN Inter-Agency Support Group (IASG) to the Convention on the Rights of Persons with Disabilities (CRPD)

Comprising of over 30 UN agencies, the IASG interacts regularly with the Committee on the Rights of Persons with Disabilities to advance implementation of the CRPD, for example by providing the Committee with expert advice on thematic issues such as the inclusion of persons with disabilities in humanitarian action (art. 11). Their interaction is also related to inclusion of the disability-rights agenda in the context of the 2030 Agenda for Sustainable Development. The engagement of the IASG with the CRPD is reflected in an annual public statement to the Committee on the efforts taken by the group towards realization of the rights of the persons with disabilities on the ground as well as through discussions on ways of strengthening this involvement during the IASG annual meetings.<sup>50</sup>

## UNCT coordination on CEDAW

In the case of the Committee on the Elimination of all forms of Discrimination against Women, a well-established Inter-agency group on CEDAW reporting led at the Headquarters level by UN Women and composed by UNFPA, UNICEF, UNDP and FAO coordinates submissions by the UNCTs to the CEDAW Committee on countries for its consideration.<sup>51</sup>



<sup>50</sup> See, for example: CRPD 17<sup>th</sup> session, Opening Statement of the UN Inter-agency Support Group to the Convention on the Rights of Persons with Disabilities, 20 March 2017, available at: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1141&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1141&Lang=en)

<sup>51</sup> Committee on the Elimination of Discrimination against Women, Summary record of the 1499<sup>th</sup> meeting, held at Palais des Nations, Geneva, on Friday, 3 March 2017, at 3 p.m., CEDAW/C/SR.1499, para. 11; and, CEDAW, 66<sup>th</sup> session closing Remarks by CEDAW Chair, Ms. Dalia Leinarte, available at: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1071&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1071&Lang=en)



## **Engagement of NHRIs and CSOs in the Reporting Process**

## 6. Engagement of NHRIs and CSOs in the Reporting Process

**This Chapter explores the involvement of the national human rights institutions (NHRIs) and civil society organizations (CSOs) in the reporting process – from preparation of the report, the review process by the Treaty Body, to implementation of the concluding observations. A checklist for stakeholders on how to engage with the Treaty Bodies is included in Annex 2, Part I of this Training Guide.**

NHRIs and CSOs (international, regional, national and local) working on the promotion and protection of human rights can engage at all stages of the work of the Treaty Bodies, namely on the reporting process, the communications procedure, the inquiry procedure, the country visits, any early warning and urgent action procedures where they exist, at Days of General or Thematic Discussions, and development of general comments. This involvement has been recognized by the Treaty Bodies as an essential element in the promotion and implementation of the international human rights treaties and their optional protocols at national level. While some treaties expressly provide for a role of CSOs or NHRIs in the work of the Treaty Body, most Treaty Bodies have formalized their cooperation with NHRIs and CSOs and have adopted procedures of interaction with them in various documents, such as in their working methods, official papers, statements and information notes. Most Treaty Bodies reach out to relevant NHRIs and encourage them to be involved in the upcoming review of their country of interest. This chapter will focus on the involvement of these stakeholders in the reporting process.

NHRIs and CSOs, usually national and local, can engage in the Treaty Bodies' reporting process by actively participating in the **national reporting preparations**. They can provide useful inputs into the State party reports by sharing their views and assessment of the State party's implementation of a particular international human rights treaty and of the relevant previous recommendations. However, to be able to participate State parties are strongly encouraged to engage in a participatory approach and hold broad and meaningful consultations with NHRIs and CSOs along the national reporting process, as stated in Chapters 2 (on NMRFs) and 3 (Benefits of Reporting) of this Guide. The consultations may take different forms such as workshops, meetings, or requests for inputs and comments in relation to the drafting of State reports (see the checklist in Section v, Coordinating with and consulting relevant stakeholders). They represent an opportunity for the Government to have an open discussion on its draft reports and responses to the Treaty Bodies with key stakeholders, all of which can strengthen transparency and accountability. However, this participation does not imply that NHRIs and CSOs will be taking over the drafting of a report or that they will be undertaking joint reporting with the State party.

As mentioned in Chapter 4, NHRIs and CSOs can also engage directly in the reporting process by submitting their own reports, known as **alternative reports**, and by presenting oral information to the Treaty Bodies at different stages of the reporting cycle (see figure, below). NHRIs and CSOs wishing to brief a Treaty Body but do not have the means to travel to Geneva may avail themselves of the possibility of doing so by video-conference (VTC). They should contact the relevant Secretariat to make such a request. The country-specific information they provide, along with information provided



by other sources such as the UN system, is deemed necessary by the Treaty Bodies as it assists them in ensuring a well-informed review of a State party. This means that NHRIs' and CSOs' participation in and inputs into the State party report should not exclude them from the opportunity of contributing independently to the reporting process. State parties must respect the independent role of these stakeholders in engaging directly with the Treaty Bodies. Furthermore, State parties are urged by Treaty Bodies to ensure that individuals and groups which provide information to and cooperate with a specific Treaty Body are not subjected to reprisals. In this regard the Chairpersons of the Treaty Bodies adopted, in July 2015, the [Guidelines against Intimidation or Reprisals, known also as the "San José Guidelines"](#) (San José Guidelines), which are a common effort to reinforce procedures relating to intimidation and reprisals.

According to San José Guidelines, the committees can take the following **steps against intimidation and reprisals**:

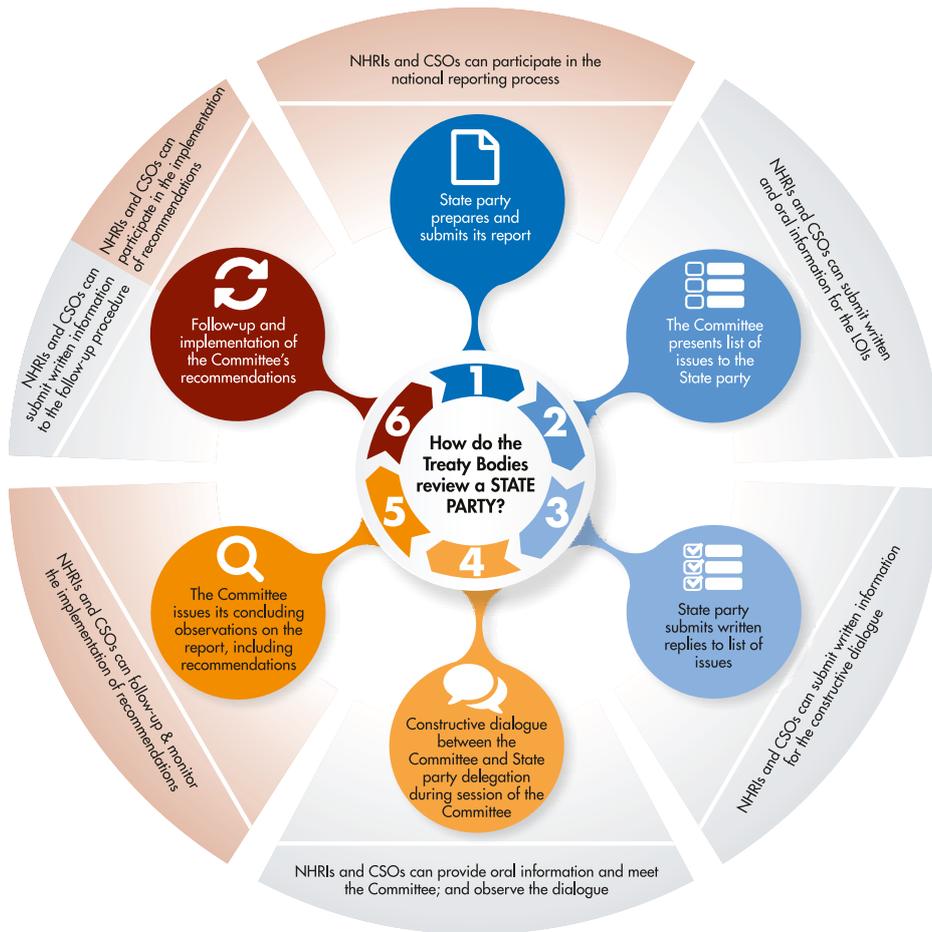
**Preventative measures:** the committee can permit requests from individuals or groups to provide information to the relevant Treaty Body in a confidential manner and remind State parties of their primary obligation to prevent and refrain from all acts of intimidation or reprisals against individuals and groups seeking to cooperate or cooperating with the Treaty Bodies.

**Protection measures:** the committee can request the relevant State party to adopt protective measures for the individual or group when it is alleged that an individual or group is at risk of intimidation or reprisals for seeking to communicate or for having communicated with a Treaty Body, including as a result of filing or considering or attempting to file a formal complaint to a Treaty Body in the framework of the individual communications procedures. Such measures can include requests to refrain from any acts of intimidation or reprisals and to adopt all measures necessary to protect those at risk. The State party may be requested to provide the committee, within a specific deadline, with information on measures taken to comply with the request.

The NHRIs' and CSOs' reports to the Treaty Bodies aim at informing a) the preparation of List of Issues or List of Issues Prior to Reporting and questions (under both the Standard and Simplified Reporting Procedures); b) the consideration of a State party report; or c) the follow-up procedures to concluding observations. This information is made available on the webpage of the relevant Treaty Body, unless otherwise requested by the stakeholder. NHRIs and CSOs can also meet with the members of the Treaty Bodies to present them with country-specific oral information, either during the process of drafting the List of Issues and List of Issues prior to Reporting, along with any questions (pre-sessional working group), or during the session at which the relevant State party is going to be considered. The modalities of these meetings (open or closed) vary between the Treaty Bodies. The NHRIs and CSOs can also observe the constructive dialogue between a State party and a Treaty Body.

NHRIs' and CSOs' involvement in the reporting process continues after consideration of a State party report; through **follow-up activities** they can play an important role in advocating for implementation on the ground of the recommendations emanating from the Treaty Bodies, thereby contributing to the advancement of human rights.

Most Treaty Bodies issue an information note for NHRIs and all do so for CSOs, providing practical guidance on their participation in the reporting process, including on how to obtain their accreditation ahead of the session. These notes are updated every session and are posted on the webpage of each [Committee](#).





## List of Acronyms

# List of Acronyms

## Human Rights Treaties

<b>UDHR</b>	Universal Declaration of Human Rights
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICCPR-OP1</b>	Optional Protocol to the International Covenant on Civil and Political Rights
<b>ICCPR-OP2</b>	Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty
<b>ICESCR</b>	International Covenant on Economic, Social and Cultural Rights
<b>ICESCR-OP</b>	Optional Protocol to the International Covenant on Economic, Social and Cultural Rights
<b>ICERD</b>	International Convention on the Elimination of All Forms of Racial Discrimination
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women
<b>OP-CEDAW</b>	Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women
<b>CAT</b>	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
<b>OPCAT</b>	Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment
<b>CRC</b>	Convention on the Rights of the Child
<b>CRC-OPAC</b>	Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
<b>CRC-OPSC</b>	Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
<b>CRC-OPIC</b>	Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure
<b>ICRMW</b>	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
<b>CRPD</b>	Convention on the Rights of Persons with Disabilities
<b>OP-CRPD</b>	Optional Protocol to the Convention on the Rights of Persons with Disabilities
<b>ICPED</b>	International Convention for the Protection of All Persons from Enforced Disappearance

## Human Rights Treaty Bodies

<b>HRCttee</b>	Human Rights Committee
<b>CESCR</b>	Committee on Economic, Social and Cultural Rights
<b>CERD</b>	Committee on the Elimination of Racial Discrimination
<b>CEDAW</b>	Committee on the Elimination of Discrimination against Women
<b>CAT</b>	Committee against Torture



<b>CRC</b>	Committee on the Rights of the Child
<b>CMW</b>	Committee on Migrant Workers
<b>CRPD</b>	Committee on the Rights of Persons with Disabilities
<b>CED</b>	Committee on Enforced Disappearances
<b>SPT</b>	Subcommittee on Prevention of Torture

### National bodies

<b>NMRF</b>	National Mechanism for Reporting and Follow-up
<b>NHRI</b> s	National human rights institutions
<b>CSOs</b>	Civil society organizations
<b>NGOs</b>	Non-governmental Organizations

### International bodies and activities

<b>OHCHR</b>	Office of the United Nations High Commissioner for Human Rights
<b>FAO</b>	Food and Agriculture Organization
<b>ILO</b>	International Labor Organization
<b>IOM</b>	International Organization for Migration
<b>UNDP</b>	United Nations Development Fund
<b>UNFPA</b>	United Nations Population Fund
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNICEF</b>	United Nations International Children's Emergency Fund
<b>WHO</b>	World Health Organization
<b>UNCT</b>	United Nations Country Team
<b>UNDAF</b>	United Nations Development Assistance Framework
<b>CCA</b>	Common Country Analysis
<b>IASG</b>	Inter-Agency Support Group

### Treaty reporting

<b>CCD</b>	Common Core Document
<b>LoIs</b>	List of Issues
<b>LoIPR</b>	List of Issues Prior to Reporting
<b>NHRAP</b>	National Human Rights Action Plan
<b>SP</b>	State party
<b>SPR</b>	Simplified Reporting Procedure
<b>UPR</b>	Universal Periodic Review





# Annexes

**ANNEX 1.** Summary table on the linkages between the Sustainable Development Goals and relevant international human rights instruments

Sustainable Development Goals		Related human rights *
 <p><b>1 NO POVERTY</b></p> <p>Targets include eradicating extreme poverty; implementing social protection measures; and ensuring equal access of men and women to economic resources.</p>		<ul style="list-style-type: none"> <li>• <b>Right to an adequate standard of living</b> [UDHR art. 25; ICESCR art. 11; CRC art. 27]</li> <li>• <b>Right to social security</b> [UDHR art. 22; ICESCR art. 9; CRPD art. 28; CRC art. 26]</li> <li>• <b>Equal rights of women in economic life</b> [CEDAW arts. 11, 13, 14(2)(g), 15(2), 16(1)]</li> </ul>
 <p><b>2 ZERO HUNGER</b></p> <p>Targets include ending hunger and malnutrition; improving agricultural production, sustainable and resilient food production; correcting trade distortions; and ensuring functioning food commodity markets.</p>		<ul style="list-style-type: none"> <li>• <b>Right to adequate food</b> [UDHR art. 25; ICESCR art. 11; CRC art. 24(2)(c)]</li> <li>• <b>International cooperation</b>, including ensuring equitable distribution of world food supplies [UDHR art. 28; ICESCR arts. 2(1), 11(2)]</li> </ul>
 <p><b>3 GOOD HEALTH AND WELL-BEING</b></p> <p>Targets include reducing maternal mortality; ending preventable child deaths; ending or reducing AIDS other diseases; universal health coverage, affordable essential medicines, sexual and reproductive health care; vaccine research, and access to medicines.</p>		<ul style="list-style-type: none"> <li>• <b>Right to life</b> [UDHR art. 3; ICCPR art. 6], particularly of women [CEDAW art. 12] and children [CRC art. 6]</li> <li>• <b>Right to health</b> [UDHR art. 25; ICESCR art. 12], particularly of women [CEDAW art. 12]; and children [CRC art.24]</li> <li>• <b>Special protection for mothers and children</b> [ICESCR art.10]</li> <li>• <b>Right to enjoy the benefits of scientific progress and its application</b> [UDHR art. 27; ICESCR art. 15(1)(b)]</li> <li>• <b>International cooperation</b> [UDHR art. 28, DRTD arts. 3-4], particularly in relation to the right to health and children's rights [ICESCR art. 2(1); CRC art. 4]</li> </ul>





<p><b>4</b> QUALITY EDUCATION</p> 	<p><b>Ensure inclusive and equitable quality education and promote life-long learning opportunities for all</b></p> <p>Targets include universal access to free, quality pre-primary, primary and secondary education; improving vocational skills; equal access to education; expanding education facilities, scholarships, and training of teachers.</p>	<ul style="list-style-type: none"> <li>• <b>Right to education</b> [UDHR art. 26; ICESCR art. 13], particularly in relation to children [CRC arts. 28, 29]; persons with disabilities [CRC art. 23(3), CRPD art. 24]; and indigenous peoples [UNDRIP art. 14]</li> <li>• <b>Equal rights of women and girls in the field of education</b> [CEDAW art. 10]</li> <li>• <b>Right to work, including technical and vocational training</b> [ICESCR art. 6]</li> <li>• <b>International cooperation</b> [UDHR art. 28; DRTd arts. 3-4], particularly in relation to children [CRC arts. 23(4), 28(3)], persons with disabilities [CRPD art. 32], and indigenous peoples [UNDRIP art. 39]</li> </ul>
<p><b>5</b> GENDER EQUALITY</p> 	<p><b>Achieve gender equality and empower all women and girls</b></p> <p>Targets include eliminating discrimination and violence against women and girls; valuing unpaid care and domestic work; ensuring the full participation of women; access to reproductive health care; and equal access of women to economic resources.</p>	<ul style="list-style-type: none"> <li>• <b>Elimination of all forms of discrimination against women</b> [CEDAW arts. 1-5] and girls [CRC art. 2], particularly in legislation, political and public life (art. 7), economic and social life (arts. 11, 13), and family relations (art. 16)</li> <li>• <b>Right to decide the number and spacing of children</b> [CEDAW arts. 12, 16(1)(e); CRC art. 24(2)(f)]</li> <li>• <b>Special protection for mothers and children</b> [ICESCR art. 10]</li> <li>• <b>Elimination of violence against women and girls</b> [CEDAW arts. 1- 6; DEVAW arts. 1-4; CRC arts. 24(3), 35]</li> <li>• <b>Right to just and favourable conditions of work</b> [ICESCR art. 7; CEDAW art. 11]</li> </ul>
<p><b>6</b> CLEAN WATER AND SANITATION</p> 	<p><b>Ensure availability and sustainable management of water and sanitation for all</b></p> <p>Targets include ensuring universal and equitable access to safe, affordable drinking water, sanitation and hygiene for all; reducing pollution; increasing water-use efficiency; and promoting participatory management of water and sanitation services.</p>	<ul style="list-style-type: none"> <li>• <b>Right to safe drinking water and sanitation</b> [ICESCR art. 11]</li> <li>• <b>Right to health</b> [UDHR art. 25; ICESCR art. 12]</li> <li>• <b>Equal access to water and sanitation for rural women</b> [CEDAW art. 14(2)(h)]</li> </ul>

<p><b>7</b> AFFORDABLE AND CLEAN ENERGY</p> 	<p><b>Ensure access to affordable, reliable, sustainable and modern energy for all</b></p> <p>Targets include ensuring universal access to affordable, reliable and modern energy services.</p>	<ul style="list-style-type: none"> <li>• <b>Right to an adequate standard of living</b> [UDHR art. 25; ICESCR art. 11]</li> <li>• <b>Right to enjoy the benefits of scientific progress and its application</b> [UDHR art. 27; ICESCR art. 15(1)(b)]</li> </ul>
<p><b>8</b> DECENT WORK AND ECONOMIC GROWTH</p> 	<p><b>Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all</b></p> <p>Targets include promoting sustained economic growth; improving resource efficiency in production and consumption; full and productive employment and decent work for all; eradicating forced and child labour and trafficking; protecting labour rights including those of migrant workers; and increasing access to financial services.</p>	<ul style="list-style-type: none"> <li>• <b>Right to work and to just and favourable conditions of work</b> [UDHR art. 23; ICESCR arts. 6, 7, 10; CRPD art. 27; ILO Core Labour Conventions and ILO Declaration on Fundamental Principles and Rights at Work]</li> <li>• <b>Prohibition of slavery, forced labour, and trafficking of persons</b> [UDHR art. 4; ICCPR art. 8; CEDAW art. 6; CRC arts. 34-36]</li> <li>• <b>Equal rights of women in relation to employment</b> [CEDAW art. 11; ILO Conventions No. 100 and No. 111]</li> <li>• <b>Prohibition of child labour</b> [CRC art. 32; ILO Convention No. 182]</li> <li>• <b>Equal labour rights of migrant workers</b> [CMW art. 25]</li> </ul>
<p><b>9</b> INDUSTRY, INNOVATION AND INFRASTRUCTURE</p> 	<p><b>Build resilient infrastructure, promote inclusive and sustainable industrialisation and foster innovation</b></p> <p>Targets include affordable and equitable access to quality infrastructure; employment generating industrialisation; access to financial services and markets; innovation and technology transfer, and increasing access to ICT.</p>	<ul style="list-style-type: none"> <li>• <b>Right to enjoy the benefits of scientific progress and its application</b> [UDHR art. 27; ICESCR art. 15(1)(b)]</li> <li>• <b>Right to access to information</b> [UDHR art. 19; ICCPR art. 19(2)]</li> <li>• <b>Right to adequate housing</b>, including land and resources [UDHR art. 25; ICESCR art. 11]</li> <li>• <b>Equal rights of women to financial credit and rural infrastructure</b> [CEDAW art. 13(b), art. 14(2)]</li> </ul>



<p><b>10</b> REDUCED INEQUALITIES</p> 	<p><b>Reduce inequality within and among countries</b></p> <p>Targets include promoting higher growth rates for the bottom 40 per cent; promoting social, economic and political inclusion; reducing inequalities in opportunities and outcomes; ensuring social protection for all; securing participation in economic decision making; facilitating migration, and reducing transaction costs for migrant remittances.</p>	<ul style="list-style-type: none"> <li>• <b>Right to equality and non-discrimination</b> [UDHR art. 2; ICESCR art. 2(2); ICCPR arts. 2(1), 26; CERD art. 2(2); CEDAW art. 2; CRC art. 2; CRPD art. 5; CMW art. 7; DRtD art. 8(1)]</li> <li>• <b>Right to participate in public affairs</b> [UDHR art. 21; ICCPR art. 25; CEDAW art. 7; ICERD art. 5; CRPD art. 29; DRtD art. 8(2)]</li> <li>• <b>Right to social security</b> [UDHR art. 22; ICESCR arts. 9-10; CRPD art. 28]</li> <li>• <b>Promotion of conditions for international migration</b> [CMW art. 64]</li> <li>• <b>Right of migrants to transfer their earnings and savings</b> [CMW art. 47(1)]</li> </ul>
<p><b>11</b> SUSTAINABLE CITIES AND COMMUNITIES</p> 	<p><b>Make cities and human settlements inclusive, safe, resilient and sustainable</b></p> <p>Targets include ensuring access to housing, basic services and public transport for all; participatory planning of human settlements; safeguarding cultural and natural heritage; and strengthening resilience to disasters.</p>	<ul style="list-style-type: none"> <li>• <b>Right to adequate housing</b>, including land and resources [UDHR art. 25; ICESCR art. 11]</li> <li>• <b>Right to participate in cultural life</b> [UDHR art. 25; ICESCR art. 15; ICERD arts. 5, 7; CRPD art. 30; CRC art. 31]</li> <li>• <b>Accessibility of transportation, facilities and services</b> particularly of persons with disabilities [CRPD art. 9(1)], children [CRC art. 23], and rural women [CEDAW art. 14(2)]</li> <li>• <b>Protection from natural disasters</b> [CRPD art. 11]</li> </ul>
<p><b>12</b> RESPONSIBLE CONSUMPTION AND PRODUCTION</p> 	<p><b>Ensure sustainable consumption and production patterns</b></p> <p>Targets include achieving sustainable management and efficient use of natural resources; improving waste management; promoting sustainable public procurement; ensuring access to information; and building capacity for sustainable development.</p>	<ul style="list-style-type: none"> <li>• <b>Right to health</b> including the right to safe, clean, healthy and sustainable environment [UDHR art. 25(1); ICESCR art. 12]</li> <li>• <b>Right to adequate food and the right to safe drinking water</b> [UDHR art. 25(1); ICESCR art. 11]</li> <li>• <b>Right of all peoples to freely dispose of their natural resources</b> [ICCPR, ICESCR art. 1(2)]</li> </ul>



**SUSTAINABLE DEVELOPMENT GOALS**

	<p><b>Take urgent action to combat climate change and its impacts</b></p> <p>Targets include strengthening resilience and adaptation to climate change and natural disasters, including in marginalised communities; implementation of the Green Climate fund.</p>	<ul style="list-style-type: none"> <li>• <b>Right to health</b> including the right to safe, clean, healthy and sustainable environment [UDHR art. 25(1); ICESCR art. 12; CRC art. 24; CEDAW art. 12; CMW art. 28]</li> <li>• <b>Right to adequate food &amp; right to safe drinking water</b> [UDHR art. 25(1); ICESCR art. 11]</li> <li>• <b>Right of all peoples to freely dispose of their natural wealth and resources</b> [ICCPR, ICESCR art. 1(2)]</li> </ul>
	<p><b>Conserve and sustainably use the oceans, seas and marine resources for sustainable development</b></p> <p>Targets include reducing marine pollution; conserving coastal ecosystems, coastal marine areas and fish stock; securing market access for small scale fishers; protection of marine biodiversity.</p>	<ul style="list-style-type: none"> <li>• <b>Right to health</b> including the right to safe, clean, healthy and sustainable environment [UDHR art. 25(1); ICESCR art. 12; CRC art. 24; CEDAW art. 12; CMW art. 28]</li> <li>• <b>Right to adequate food &amp; right to safe drinking water</b> [UDHR art. 25(1); ICESCR art. 11]</li> <li>• <b>Right of all peoples to freely dispose of their natural wealth and resources</b> [ICCPR, ICESCR art. 1(2)]</li> </ul>
	<p><b>Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss</b></p> <p>Targets include the sustainable management of freshwater, mountain ecosystems and forests; combatting desertification; halting biodiversity loss; combatting poaching and trafficking of protected species.</p>	<ul style="list-style-type: none"> <li>• <b>Right to health</b> including the right to safe, clean, healthy and sustainable environment [UDHR art. 25(1); ICESCR art. 12; CRC art. 24; CEDAW art. 12; CMW art. 28]</li> <li>• <b>Right to adequate food &amp; right to safe drinking water</b> [UDHR art. 25(1); ICESCR art. 11]</li> <li>• <b>Right of all peoples to freely dispose of their natural wealth and resources</b> [ICCPR, ICESCR art. 1(2)]</li> </ul>





<p><b>16</b> PEACE, JUSTICE AND STRONG INSTITUTIONS</p> 	<p><b>Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels</b></p> <p>Targets include reducing all forms of violence; ending violence against and trafficking of children; promoting rule of law and justice for all; reducing illicit financial and arms flows, corruption and bribery; developing effective institutions; participation in decision making at all levels; legal identity for all.</p>	<ul style="list-style-type: none"> <li>• <b>Right to life, liberty and security of the person</b> [UDHR art. 3; ICCPR arts. 6(1), 9(1); ICPEd art. 1] including freedom from torture [UDHR art. 5; ICCPR art. 7; CAT art. 2; CRC art. 37(a)]</li> <li>• <b>Protection of children from all forms of violence, abuse or exploitation</b> [CRC arts. 19, 37(a)], including trafficking (CRC arts. 34-36; CRC-OP1)]</li> <li>• <b>Right to access to justice and due process</b> [UDHR arts. 8, 10; ICCPR arts. 2(3), 14-15; CEDAW art. 2(c)]</li> <li>• <b>Right to legal personality</b> [UDHR art. 6; ICCPR art. 16; CRPD art. 12]</li> <li>• <b>Right to participate in public affairs</b> [UDHR art. 21; ICCPR art. 25]</li> <li>• <b>Right to access to information</b> [UDHR art. 19; ICCPR art. 19(1)]</li> </ul>
<p><b>17</b> PARTNERSHIPS FOR THE GOALS</p> 	<p><b>Strengthen the means of implementation and revitalize the global partnership for sustainable development</b></p> <p>Targets include strengthening domestic and international resources; debt sustainability; technology transfer and capacity building; promoting trade; enhancing policy and institutional coherence; respecting countries' policy space; promoting multi-stakeholder partnerships; measurements for progress, disaggregated data.</p>	<ul style="list-style-type: none"> <li>• <b>Right of all peoples to self-determination</b> [ICCPR, ICESCR art. 1(1); DRtD art. 1(1)]</li> <li>• <b>Right of all peoples to development, &amp; international cooperation</b> [UDHR art. 28; ICESCR art. 2(1); CRC art. 4; CRPD art. 32(1); DRtD arts. 3-5]</li> <li>• <b>Right of everyone to enjoy the benefits of scientific progress and its application</b>, including international cooperation in the scientific field [UDHR art. 27(1); ICESCR art. 15(1)]</li> <li>• <b>Right to privacy</b> [UDHR art. 12; ICCPR art. 17], including respect for human rights and ethical principles in the collection and use of statistics [CRPD art. 31(1)]</li> </ul>

(\*) This table is intended for illustrative purposes only. The listing of relevant rights is not exhaustive. Under international human rights law, and under the 2030 Agenda for Sustainable Development, data for all targets needs to be collected and disaggregated by the prohibited grounds of discrimination under international human rights law, including the respect, protection and promotion of human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability or other status. Obligations regarding international assistance and cooperation also apply to all Goals.



## List of international human rights instruments:

1948 – Universal Declaration on Human Rights ([UDHR](#))

1965 – International Convention on the Elimination of All Forms of Racial Discrimination ([CERD](#))

1966 – International Covenant on Civil and Political Rights ([ICCPR](#))

1966 – International Covenant on Economic, Social and Cultural Rights ([ICESCR](#))

1979 – International Convention on the Elimination of All Forms of Discrimination against Women ([CEDAW](#))

1984 – Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ([CAT](#))

1986 – Declaration on the Right to Development ([UNDRTD](#))

1989 – Convention on the Rights of the Child ([CRC](#))

1990 – International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families ([CMW](#))

1993 – Declaration on the Elimination of Violence against Women ([DEVAW](#))

2000 – Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict ([OP-1](#))

2006 – Convention on the Rights of Persons with Disabilities ([CRPD](#))

2006 – International Convention for the Protection of All Persons from Enforced Disappearances ([ICPEP](#))

2007 – Declaration on the Rights of Indigenous Peoples ([UNDRIP](#))





## ANNEX 2.

### Checklist for stakeholders – Engaging in the review of a State party by a Treaty Body

The aim of this annex is to provide practical advice to stakeholders interested in engaging in the review of a State party by a Treaty Body. This advice does not intend to be exhaustive. It is suggested to read this annex in conjunction with chapters 5 and 6 of this Training Guide.

#### I. Before deciding to engage in the Treaty Bodies reporting procedure, it may be useful to know:

- The core international human rights treaties which the State of your interest has ratified
- The State party upcoming deadlines to submit reports (initial and/or periodic); to which Treaty Bodies; and, under which reporting procedure (i.e., standard or simplified)
- Whether the State party has submitted its follow-up reports to the relevant Treaty Bodies

This information may assist you in deciding to which Treaty Body reporting procedure your organization/institution may engage, taking in consideration its mandate and thematic priorities.

#### II. Once there is an interest to engage on a particular Treaty Body reporting procedure you may wish to be aware of the following:

- The latest concluding observations issued by the Treaty Body to the State party and, where relevant the status of the follow-up procedure to those recommendations
- Has the State party already submitted its report to the Treaty Body of your interest?
- Has the respective Treaty Body scheduled the adoption of the list of issues on the report of the State party?
- For the simplified reporting procedure: has the Treaty Body scheduled the adoption of the list of issues prior to reporting?
- Has the Treaty Body adopted the list of issues on the report of the State party?
- Has the Treaty Body already scheduled the review (constructive dialogue) of the State party report?

**TIP** → **Check the webpage of the Treaty Body of your interest to find out information about its upcoming and future sessions, such as:**

- **Which States parties will be reviewed and when; and**
- **For which States parties list of issues or list of issues prior to reporting will be adopted and when**

→ **Treaty Bodies webpages can be accessed at: <http://www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx>**

#### III. How to engage in the review of a State party?

Reflecting on the following issues may assist your organization/institution on deciding how you would like to go about your engagement in a Treaty Body reporting procedure:

- At which stage of the reporting cycle would you like to engage? (i.e., for the List of Issues/List of Issues Prior to Reporting; for the constructive dialogue; or both) Why?

- ✓ How would you like to contribute? (i.e., written submission only or written submission plus oral briefing)
- ✓ Would your contribution be individual (only your organization/institution) or joint (e.g., through a network of CSOs, UN inter-agency report)?
- ✓ If besides your written contribution, you would also like to provide an oral briefing to the Treaty Body? (see Section V)



→ **Consult the informative note on the participation of CSOs and/or NHRIs issued by the Treaty Body of your interest to find out specific information about:**

- **Modalities and specific instructions on how, when and to whom submit written information;**
- **Modalities to address a Treaty Body as well as deadlines to request an oral briefing. The venue and dates for these briefings can be also included; and**
- **Instructions on how to register to attend a Treaty Body session**

→ **These notes are updated by the Secretariat every session and available at the webpage of each Treaty Body at <http://www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx>**

#### IV. How to draft an alternative report?

1. Some suggestions on issues you may wish to take into consideration at the outset of your preparations, include:
  - ✓ The focus and structure of your alternative report (e.g., selected issues or all articles/clusters of the treaty)
  - ✓ Get familiar with the specific reporting guidelines of the relevant Treaty Body as well as with its general comments and jurisprudence, if existing, so you can make use of these tools when drafting your alternative report
  - ✓ Get acquainted with the relevant legislative framework, policies, etc. which seek to implement the provisions of the treaty in the State party
  - ✓ For reports under the standard reporting procedure: get familiar with the State party report, so you can identify issues of concern your organization/institution may wish to address in the alternative report
  - ✓ For periodic reporting procedures: know the content of the last concluding observations
  - ✓ Analyse the extent to which law, policy and practice comply with the principles and standards of the treaty as well as with the concluding observations, so you can highlight the main challenges in the alternative report
2. When drafting an alternative report, it is suggested to:
  - ✓ Make reference to the relevant article in the treaty you are referring to
  - ✓ Reference all information correctly (e.g., jurisprudence)
  - ✓ Do not use abusive language
  - ✓ Be clear and precise, accurate and objective; and provide examples/evidence of alleged human rights violations, where relevant



- ✓ Integrate a gender perspective in the alternative report (i.e., mention whether there are any differences between women/men with regard to the enjoyment of specific human rights; include disaggregated data, etc)
  - ✓ Include concrete suggestions on how could the human rights situation be improved
3. On the format and submission of your alternative report, you may wish to take into consideration that:
- ✓ Advice on the length of written submissions varies amongst Treaty Bodies – a general suggestion would be **10 pages plus a summary**
  - ✓ Stakeholders' alternative reports are not translated. To ensure that most of the members of a Treaty Body understand your information it is advised to submit it in English.
  - ✓ Even though most Treaty Bodies working languages also include French and Spanish, you are encouraged to include a summary of your alternative report in English, if you submit your information in any of these languages
  - ✓ Written information should be sent directly to the **Secretariat of the relevant Committee** (except for CRC) and only in **electronic form** in Word and PDF formats. Treaty Bodies Secretariats contact details are included in the quick reference table for stakeholders below.

## V. How to provide an oral briefing?

If you have submitted an alternative report to a Treaty Body, it may be worth it to consider presenting orally your information to the relevant Committee. It is suggested to:

- ✓ Discuss within your organization the availability of funds to travel to Geneva and who would be representing the organization there;
- ✓ Get acquainted with the available options to address the Treaty Body of your interest and decide which modality you would like to use (see quick reference table below);
- ✓ Be aware that the time slot allocated to have an exchange with the Treaty Bodies is usually one hour. Often this time is shared amongst various stakeholders – e.g., CSOs and NHRIs or only CSOs or only NHRIs<sup>52</sup> depending on the Treaty Body, which means that your time to present oral information to a Treaty Body will be limited!
- ✓ Get in touch with the NGO assisting the relevant Treaty Body in coordinating CSOs participation at the session / pre-session working group, if any (see quick reference table below). Otherwise, CSOs are encouraged to coordinate amongst themselves so as to make the best use of their shared time slot, which varies depending on the number of stakeholders addressing a Treaty Body;
- ✓ Prepare your oral statement well in advance and highlighting only your main concerns!
- ✓ If travelling to Geneva is not a suitable option, consider reaching out the Secretariat of the Treaty Body of your interest to inquire about the possibility to provide your oral briefing via a video-conference!

<sup>52</sup> See: OHCHR paper on engagement of NHRIs with the UN Human Rights Treaty Bodies (2016), paras. 15 – 20, available at: <http://www.ohchr.org/EN/HRBodies/AnnualMeeting/Pages/MeetingChairpersons.aspx>

## QUICK REFERENCE TABLE FOR STAKEHOLDERS

TB	Stakeholders deadlines to submit written information	Oral briefings	Secretariat contact details
CERD	<p><b>For country reviews:</b> at any time from the moment the review of the State party of your interest is scheduled, <b>but at the latest 3 weeks</b> prior to the relevant session</p> <p><i>Note:</i> the Committee sends a <i>list of themes</i> to the State party 4 to 6 weeks prior to the country review with aim to frame the constructive dialogue around key issues.</p> <p>If you wish to contribute to the <i>list of themes</i>, it is suggested to do so <b>8 weeks prior to the country review</b> and clearly indicate that your input is for such a list.</p>	<p><b>CSOs and NHRIs</b> may address the Committee during its meeting time* – i.e., with interpretation to present information on the countries to be reviewed.</p> <p><i>Lunchtime briefings</i> by CSOs and NHRIs with Committee members may also be arranged. No interpretation is provided. Requests will be accommodated depending on the availability of Committee members.</p> <p>Contact the Secretariat should you wish to address the Committee during its meeting time and/or to arrange a lunchtime briefing <b>latest 3 weeks prior to the session.</b></p> <p><i>*Public meetings. For their set out check the Programme of work of the relevant session, available at the Committee's webpage.</i></p>	<p>Tel: +41 22 917 97 57</p> <p>E-mail: <a href="mailto:cerd@ohchr.org">cerd@ohchr.org</a></p>
CESCR	<p><b>For country reviews:</b> preferably <b>6 weeks</b> and at the <b>latest 3 weeks</b> before the Committee's session.</p> <p><b>For list of issues:</b> preferably <b>10</b> and at the latest <b>8 weeks</b> before the relevant pre-sessional working group.</p>	<p><b>CSOs and NHRIs</b> may address the Committee during its session meeting time* and/or pre-sessional working group** – i.e., with interpretation to present information on the countries to be reviewed.</p> <p><i>Lunchtime briefings</i> by CSOs with Committee members may also be arranged. No interpretation is provided. Requests will be accommodated depending on the availability of Committee members.</p> <p>Contact the Secretariat should you wish to address the Committee during its meeting time and/or to arrange a lunchtime briefing <b>latest 4 weeks prior to the session.</b></p> <p><i>*Public meetings. For their set out check the Programme of work of the relevant session, available at the Committee's webpage.</i></p> <p><i>**Closed meetings.</i></p>	<p>Tel: +41 22 917 90 00</p> <p>E-mail: <a href="mailto:cescr@ohchr.org">cescr@ohchr.org</a></p>



TB	Stakeholders deadlines to submit written information	Oral briefings	Secretariat contact details
HRCtee	<p><b>For country reviews: 4 weeks</b> before the Committee's session.</p> <p><b>For list of issues: 12 weeks</b> before the relevant session.</p> <p><b>For list of issues under the simplified reporting procedure: 12 weeks</b> before the relevant session.</p>	<p><b>CSOs and NHRIs</b> may address the Committee during its meeting time* – i.e., with interpretation to present information on the countries to be reviewed.</p> <p><i>Lunchtime briefings</i> by CSOs (and NHRIs) with Committee members may also be arranged. No interpretation is provided.</p> <p><b>CSOs</b> wishing to address the Committee or to arrange a lunchtime briefing should contact CCPR-Centre at the latest <b>2 weeks prior to the session</b>. Copy the Secretariat in your communications.</p> <p><b>NHRIs</b> wishing to address the Committee or request a lunchtime briefing should contact the Secretariat at the latest <b>2 weeks prior to the session</b>.</p> <p><i>*Closed meetings. For their set out check the Programme of work of the relevant session, available at the Committee's webpage.</i></p>	<p>Tel: +41 22 917 92 61</p> <p>E-mail: <a href="mailto:ccpr@ohchr.org">ccpr@ohchr.org</a></p> <p>The <b>CCPR Centre</b> is an NGO assisting in the coordination of CSOs participation and collaboration with the Committee: Rue de Varembe 1, 1202 Genève Tel: +41 22 332 25 55 E-mail: <a href="mailto:info@ccprcentre.org">info@ccprcentre.org</a> <a href="http://www.ccprcentre.org">www.ccprcentre.org</a></p>
CEDAW	<p><b>For country reviews: 3 weeks</b> before the Committee's session.</p> <p><b>For list of issues: 6 weeks</b> prior to the relevant pre-sessional working group.</p> <p><b>For list of issues under the simplified reporting procedure: 6 weeks</b> prior to the relevant pre-sessional working group.</p>	<p><b>CSOs and NHRIs</b> may address the Committee during its session meeting time* and/or pre-sessional working group** – i.e., with interpretation to present information on the countries to be reviewed.</p> <p><i>Lunchtime briefings</i> by CSOs with Committee members may also be arranged. No interpretation is provided.</p> <p><b>CSOs</b> wishing to address the Committee or arrange a lunchtime briefing should contact IWRAW-Asia Pacific, at the latest <b>3 weeks prior to the session / pre-sessional working group</b>.</p> <p><b>NHRIs</b> wishing to address the Committee should contact the Secretariat at the latest <b>3 weeks prior to the session and 6 weeks pre-sessional working group</b>.</p> <p><i>*Public meetings. For their set out check the Programme of work of the relevant session, available at the Committee's webpage.</i> <i>**Closed meetings.</i></p>	<p>Tel: +41 22 917 94 43</p> <p>E-mail: <a href="mailto:cedaw@ohchr.org">cedaw@ohchr.org</a></p> <p><b>IWRAW-Asia Pacific</b> is an NGO assisting in the coordination of CSOs participation and collaboration with the Committee: 10-2, Jalan Bangsar Utama 9 Bangsar Utama 59000 Kuala Lumpur, Malaysia Tel: +60 322 822 255 E-mail: <a href="mailto:iwraw-ap@iwraw-ap.org">iwraw-ap@iwraw-ap.org</a> <a href="mailto:iwraw_ap@yahoo.com">iwraw_ap@yahoo.com</a></p>

TB	Stakeholders deadlines to submit written information	Oral briefings	Secretariat contact details
CAT	<p><b>For country reviews:</b> <b>4 weeks</b> before the Committee’s session.</p> <p><b>For list of issues:</b> <b>16 weeks</b> before the relevant session.</p> <p><b>For list of issues under the simplified reporting procedure:</b> <b>16 weeks</b> before the relevant session.</p>	<p><b>CSOs, NHRIs and National Prevention Mechanisms (NPMs)</b> may address the Committee during its meeting time* – i.e., with interpretation to present information on the countries to be reviewed.</p> <p>CSOs wishing to address the Committee should contact the World Organisation against Torture (OMCT) at the latest <b>3 weeks prior to the session</b>. Copy the Secretariat in your communications.</p> <p><b>NHRIs and NPMs</b> wishing to address the Committee should contact the Secretariat at the latest <b>3 weeks prior to the session</b>.</p> <p><i>*Closed meetings. For their set out check the Programme of work of the relevant session, available at the Committee’s webpage.</i></p>	<p>Tel: +41 22 917 97 06</p> <p>E-mail: <a href="mailto:cat@ohchr.org">cat@ohchr.org</a></p> <p>The <b>World Organisation against Torture (OMCT)</b> an NGO assisting in the coordinating of CSOs participation and collaboration with the Committee: 8, rue du Vieux-Billard 1211 Geneva 8 PO Box 21 Switzerland Tel: +41 22 809 4939 E-mail: <a href="mailto:omct@omct.org">omct@omct.org</a></p>
CRC	<p><b>For country reviews:</b> <b>3 weeks</b> before the session.</p> <p><b>For list of issues:</b> <b>12 weeks</b> before the relevant pre-sessional working group.</p> <p><b>CSOs and NHRIs</b> written information should be submitted electronically through the Child Rights Connect website at this link: <a href="http://www.childrightsconnect.org/upload-session-reports/">http://www.childrightsconnect.org/upload-session-reports/</a></p>	<p><b>CSOs and NHRIs</b> are invited to address the Committee during its pre-sessional working group* – i.e., with interpretation to present information on the countries to be reviewed, in line with the Committee’s “Guidelines for the participation of partners” (available at the webpage of CRC).</p> <p><b>Children</b> may also participate in the CRC reporting. Please refer to the Committee’s “Working methods on the participation of children in the CRC reporting” available at the webpage of the Committee.</p> <p><i>*Closed meetings.</i></p>	<p>Tel: +41 22 917 91 41</p> <p>E-mail: <a href="mailto:crc@ohchr.org">crc@ohchr.org</a></p> <p><b>Child Rights Connect</b> is an NGO assisting in the coordinating CSOs participation and collaboration with the Committee: 1 rue de Varembe 1202 Geneva, Switzerland Tel: +41 (0) 22 740 4730 E-mail: <a href="mailto:crcreporting@childrightsconnect.org">crrreporting@childrightsconnect.org</a> <a href="http://www.childrightsconnect.org">www.childrightsconnect.org</a></p>



TB	Stakeholders deadlines to submit written information	Oral briefings	Secretariat contact details
CRPD	<p><b>For country reviews:</b> at least <b>3 weeks</b> before the Committee's session</p> <p><b>For list of issues:</b> at least <b>3 weeks</b> before the relevant session or pre-sessional working group</p> <p><b>For list of issues under the simplified reporting procedure:</b> at least <b>16 weeks</b> before the relevant session or pre-sessional working group</p>	<p><b>CSOs, NHRIs and Independent Monitoring Frameworks (IMFs)</b> may address the Committee during its session meeting time* and/or pre-sessional working group** – i.e., with interpretation to present information on the countries to be reviewed.</p> <p><b>CSOs</b> wishing to address the Committee should contact the Secretariat at the latest <b>4 weeks prior to the session / pre-sessional working group</b>.</p> <p><b>NHRIs and IMFs</b> wishing to address the Committee at the session or pre-sessional working group should contact the Secretariat at the latest <b>4 weeks prior to the session / pre-sessional working group</b>.</p> <p><i>*Closed meetings. For their set out check the Programme of work of the relevant session, available at the Committee's webpage.</i></p> <p><i>**Closed meetings.</i></p>	<p>Tel: +41 22 917 91 06</p> <p>E-mail: <a href="mailto:crpd@ohchr.org">crpd@ohchr.org</a></p> <p>The <b>International Disability Alliance</b> is an NGO supporting national and regional organizations or persons with disabilities in their participation with the work of the Committee:</p> <p>Route de Ferney 150, CH-1211 Geneva Tel: +41 (0) 22 788 42 73 E-mail: <a href="mailto:jjperezbello@ida-secretariat.org">jjperezbello@ida-secretariat.org</a> / <a href="mailto:info@ida-secretariat.org">info@ida-secretariat.org</a></p>
CMW	<p><b>For country reviews:</b> <b>3 weeks</b> before the Committee's session</p> <p><b>For list of issues:</b> <b>3 weeks</b> before the relevant session</p> <p><b>For list of issues under the simplified reporting procedure:</b> <b>3 weeks</b> before the relevant session</p>	<p><b>CSOs and NHRIs</b> may address the Committee during its session meeting time* – i.e., with interpretation to present information on the countries to be reviewed.</p> <p><i>Lunchtime briefings</i> by CSOs and NHRIs with Committee members may also be arranged. No interpretation is provided.</p> <p>Stakeholders wishing to address the Committee and/or arrange a lunchtime briefing should contact the Secretariat at the latest <b>3 weeks</b> prior to the session.</p> <p><i>*Public meetings. For their set out check the Programme of work of the relevant session, available at the Committee's webpage.</i></p>	<p>Tel: +41 (0) 22 917 93 35</p> <p>E-mail: <a href="mailto:cmw@ohchr.org">cmw@ohchr.org</a></p>

TB	Stakeholders deadlines to submit written information	Oral briefings	Secretariat contact details
CED	<p>For country reviews: <b>4 weeks</b> before the Committee's session</p> <p>For list of issues: <b>12 weeks</b> before the relevant session</p>	<p><b>CSOs and NHRIs</b> may address the Committee during its meeting time* – i.e., with interpretation to present information on the countries to be reviewed.</p> <p><i>Lunchtime briefings, skype calls or tele-conferences by CSOs (and NHRIs) with Committee members may also be arranged. No interpretation is provided.</i></p> <p>Stakeholders wishing to address the Committee should contact the Secretariat at the latest <b>2 weeks prior to the session</b> –also for lunchtime briefings.</p> <p><i>*Closed meetings. For their set out check the Programme of work of the relevant session, available at the Committee's webpage.</i></p>	<p>Tel: +41 22 917 92 56</p> <p>Email: <a href="mailto:ced@ohchr.org">ced@ohchr.org</a></p>



