

HUMAN RIGHTS COMMITTEE

**HARMONIZED GUIDELINES ON REPORTING UNDER THE INTERNATIONAL
HUMAN RIGHTS TREATIES, INCLUDING GUIDELINES ON A CORE
DOCUMENT AND TREATY-SPECIFIC DOCUMENTS***

Purpose of guidelines

1. These guidelines are intended to guide States parties in fulfilling their reporting obligations under:

- Article 40 of the International Covenant on Civil and Political Rights, reporting to the Human Rights Committee (CCPR)

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2. States parties to each of these human rights treaties undertake, in accordance with the provisions (reproduced in Appendix 1), to submit to the relevant treaty body initial and periodic reports on the measures, including legislative, judicial, administrative or other measures, which they have adopted in order to achieve the enjoyment of the rights recognized in the treaty.

3. Reports presented in accordance with the present harmonized guidelines will enable each treaty body and State party to obtain a complete picture of the implementation of the relevant treaties, set within the wider context of the State's international human rights obligations, and provide a uniform framework within which each committee, in collaboration with the other treaty bodies, can work.

4. The harmonized guidelines aim at strengthening the capacity of States to fulfil their reporting obligations in a timely and effective manner, including the avoidance of unnecessary duplication of information. They also aim at improving the effectiveness of the treaty monitoring system by:

- (a) Facilitating a consistent approach by all committees in considering the reports presented to them;
- (b) Helping each committee to consider the situation regarding human rights in every State party on an equal basis; and

* Contained in document HRI/MC/2006/3, issued on 10 May 2006.

(c) Reducing the need for a committee to request supplementary information before considering a report.

5. Where considered appropriate, and in accordance with the provisions of their respective treaties, each treaty body may request additional information from States parties for the purpose of fulfilling its mandate to review the implementation of the treaty.

6. The harmonized guidelines are divided into three sections. Sections I and II apply to all reports being prepared for submission to any of the treaty bodies, and offer general guidance on the recommended approach to the reporting process and the recommended form of reports, respectively. Section III provides guidance to States parties on the contents of reports, ie., the common core document to be submitted to all treaty bodies and the treaty-specific document to be submitted to each treaty body.

I. THE REPORTING PROCESS

Purpose of reporting

7. The reporting system as described in these guidelines is intended to provide a coherent framework within which States can meet their reporting obligations under all of the international human rights treaties to which they are a party through a coordinated and streamlined process.

Commitment to treaties

8. The reporting process constitutes an essential element in the continuing commitment of a State to respect, protect and fulfil the rights set out in the treaties to which it is party. This commitment should be viewed within the wider context of the obligation of all States to promote respect for the rights and freedoms, set out in the Universal Declaration of Human Rights and international human rights instruments, by measures, national and international, to secure their universal and effective recognition and observance.

Review of the implementation of human rights at the national level

9. States parties should see the process of preparing their reports for the treaty bodies not only as an aspect of the fulfilment of their international obligations, but also as an opportunity to take stock of the state of human rights protection within their jurisdiction for the purpose of policy planning and implementation. The report preparation process thus offers an occasion for each State party to:

(a) Conduct a comprehensive review of the measures it has taken to harmonize national law and policy with the provisions of the relevant international human rights treaties to which it is a party;

(b) Monitor progress made in promoting the enjoyment of the rights set forth in the treaties in the context of the promotion of human rights in general;

(c) Identify problems and shortcomings in its approach to the implementation of the treaties; and

(d) Plan and develop appropriate policies to achieve these goals.

10. The reporting process should encourage and facilitate, at the national level, public scrutiny of government policies and constructive engagement with relevant actors of civil society conducted in a spirit of cooperation and mutual respect, with the aim of advancing the enjoyment by all of the rights protected by the relevant convention.

Basis for constructive dialogue at the international level

11. At the international level, the reporting process creates a basis for constructive dialogue between States and the treaty bodies. The treaty bodies, in providing these guidelines, wish to emphasize their supportive role in fostering effective national implementation of the international human rights instruments.

Collection of data and drafting of reports

12. All States are parties to at least one of the main international human rights treaties the implementation of which is monitored by independent treaty bodies (see paragraph 1), and more than seventy-five per cent are party to four or more. As a consequence, all States have reporting obligations to fulfil and should benefit from adopting a coordinated approach to their reporting for each respective treaty body.

13. States should consider setting up an appropriate institutional framework for the preparation of their reports. These institutional structures-which could include an inter-ministerial drafting committee and/or focal points on reporting within each relevant government department-could support all of the State's reporting obligations under the international human rights instruments and, as appropriate, related international treaties (for example, Conventions of the International Labour Organization and the United Nations Educational, Scientific and Cultural Organization), and could provide an effective mechanism to coordinate follow-up to the concluding observations of the treaty bodies. Such structures should allow for the involvement of sub-national levels of governance where these exist and could be established on a permanent basis.

14. Institutional structures of this nature could also support States in meeting other reporting commitments, for example to follow up on international conferences and summits, monitor implementation of the Millennium Development Goals, etc. Much of the information collected and collated for such reports may be useful in the preparation of States' reports to the treaty bodies.

15. These institutional structures should develop an efficient system for the collection (from the relevant ministries and government statistical offices) of all statistical and other data relevant to the implementation of human rights, in a comprehensive and continuous manner. States can benefit from technical assistance from the Office of the United Nations High Commissioner for Human Rights (OHCHR) in collaboration with the Division for the Advancement of Women (DAW), and from relevant United Nations agencies.

Periodicity

16. In accordance with the terms of the relevant treaty, each State party undertakes to submit an initial report on the measures in place or taken to give effect to that treaty's provisions within a specified period after the treaty's entry into force for the reporting State. Thereafter, States parties are required to submit further reports periodically, in accordance with the provisions of

each treaty, on the progress made during the reporting period. The periodicity of reports varies from treaty to treaty.

17. Reports under the revised reporting system will consist of two parts: the common core document and the treaty-specific document. In accordance with the different periodicity requirements of treaties, submission of these reports under different treaties may not be due at the same time. However, States could coordinate the preparation of their reports in consultation with the relevant treaty bodies with a view to submitting their reports not only in a timely manner, but with as little time lag between the different reports as possible. This will ensure that States receive the full benefit of submitting information required by several treaty bodies in a common core document.

18. States should keep their common core documents current. States should endeavour to update the common core document whenever they submit a treaty-specific document. If no update is considered necessary, this should be stated in the treaty-specific document.

II. THE FORM OF REPORTS

19. Information which a State considers relevant to assisting the treaty bodies in understanding the situation in the country should be presented in a concise and structured way. Although it is understood that some States have complex constitutional arrangements which need to be reflected in their reports, reports should not be of excessive length. If possible, common core documents should not exceed 60-80 pages, initial treaty-specific documents should not exceed 60 pages, and subsequent periodic documents should be limited to 40 pages. Pages should be formatted for A4-size paper, with 1.5 line spacing, and text set in 12 point Times New Roman type. Reports should be submitted in electronic form (on diskette, CD-ROM or by electronic mail), accompanied by a printed paper copy.

20. States may wish to submit separately copies of the principal legislative, judicial, administrative and other texts referred to in the reports, where these are available in a working language of the relevant committee. These texts will not be reproduced for general distribution, but will be made available to the relevant committee for consultation.

21. Reports should contain a full explanation of all abbreviations used in the text, especially when referring to national institutions, organizations, laws, etc., that are not likely to be readily understood outside of the State party.

22. Reports must be submitted in one of the official languages of the United Nations (Arabic, Chinese, English, French, Russian or Spanish).

23. Reports should be comprehensible and accurate when submitted to the Secretary-General. In the interests of efficiency, reports submitted by States whose official language is one of the official languages of the United Nations will not necessarily be edited by the Secretariat. Reports submitted by States whose official language is not one of the official languages of the United Nations may be edited by the Secretariat. Reports which, upon receipt, are found to be manifestly incomplete or require significant editing may be returned to the State for modification before being officially accepted by the Secretary-General.

III. THE CONTENT OF REPORTS

General

24. Both the common core document and the treaty-specific document form an integral part of each State's reports. Reports should contain information sufficient to provide each respective treaty body with a comprehensive understanding of the implementation of the relevant treaty by the State.

25. Reports should elaborate both the *de jure* and the *de facto* situation with regard to the implementation of the provisions of the treaties to which States are a party. Reports should not be confined to lists or 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 existing in the country.

26. Reports should provide relevant statistical data, disaggregated by sex, age,¹ and population groups, which may be presented together in tables annexed to the report. Such information should allow comparison over time and should indicate data sources. States should endeavour to analyze this information insofar as it is relevant to the implementation of treaty obligations.

27. The common core document should contain information of a general and factual nature relating to the implementation of the treaties to which the reporting State is party and which may be of relevance to all or several treaty bodies. A treaty body may request that the common core document 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 common core document or a new revised version, depending on the extent of the changes which need to be incorporated.

28. States preparing a common core document for the first time and which have already submitted reports to any of the treaty bodies may wish to integrate into the common core document information contained in those reports, insofar as it remains current.

29. The treaty-specific document should contain information relating to the implementation of the treaty which the relevant committee monitors. In particular, recent developments in law and practice affecting the enjoyment of rights under that treaty should be included, as well as - except for initial treaty-specific documents - a response to issues raised by the committee in its concluding observations or its general comments.

30. Each document may be submitted separately - though States are referred to consider paragraph 17 - the procedure for reporting will be as follows:

(a) The State party submits the common core document to the Secretary-General which is then transmitted to each of the treaty bodies monitoring the implementation of the treaties to which the State is party;

¹ Including with respect to children (persons under the age of 18 years).

(b) The State party submits treaty-specific documents to the Secretary-General which are then transmitted to the specific treaty bodies concerned;

(c) Each treaty body considers the State party's report on the treaty the implementation of which it monitors, consisting of the common core document and the treaty-specific document, according to its own procedures.

FIRST PART OF REPORTS: THE COMMON CORE DOCUMENT

31. For convenience, the common core document should be structured using the headings contained in sections 1-3 in accordance with the guidelines. The common core document should include the following information.

1. General information about the reporting State

32. This section should present general factual and statistical information relevant to assisting the committees in understanding the political, legal, social, economic and cultural context in which human rights are implemented in the State concerned.

A. Demographic, economic, social and cultural characteristics of the State

33. States may provide background information on the national characteristics of the country. States should refrain from providing detailed historical narratives; it is sufficient to provide a concise account of key historical facts where these are necessary to assist the treaty bodies in understanding the context of the State's implementation of the treaties.

34. States should provide accurate information about the main demographic and ethnic characteristics of the country and its population, taking into account the list of indicators contained in the section "Demographic indicators" in Appendix 3.

35. States should provide accurate information on the standard of living of the different segments of the population, taking into account the list of indicators contained in the section "Social, Economic and Cultural Indicators" in Appendix 3.

B. Constitutional, political and legal structure of the State

36. States should provide a description of the constitutional structure and the political and legal framework of the State, including the type of government, the electoral system, and the organization of the executive, legislative and judicial organs. States are also encouraged to provide information about any systems of customary or religious law that may exist in the State.

37. States should provide information on the principal system through which non-governmental organizations are recognized as such, including through registration where registration laws and procedures are in place, granting of non-profit status for tax purposes, or other comparable means.

38. States should provide information on the administration of justice. They should include accurate information on crime figures, including inter alia, information indicating the profile of perpetrators and victims of crime and sentences passed and carried out.

39. Information submitted in respect of paragraphs 36 to 38 should take into account the list of indicators contained in the section “Indicators on the Political System” and “Indicators on Crime and the Administration of Justice” in Appendix 3.

2. General framework for the protection and promotion of human rights

C. Acceptance of international human rights norms

40. States should provide information on the status of all of the main international human rights treaties. Information may be organized in the form of a chart or table. It should include information on:

(a) *Ratification of main international human rights instruments.* Information on the status of ratification of the main international human rights treaties and optional protocols listed in Appendix 2, Section A, indicating if and when the State envisages acceding to those instruments to which it is not yet a party or which it has signed but has not yet ratified.

(i) Information on the acceptance of treaty amendments

(ii) Information on the acceptance of optional procedures

(b) *Reservations and declarations.* Where a State has entered reservations to any of the treaties to which it is a party, the common core document should provide information on:

(i) The nature and scope of such reservations;

(ii) The reason why such reservations were considered to be necessary and have been maintained;

(iii) The precise effect of each reservation in terms of national law and policy;

(iv) In the spirit of the World Conference on Human Rights and other similar conferences which encouraged States to consider reviewing any reservation with a view to withdrawing it,² any plans to limit the effect of reservations and ultimately withdraw them within a specific time frame.

(c) *Derogations, restrictions, or limitations.* Where States have restricted, limited or derogated from the provisions of any of the treaties to which they are a party, the common core document should include information explaining the scope of such derogations, restrictions or limitations; the circumstances justifying them; and the timeframe envisaged for their withdrawal.

41. States may wish to include information relating to their acceptance of other international norms related to human rights, especially where this information is directly relevant to each State’s implementation of the provisions of the main international human rights treaties. In particular, the attention of States is drawn to the following relevant sources of information:

² See A/CONF.157/23, Part II, paras. 5 and 46.

(a) *Ratification of other United Nations human rights and related treaties.* States may indicate whether they are party to any of the other United Nations conventions related to human rights listed in Appendix 2, Section B.

(b) *Ratification of other relevant international conventions.* States are encouraged to indicate whether they are party to the international conventions relevant to human rights protection and humanitarian law listed in Appendix 2, Sections C to F.

(c) *Ratification of regional human rights conventions.* States may indicate whether they are party to any regional human rights conventions.

D. Legal framework for the protection of human rights at the national level

42. States should set out the specific legal context for the protection of human rights in the country. In particular, information should be provided on:

(a) Whether, and if so, which of the rights referred to in the various human rights instruments are protected either in the constitution, a bill of rights, a basic law, or other national legislation and, if so, what provisions are made for derogations, restrictions or limitations and in what circumstances;

(b) Whether human rights treaties have been incorporated into the national legal system;

(c) Which judicial, administrative or other authorities have competence affecting human rights matters and the extent of such competence;

(d) Whether the provisions of the various human rights instruments can be, and have been, invoked before, or directly enforced by, the courts, other tribunals or administrative authorities;

(e) What remedies are available to an individual who claims that any of his or her rights have been violated, and whether any systems of reparation, compensation and rehabilitation exist for victims;

(f) Whether any institutions or national machinery exist with responsibility for overseeing the implementation of human rights, including machinery for the advancement of women or intended to address the particular situations of children, the elderly, persons with disabilities, those belonging to minorities, indigenous peoples, refugees and internally-displaced persons, migrant workers, non-authorized aliens, non-citizens or others, the mandate of such institutions, the human and financial resources available to them, and whether policies and mechanisms for gender mainstreaming and corrective measures exist;

(g) Whether the State accepts the jurisdiction of any regional human rights court or other mechanism and, if so, the nature and progress of any recent or pending cases.

E. Framework within which human rights are promoted at the national level

43. States should set out the efforts made to promote respect for all human rights in the State. Such promotion may encompass actions by government officials, legislatures, local assemblies,

national human rights institutions, etc, together with the role played by the relevant actors in civil society. States may offer information on measures such as dissemination of information, education and training, publicity, and allocation of budgetary resources. In describing these in the common core document, attention should be paid to the accessibility of promotional materials and human rights instruments, including their availability in all relevant national, local, minority or indigenous languages. In particular, States should provide information on:

(a) *National and regional parliaments and assemblies.* The role and activities of the national parliament and sub-national, regional, provincial or municipal assemblies or authorities in promoting and protecting human rights, including those contained in international human rights treaties;

(b) *National human rights institutions.* Any institutions created for the protection and promotion of human rights at the national level, including those with specific responsibilities with regard to gender equality for all, race relations and children's rights, their precise mandate, composition, financial resources and activities, and whether such institutions are independent;³

(c) *Dissemination of human rights instruments.* The extent to which each of the international human rights instruments to which the State is party have been translated, published and disseminated within the country;

(d) *Raising human rights awareness among public officials and other professionals.* Any measures taken to ensure adequate education and training in human rights for those with responsibilities for the implementation of the law, such as Government officials, police, immigration officers, prosecutors, judges, lawyers, prison officers, members of the armed forces, border guards, as well as teachers, medical doctors, health workers and social workers;

(e) *Promotion of human rights awareness through educational programmes and Government-sponsored public information.* Any measures taken to promote respect for human rights through education and training, including Government-sponsored public information campaigns. Details should be provided on the extent of human rights education within schools, (public or private, secular or religious) at various levels;

(f) *Promotion of human rights awareness through the mass media.* The role of the mass information media, such as the press, radio, television and internet, in publicizing and disseminating information about human rights, including the international human rights instruments;

(g) *Role of civil society, including non-governmental organizations.* The extent of the participation of civil society, in particular non-governmental organizations, in the promotion and protection of human rights within the country, and the steps taken by the Government to encourage and promote the development of a civil society with a view to ensuring the promotion and protection of human rights;

³ See the "Principles relating to the status of national human rights institutions" (Paris Principles) E/1992/22 (A/RES/48/134).

(h) *Budget allocations and trends.* Where available, budget allocations and budgetary trends, as percentages of national or regional budgets and gross domestic product (GDP) and disaggregated by sex and age for the implementation of the State's human rights obligations and the results of any relevant budget impact assessments;

(i) *Development cooperation and assistance.* The extent to which the State benefits from development cooperation or other assistance which supports human rights promotion, including budgetary allocations. Information on the extent to which the State provides development cooperation or assistance to other States which supports the promotion of human rights in those countries.

44. The reporting State may indicate any factors or difficulties of a general nature affecting or impeding the implementation of international human rights obligations at the national level.

F. Reporting process at the national level

45. States should provide information on the process by which both parts of their reports (common core document and treaty-specific documents) are prepared, including on:

- (a) The existence of a national coordinating structure for reporting under the treaties;
- (b) Participation of departments, institutions and officials at national, regional and local levels of governance and, where appropriate, at federal and provincial levels;
- (c) Whether reports are made available to or examined by the national legislature prior to submission to the treaty monitoring bodies;
- (d) The nature of the participation of entities outside of government or relevant independent bodies at the various stages of the report preparation process or follow-up to it, including monitoring, public debate on draft reports, translation, dissemination or publication, or other activities explaining the report or concluding observations of the treaty bodies. Such participants may include human rights institutions (national or otherwise), non-governmental organizations, or other relevant actors of civil society, including those persons and groups most affected by the relevant provisions of the treaties;
- (e) Events, such as parliamentary debates and governmental conferences, workshops, seminars, radio or television broadcasts, and publications issued explaining the report, or any other similar events undertaken during the reporting period.

Follow-up to concluding observations of human rights treaty bodies

46. States should provide general information in the common core document on the measures and procedures adopted or foreseen, if any, to ensure effective follow-up to and wide dissemination of the concluding observations or recommendations issued by any of the treaty bodies after consideration of the State's reports, including any parliamentary hearing or media coverage.

G. Other related human rights information

47. States are invited to consider, where appropriate, the following additional sources of information for inclusion in their common core document.

Follow-up to international conferences

48. States may provide general information on follow-up to the declarations, recommendations, and commitments adopted at world conferences and subsequent reviews insofar as these have a bearing on the human rights situation in the country.

49. Where such conferences include reporting procedures (eg, the Millennium Summit), States may integrate the relevant information contained in those reports in the common core document.

3. Information on non-discrimination and equality and effective remedies

Non-discrimination and equality

50. States should provide in their common core document general information on the implementation of its obligations to guarantee equality before the law and equal protection of the law for everyone within their jurisdiction, in accordance with the relevant international human rights instruments, including information on the legal and institutional structures.

51. The common core document should include general factual information on measures taken to eliminate discrimination in all its forms and on all grounds, including multiple discrimination, in the enjoyment of civil, political, economic, social and cultural, rights, and on measures to promote formal and substantive equality for everyone within the jurisdiction of the State.

52. It should contain general information on whether the principle of non-discrimination is included as a general binding principle in a basic law, the constitution, a bill of rights or in any other domestic legislation and the definition of and legal grounds for prohibiting discrimination (if not already provided in para. 42(a)). Information should also be provided on whether the legal system allows for or mandates special measures to guarantee full and equal enjoyment of human rights.

53. Information should be provided on steps taken to ensure that discrimination in all its forms and on all grounds is prevented and combated in practice, including information on the manner and the extent to which the provisions of the existing penal laws, as applied by the courts, effectively implement the State parties' obligations under the principal human rights instruments.

54. States should provide general information regarding the human rights situation of persons belonging to specific vulnerable groups in the population.

55. States should provide information on specific measures adopted to reduce economic, social and geographical disparities, including between rural and urban areas, to prevent discrimination, as well as situations of multiple discrimination, against the persons belonging to the most disadvantaged groups.

56. States should provide general information on the measures, including educational programmes and public information campaigns, that have been taken to prevent and eliminate negative attitudes to, and prejudice against, individuals and groups which prevent them from fully enjoying their human rights.

57. States should provide general information on the implementation of their international obligations to guarantee equality before the law and equal protection of the law for everyone within their jurisdiction, in accordance with the international human rights instruments.

58. States should provide general information on the adoption of temporary special measures in specific circumstances to help accelerate progress towards equality. Where such measures have been adopted, States should indicate the expected timeframe for the attainment of the goal of equality of opportunity and treatment and the withdrawal of such measures.

Effective remedies

59. States should include general information in the common core document on the nature and scope of remedies provided in their domestic legislation against violations of human rights and whether victims have effective access to these remedies (if not already provided in para. 42(e)).

SECOND PART OF REPORTS: THE TREATY-SPECIFIC DOCUMENT

60. The treaty-specific document should contain all information relating to States' implementation of each specific treaty which is relevant principally to the committee charged with monitoring the implementation of that treaty. This part of the report allows States to focus their attention on the specific issues relating to the implementation of the respective Convention. The treaty-specific document should include the information requested by the relevant committee in its most current treaty-specific guidelines. The treaty-specific document should include, where applicable, information on the steps taken to address issues raised by the committee in its concluding observations on the State party's previous report.

Appendix 1

Mandate of treaty bodies to request reports from States parties:

International Covenant on Civil and Political Rights

Article 40

1. The States Parties to the present Covenant undertake to submit reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made in the enjoyment of those rights:
 - (a) Within one year of the entry into force of the present Covenant for the States Parties concerned;
 - (b) Thereafter whenever the Committee so requests.
2. All reports shall be submitted to the Secretary-General of the United Nations, who shall transmit them to the Committee for consideration. Reports shall indicate the factors and difficulties, if any, affecting the implementation of the present Covenant.
3. The Secretary-General of the United Nations may, after consultation with the Committee, transmit to the specialized agencies concerned copies of such parts of the reports as may fall within their field of competence.
4. The Committee shall study the reports submitted by the States Parties to the present Covenant. It shall transmit its reports, and such general comments as it may consider appropriate, to the States Parties. The Committee may also transmit to the Economic and Social Council these comments along with the copies of the reports it has received from States Parties to the present Covenant.
5. The States Parties to the present Covenant may submit to the Committee observations on any comments that may be made in accordance with paragraph 4 of this article.

Appendix 2

PARTIAL LIST OF MAJOR INTERNATIONAL CONVENTIONS RELATING TO ISSUES OF HUMAN RIGHTS

A. Main international human rights conventions and protocols

International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966
International Covenant on Civil and Political Rights (ICCPR), 1966
International Convention on the Elimination of All Forms of Racial Discrimination, (ICERD), 1965
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), 1984
Convention on the Rights of the Child (CRC), 1989
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, (ICMW), 1990
Optional Protocol to the CRC on the involvement of children in armed conflict, 2000
Optional Protocol to the CRC on the sale of children, child prostitution, and child pornography, 2000
Optional Protocol to ICCPR, concerning individual petition, 1966
Second Optional Protocol to ICCPR, concerning abolition of the death penalty, 1989
Optional Protocol to CEDAW, concerning individual complaints and inquiry procedures, 1999
Optional Protocol to CAT, concerning regular visits by national and international institutions to places of detention, 2002

B. Other United Nations human rights and related conventions

Convention on the Prevention and Punishment of the Crime of Genocide, 1948
Slavery Convention, 1926 as amended 1955
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949
Convention relating to the Status of Refugees, 1951, and its 1967 Protocol
Convention relating to the Status of Stateless Persons, 1954
Convention on the Reduction of Statelessness, 1961
Rome Statute of the International Criminal Court, 1998
United Nations Convention against Transnational Organized Crime, 2000, and its Protocols against the smuggling of migrants by land, sea and air, and to prevent, suppress and punish trafficking in persons, especially women and children

C. Conventions of the International Labour Organization

Weekly Rest (Industry) Convention, 1921 (No. 14)
Forced or Compulsory Labour Convention, 1930 (No. 29)
Labour Inspection Convention, 1947 (No. 81)
Migration for Employment Recommendation, 1949 (No. 86)
Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
Migration for Employment Convention, 1949 (No. 97)
Right to Organize and Collective Bargaining Convention, 1949 (No. 98)

Equal Remuneration Convention 1951 (No. 100)
Social Security (Minimum Standards) Convention, 1952 (No. 102)
Abolition of Forced Labour Convention, 1957 (No. 105)
Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)
Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
Equality of Treatment (Social Security) Convention, 1962 (No. 118)
Employment Policy Convention, 1964 (No. 122)
Labour Inspection (Agriculture) Convention, 1969 (No. 129)
Minimum Wage-Fixing Convention, 1970 (No. 131)
Holidays with Pay Convention (Revised), 1970 (No. 132)
Minimum Age Convention, 1973 (No. 138)
Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)
Migrant Workers Recommendation, 1975 (No. 151)
Labour Relations (Public Service) Convention, 1978 (No. 151)
Occupational Safety and Health Convention, 1981 (No. 155)
Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities Convention, 1981 (No. 156)
Indigenous and Tribal Peoples in Independent Countries Convention, 1989 (No. 169)
Worst Forms of Child Labour Convention, 1999 (No. 182)
Maternity Protection Convention, 2000 (No. 183)

D. Conventions of the United Nations Educational, Scientific and Cultural Organization

Convention against Discrimination in Education, 1960

E. Conventions of the Hague Conference on Private International Law

Convention relating to the settlement of the conflicts between the law of nationality and the law of domicile, 1955
Convention on the law applicable to maintenance obligations towards children, 1956
Convention concerning the recognition and enforcement of decisions relating to maintenance obligations towards children, 1958
Convention concerning the powers of authorities and the law applicable in respect of the protection of minors, 1961
Convention on Jurisdiction, Applicable Law and Recognition of Decrees Relating to Adoptions, 1965
Convention on the Law Applicable to Maintenance Obligations, 1973
Convention on the Recognition of Divorces and Legal Separations, 1970
Convention on the Recognition and Enforcement of Decisions relating to Maintenance Obligations, 1973
Convention on the Civil Aspects of International Child Abduction, 1973
Convention on Celebration and Recognition of the Validity of Marriages, 1978
Convention on the Law Applicable to Matrimonial Property Regimes, 1978
Convention on International Access to Justice, 1980
Convention on the Law Applicable to Succession to the Estates of Deceased Persons, 1989
Convention on Protection of Children and Co-operation in respect of Intercountry Adoption, 1993

Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children, 1996
Convention on the International Protection of Adults, 2002

F. Geneva Conventions and other treaties on international humanitarian law

Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1949

Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 1949

Geneva Convention (III) relative to the Treatment of Prisoners of War, 1949

Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, 1949

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1977

Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction, 1987

Appendix 3

INDICATORS FOR ASSESSING THE IMPLEMENTATION OF HUMAN RIGHTS

Demographic indicators

Reporting States should provide accurate information, where available, about the main demographic characteristics and trends of its population, including the following. The information should cover at least the last five years and be disaggregated by sex, age, and main population groups.

- Population size
- Population growth rate
- Population density
- Population distribution by mother tongue, religion and ethnicity, in rural and urban areas

- Age-composition
- Dependency ratio (percentage of population under 15 and over 65 years of age)
- Statistics on births and deaths
- Life expectancy
- Fertility rate
- Average household size
- Proportion of single-parent households and households headed by women
- Proportion of population in rural and urban areas

Social, economic and cultural indicators

Reporting States should provide information reflecting the standard of living, including the following, covering at least the last five years and disaggregated by sex, age, and main population groups:

- Share of (household) consumption expenditures on food, housing, health and education
- Proportion of population below the national poverty line
- Proportion of population below the minimum level of dietary consumption
- Gini coefficient (relating to distribution of income or household consumption expenditure)
- Prevalence of underweight children under five years of age
- Infant and maternal mortality rates
- Percentage of women of child/bearing age using contraception or whose partner is using contraception
- Medical terminations of pregnancy as a proportion of live births
- Rates of infection of HIV/AIDS and major communicable diseases
- Prevalence of major communicable and non-communicable diseases
- Ten major causes of death

Net enrolment ratio in primary and secondary education
Attendance and drop-out rates in primary and secondary education
Teacher-student ratio in public funded schools
Literacy rates
Unemployment rate
Employment by major sectors of economic activity, including break-down between the formal and informal sectors
Work participation rates
Proportion of work force registered with trade unions

Per capita income
Gross domestic product (GDP)
Annual growth rate
Gross National Income (GNI)
Consumer Price Index (CPI)
Social expenditures (eg., food, housing, health, education, social protection, etc.) as proportion of total public expenditure and GDP
External and domestic public debt

Proportion of international assistance provided in relation to the State budget by sector and in relation to GNI

Indicators on the political system

Reporting States should provide information on the following, covering at least the last five years and disaggregated by sex, age, and main population groups:

Number of recognized political parties at the national level
Proportion of population eligible to vote
Proportion of non-citizen adult population registered to vote
Number of complaints on the conduct of elections registered, by type of alleged irregularity
Population coverage and breakdown of ownership of major media channels (electronic, print, audio, etc.)

Number of recognized non-governmental organizations*
Distribution of legislative seats by party
Percentage of women in parliament
Proportions of national and sub-national elections held within the schedule laid out by law
Average voter turnouts in the national and sub-national elections by administrative unit (eg, states or provinces, districts, municipalities and villages)

* In accordance with the reporting State's system of granting recognition to non-governmental organizations, information on which is requested is paragraph 37.

Indicators on crime and the administration of justice

Reporting States should provide information on the following, covering at least the last five years and disaggregated by sex, age, and main population groups:

Incidence of violent death and life threatening crimes reported per 100,000 persons

Number of persons and rate (per 100,000 persons) who were arrested/brought before a court\convicted\sentenced\incarcerated for violent or other serious crimes (such as homicide, robbery, assault and trafficking)

Number of reported cases of sexually motivated violence (such as rape, female genital mutilation, honour crimes and acid attacks)

Maximum and average time of pre-trial detention

Prison population with breakdown by offence and length of sentence

Incidence of death in custody

Number of persons executed under the death penalty per year

Average backlog of cases per judge at different levels of the judicial system

Number of police\security personnel per 100,000 persons

Number of prosecutors and judges per 100,000 persons

Share of public expenditure on police\security and judiciary

Of the accused and detained persons who apply for free legal aid, the proportion of those who receive it

Proportion of victims compensated after adjudication, by type of crime

Chapter III

HUMAN RIGHTS COMMITTEE*

A. Introduction

A.1 These guidelines replace all earlier versions issued by the Human Rights Committee, which may now be disregarded (CCPR/C/19/Rev.1 of 26 August 1982, CCPR/C/5/Rev.2 of 28 April 1995 and Annex VIII to the Committee's 1998 report to the General Assembly (A/53/40)); the Committee's general comment 2 (13) of 1981 is also superseded. The present guidelines do not affect the Committee's procedure in relation to any special reports which may be requested.

A.2 These guidelines will be effective for all reports to be presented after 31 December 1999.

A.3 The guidelines should be followed by States parties in the preparation of initial and all subsequent periodic reports.

A.4 Compliance with these guidelines will reduce the need for the Committee to request further information when it proceeds to consider a report; it will also help the Committee to consider the situation regarding human rights in every State party on an equal basis.

B. Framework of the Covenant concerning reports

B.1 Every State party, upon ratifying the Covenant, undertakes, under article 40, to submit, within a year of the Covenant's entry into force for that State, an initial report on the measures it has adopted which give effect to the rights recognized in the Covenant ("Covenant rights") and progress made in their enjoyment; and thereafter periodic reports whenever the Committee so requests.

B.2 For subsequent periodic reports the Committee has adopted a practice of stating, at the end of its concluding observations, a date by which the following periodic report should be submitted.

C. General guidance for contents of all reports

C.1 *The articles and the Committee's general comments.* The terms of the articles in Parts I, II and III of the Covenant must, together with general comments issued by the Committee on any such article, be taken into account in preparing the report.

C.2 *Reservations and declarations.* Any reservation to or declaration as to any article of the Covenant by the State party should be explained and its continued maintenance justified.

* Contained in document CCPR/C/66/GUI/Rev.2 entitled *Consolidated guidelines for State reports under the International Covenant on Civil and Political Rights*. The guidelines were adopted during the sixty-sixth session (July 1999) of the Human Rights Committee and amended during its seventieth session (October 2000).

C.3 *Derogations.* The date, extent and effect of, and procedures for imposing and for lifting any derogation under article 4 should be fully explained in relation to every article of the Covenant affected by the derogation.

C.4 *Factors and difficulties.* Article 40 of the Covenant requires that factors and difficulties, if any, affecting the implementation of the Covenant should be indicated. A report should explain the nature and extent of, and reasons for every such factor and difficulty, if any such exist; and should give details of the steps being taken to overcome these.

C.5 *Restrictions or limitations.* Certain articles of the Covenant permit some defined restrictions or limitations on rights. Where these exist, their nature and extent should be set out.

C.6 *Data and statistics.* A report should include sufficient data and statistics to enable the Committee to assess progress in the enjoyment of Covenant rights, relevant to any appropriate article.

C.7 *Article 3.* The situation regarding the equal enjoyment of Covenant rights by men and women should be specifically addressed.

C.8 *Core document.* Where the State party has already prepared a core document, this will be available to the Committee: it should be updated as necessary in the report, particularly as regards “General legal framework” and “Information and publicity” (HRI/CORE/1, see chapter 1 of the present document).

D. The initial report

D.1 General

This report is the State party’s first opportunity to present to the Committee the extent to which its laws and practices comply with the Covenant which it has ratified. The report should:

- Establish the constitutional and legal framework for the implementation of Covenant rights
- Explain the legal and practical measures adopted to give effect to Covenant rights
- Demonstrate the progress made in ensuring enjoyment of Covenant rights by the people within the State party and subject to its jurisdiction

D.2 Contents of the report

D.2.1 A State party should deal specifically with every article in Parts I, II and III of the Covenant; legal norms should be described, but that is not sufficient: the factual situation and the practical availability, effect and implementation of remedies for violation of Covenant rights should be explained and exemplified.

D.2.2 The report should explain:

How article 2 of the Covenant is applied, setting out the principal legal measures which the State party has taken to give effect to Covenant rights; and the range of remedies available to persons whose rights may have been violated;

Whether the Covenant is incorporated into domestic law in such a manner as to be directly applicable;

If not, whether its provisions can be invoked before and given effect to by courts, tribunals and administrative authorities;

Whether the Covenant rights are guaranteed in a Constitution or other laws and to what extent; or

Whether Covenant rights must be enacted or reflected in domestic law by legislation so as to be enforceable.

D.2.3 Information should be given about the judicial, administrative and other competent authorities having jurisdiction to secure Covenant rights.

D.2.4 The report should include information about any national or official institution or machinery which exercises responsibility in implementing Covenant rights or in responding to complaints of violations of such rights, and give examples of their activities in this respect.

D.3 Annexes to the report

D.3.1 The report should be accompanied by copies of the relevant principal constitutional, legislative and other texts which guarantee and provide remedies in relation to Covenant rights. Such texts will not be copied or translated, but will be available to members of the Committee; it is important that the report itself contains sufficient quotations from or summaries of these texts so as to ensure that the report is clear and comprehensible without reference to the annexes.

E. Subsequent periodic reports

E.1 There should be two starting points for such reports:

The concluding observations (particularly “Concerns” and “Recommendations”) on the previous report and summary records of the Committee’s consideration (insofar as these exist);

An examination by the State party of the progress made towards and the current situation concerning the enjoyment of Covenant rights by persons within its territory or jurisdiction.

E.2 Periodic reports should be structured so as to follow the articles of the Covenant. If there is nothing new to report under any article it should be so stated.⁴

E.3 The State party should refer again to the guidance on initial reports and on annexes, insofar as these may also apply to a periodic report.

E.4 There may be circumstances where the following matters should be addressed, so as to elaborate a periodic report:

There may have occurred a fundamental change in the State party's political and legal approach affecting Covenant rights: in such a case a full article-by-article report may be required;

New legal or administrative measures may have been introduced which deserve the annexure of texts and judicial or other decisions.

F. Optional protocols

F.1 If the State party has ratified the Optional Protocol and the Committee has issued Views entailing provision of a remedy or expressing any other concern, relating to a communication received under that Protocol, a report should (unless the matter has been dealt with in a previous report) include information about the steps taken to provide a remedy, or meet such a concern, and to ensure that any circumstance thus criticized does not recur.

F.2 If the State party has abolished the death penalty the situation relating to the Second Optional Protocol should be explained.

G. The Committee's consideration of reports

G.1 General

The Committee intends its consideration of a report to take the form of a constructive discussion with the delegation, the aim of which is to improve the situation pertaining to Covenant rights in the State.

G.2 List of issues

On the basis of all information at its disposal, the Committee will supply in advance a list of issues which will form the basic agenda for consideration of the report. The delegation should come prepared to address the list of issues and to respond to further questions from members, with such updated information as may be necessary; and to do so within the time allocated for consideration of the report.

⁴ E.2 in fine: adopted at the seventieth session.

G.3 The State party's delegation

The Committee wishes to ensure that it is able effectively to perform its functions under article 40 and that the reporting State party should obtain the maximum benefit from the reporting requirement. The State party's delegation should, therefore, include persons who, through their knowledge of and competence to explain the human rights situation in that State, are able to respond to the Committee's written and oral questions and comments concerning the whole range of Covenant rights.

G.4 Concluding observations

Shortly after the consideration of the report, the Committee will publish its concluding observations on the report and the ensuing discussion with the delegation. These concluding observations will be included in the Committee's annual report to the General Assembly; the Committee expects the State party to disseminate these conclusions, in all appropriate languages, with a view to public information and discussion.

G.5 Extra information

G.5.1 Following the submission of any report, subsequent revisions or updating may only be submitted:

(a) No later than 10 weeks prior to the date set for the Committee's consideration of the report (the minimum time required by the United Nations translation services); or

(b) After that date, provided that the text has been translated by the State party into the working languages of the Committee (currently English, Spanish and French).

If one or other of these courses is not complied with, the Committee will not be able to take an addendum into account. This, however, does not apply to updated annexes or statistics.

G.5.2 In the course of the consideration of a report, the Committee may request or the delegation may offer further information; the secretariat will keep a note of such matters which should be dealt with in the next report.

G.6.1 The Committee may, in a case where there has been a long-term failure by a State party, despite reminders, to submit an initial or a periodic report, announce its intention to examine the extent of compliance with Covenant rights in that State party at a specified future session. Prior to that session it will transmit to the State party appropriate material in its possession. The State party may send a delegation to the specified session, which may contribute to the Committee's discussion, but in any event the Committee may issue provisional concluding observations and set a date for the submission by the State party of a report of a nature to be specified.

G.6.2 In a case where a State party, having submitted a report which has been scheduled at a session for examination, informs the Committee, at a time when it is impossible to schedule the examination of another State party report, that its delegation will not attend the session, the

Committee may examine the report on the basis of the list of issues either at that session or at another to be specified. In the absence of a delegation, it may decide either to reach provisional concluding observations, or to consider the report and other material and follow the course in paragraph G.4 above.⁵

H. Format of the report

The distribution of a report, and thus its availability for consideration by the Committee, will be greatly facilitated if:

- (a) The paragraphs are sequentially numbered;
- (b) The document is written on A4-sized paper;
- (c) Is single-spaced; and
- (d) Allows reproduction by photo-offset (is on one side only of each sheet of paper).

⁵ G.6.1 and 2: adopted during the seventieth session.