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**Guidelines on an expanded core document and treaty-specific targeted
reports and harmonized guidelines on reporting under the
international human rights treaties**

Report of the secretariat

The present report introduces draft guidelines on an expanded core document and targeted reports, and harmonized guidelines on reporting to all treaty bodies, requested by the second inter-committee meeting and fifteenth meeting of chairpersons of human rights treaty bodies, for the consideration of the third inter-committee meeting and the sixteenth meeting of chairpersons of human rights treaty bodies. The draft guidelines are annexed to this report.

TABLE OF CONTENTS

	<i>Page</i>
Background.....	4
Harmonized guidelines on reporting to all treaty bodies.....	4
The core document	5
Content of the common core document.....	6
<i>(a) Detailed general background information on human rights implementation</i>	<i>6</i>
<i>(b) Congruent provisions</i>	<i>7</i>
Chart of congruence in the substantive provisions of the seven core international human rights treaties.....	9
Targeted reports.....	11
Procedural and other issues raised by the common core document	11
Importance of the reporting process	12
Use of information technology	13
Need for a pilot case	13
Proposed structure of reports consisting of a common core document and a treaty-specific document.....	14
PROPOSED COMMON GUIDELINES ON REPORTING TO THE INTERNATIONAL HUMAN RIGHTS TREATY MONITORING BODIES	15
Purpose of guidelines	15
I. GUIDANCE ON THE RECOMMENDED APPROACH TO THE REPORTING PROCESS.....	17
Purpose of reporting	17
Collection of data and drafting of the report	19
Periodicity.....	19
II. GUIDANCE ON THE RECOMMENDED FORM OF ALL REPORTS	20
III. GUIDANCE ON THE CONTENT OF REPORTS	21
FIRST PART OF THE REPORT: THE COMMON CORE DOCUMENT	23
1. General factual and statistical information about the reporting State	23
A. Demographic, economic, social and cultural characteristics of the State	24
B. Constitutional, political and legal structure of the State.....	24
2. General framework for the protection and promotion of human rights	25
C. Acceptance of international human rights norms	25

D. General legal framework within which human rights are protected at the national level	27
E. General framework within which human rights are promoted at the national level	28
F. Role of the reporting process in promoting human rights at the national level .	30
G. Other related human rights information	31
3. Implementation of substantive human rights provisions common to all or several treaties.....	32
H. Non-discrimination and equality	32
I. Effective remedies.....	35
J. Procedural guarantees	35
K. Participation in public life	36
SECOND PART OF THE REPORT: THE TREATY-SPECIFIC DOCUMENT	37
APPENDIX 1 Mandate of treaty bodies for requesting reports from states parties...	39
APPENDIX 2 International conventions relating to issues of human rights	42
A. Main international human rights conventions and protocols.....	42
B. Other United Nations human rights and related conventions	43
C. Conventions of the International Labour Organization	43
D. Conventions of the Hague Conference on Private International Law	44
E. Geneva Conventions and other treaties on international humanitarian law.....	44
APPENDIX 3 World Conferences	45
APPENDIX 4 Indicators related to human rights	45
APPENDIX 5 Millennium Development Goals and Indicators.....	48

Background

1. In his second reform report entitled *Strengthening of the United Nations: an agenda for further change (A/57/387)*, the Secretary-General proposed, *inter alia*, that the international human rights treaty bodies “should craft a more coordinated approach to their activities and standardize their varied reporting requirements”, and that “each State should be allowed to produce a single report summarizing its adherence to the full range of international human rights treaties to which it is a party” (para. 52). The Secretary-General requested the Office of the High Commissioner for Human Rights (OHCHR) to consult with the committees on new streamlined reporting procedures.

2. Extensive consultations undertaken by OHCHR, including a ‘brainstorming’ meeting on reform of the human rights treaty body system, held in Malbun, Liechtenstein, revealed support for the Secretary-General’s aims (see *A/58/123*). However, in preference to a single report which would “summarize” a State party’s implementation of its treaty obligations, consensus favoured expansion of the “core document” to include information on substantive treaty provisions congruent to all or several treaties, as well as other information of general relevance to all committees. This “expanded core document” would be submitted in tandem with a targeted treaty-specific report to the relevant treaty body.

3. In June 2003, the second inter-committee meeting and the fifteenth meeting of chairpersons requested the Secretariat to prepare draft harmonized guidelines on reporting to all treaty bodies and guidelines on an expanded core document and targeted reports in time for the third inter-committee meeting scheduled for June 2004 (*A/58/350*). The present report provides background information on the draft guidelines which are annexed to the report.

Harmonized guidelines on reporting to all treaty bodies

4. The draft guidelines (hereinafter “the guidelines”) provide guidance to States parties on the form and content of their reports to the treaty bodies. The guidelines have been prepared on the basis of a review and consolidation of the existing guidelines of the various treaty bodies.

5. The guidelines are divided into four sections. Section I addresses the purpose of the reporting process. Section II provides guidance on the format in which reports should be submitted. Section III addresses the content of State reports, consisting of a common core document submitted to each treaty body in tandem with a document specific to that treaty body. The common core document would form the initial part of each report to each treaty body and would include substantive congruent provisions information. The treaty-specific document would constitute the second part of the report. Individual guidelines on the content of the treaty-specific document would be drafted once the content of the common core document has been finalized.

6. The guidelines include a series of appendices which list various categories of related information which States parties should consider whilst preparing their reports, including related human rights instruments and relevant human rights indicators.

The core document

7. Since 1991, States that are parties to one or more of the international human rights treaties have been able to submit to the Secretary-General a “core document” containing basic, largely unchanging, information about the State party concerned. The objective of the core document was to facilitate the implementation of reporting obligations by State parties by reducing repetition and overlap in the information submitted to several treaty bodies. The existing core document was explicitly intended to be a common “initial part of the State party report” (HRI/CORE/1).

8. The second inter-committee meeting and the fifteenth meeting of chairpersons considered that expanding the core document to include a broader range of information relevant to all or several of the treaty bodies would reduce further the amount of duplicated material and the overall length of reports by consolidating information in one document. The preparation of an ‘expanded core document’ would not increase the overall amount of information that States are required to submit, but would consolidate in one document information which is currently repeated in reports to several treaty bodies or other bodies or which may be relevant for several treaty bodies. The preparation of an expanded core document would also encourage a consistent and holistic approach to human rights protection and monitoring by States parties and the treaty bodies, in accordance with the Secretary-General’s suggestions, and would assist the treaty bodies in coordinating their work, avoiding duplication and conflicting interpretations of human rights provisions.

9. The expanded core document and the targeted report would complement one another and, taken together, would fulfil the State party's reporting obligations under the relevant treaty. In order to underline the linkage between the two documents, it is proposed that the expanded core document be known as the "common core document", and the targeted reports for each treaty as the "treaty-specific document". These two documents combined would constitute the State party's report.

10. States would be encouraged to submit a common core document and to keep it regularly updated, to ensure that the link is maintained between the core document, as the initial part of each report, and the remainder of the information submitted to each committee in the treaty-specific document.

Content of the common core document

11. The guidelines propose that the content of the existing core document be expanded in two respects: (a) through requiring more detailed general background information relating to the situation regarding implementation of human rights; and (b) by calling for information on the implementation of human rights obligations which are similar or congruent in a number of treaties.

(a) Detailed general background information on human rights implementation

12. *Factual and statistical information.* In the guidelines, the existing content of the core document has been considerably broadened to include a range of basic factual and statistical information which the committees would find relevant to assist them in their work. Where appropriate, the text of the core document should explain the most important elements to be drawn from these statistics, but States should provide detailed statistical information in the form of tables within a statistical annex.

13. A range of statistical and other data is available to States through the reporting processes linked to the Millennium Development Goals, follow-up to international conferences, international development cooperation and other similar processes. The guidelines draw the attention of States to the existence of such information which may be of relevance to the compilation of their reports. Indicators used in such processes are provided in annexes to the guidelines to assist States in identifying the nature and possible sources of information required. It is not proposed that States should provide all the information listed in the appendices, but they should be aware that relevant information may already be available.

14. *General framework for the protection and promotion of human rights.* Full information on the general framework for the protection and the promotion of human rights in the State should be included in the common core document, as this provides the setting within which the provisions of the all human rights treaties are implemented.

15. The guidelines draw the attention of States to a range of human rights-related information which may be available to them from other sources and which might be of relevance in the preparation of reports for the treaty bodies. Thus, for example, it is suggested that States consider their acceptance of the full range of international treaties related to human rights, including humanitarian law treaties, conventions of the International Labour Organization (ILO), conventions of the Hague Conference on Private International Law, regional human rights treaties and so on. Some of these treaties—the ILO conventions and certain regional treaties—impose reporting obligations and the content of those reports might be useful to the State in the preparation of its human rights reports. Similarly the issues raised in cases before regional human rights bodies may be informative. As with human rights-related statistical data, it is not proposed that States be obliged to provide detailed information on all of these sources. The intention is rather to draw their attention to the possible overlap which might exist with the information required by the treaty bodies. It also reinforces the idea that the report preparation process allows each State to review the implementation of the full range of its international human rights obligations as part of a holistic perspective of human rights.

(b) Congruent provisions

16. In line with the recommendations of the second inter-committee meeting and fifteenth meeting of chairpersons, the guidelines for the common core document also include information on certain congruent provisions relating to substantive rights of relevance to all or several of the human rights treaties.

17. The seven core human rights treaties approach the promotion and protection of these human rights in different ways, but many of their provisions have closely-related content (see, for example, HRI/MC/1997/MISC.1). States are often required to repeat the same information relating to the implementation of substantive human rights in different reports. The guidelines propose placing some of this information in the common core document, both to relieve the burden on States parties and treaty bodies, and to reinforce the universality, interrelatedness and interdependence of the principal

human rights treaties as part of a holistic approach to the promotion and protection of human rights.

18. The degree of congruence of obligations across the treaties ranges from absolute congruence where provisions of the treaties have the same scope or objective (and often identical wording) to a broader congruence where provisions are not identical but are related and could therefore be addressed within a thematic framework in the common core document.

19. The guidelines require information on implementation of provisions on substantive rights relating specifically to non-discrimination and equality, including equality before the law and equal protection of the law. Special measures for achieving equality or other similar measures are addressed. Non-discrimination is more generally pertinent to most human rights provisions, in particular in terms of their implementation.

20. In addition to non-discrimination provisions, there is a high degree of congruence among other provisions of the treaties which would allow information relating to their implementation to be included in the core document. The chart below shows areas of congruence in the substantive provisions of the seven core international human rights treaties.

**Chart of congruence in the substantive provisions of the
seven core international human rights treaties**

	ICESCR	ICCPR	ICERD	CEDAW	CAT	CRC	CMW
	Art. No.	Art. No.	Art. No.	Art. No.	Art. No.	Art. No.	Art. No.
Right to self-determination	1	1					
Public emergencies; limitation of and derogation from rights	4; 5	4; 5	1(2); 1(3)		2(2); 2(3)	13(2); 14(3); 15(2)	
Implementation of the instrument; preventive measures			7	5; 3	10; 11	19(2); 33; 35	
Implementation of the instrument; adoption of legislation	2(1); 2(3)	2(2)	2(2); 4; 5	3; 2(a)	2(1)	4	
Implementation of the instrument; legal punishability of offences			4(a); 4(b)	(2b); 11(2a)	4; 5; 6; 7; 8; 9		
Non-discrimination; equality before the law; general policy	2(2); 3	2(1); 3; 26	2(1); 5(a)	2; 15(1); 9-16		2	7; 18; 25; 27
Rights of groups subject to discrimination (special measures)	2(3)	27	1(4); 2(2)	4; 14		22; 23; 30	
Right to an effective remedy		2(3)	6	2(c)	14	37(d); 39	16(9)
Right to procedural guarantees		14; 15; 16	5(a)	15	12; 13; 14; 15	12(2); 37(d); 40	16(5) (6) (7) (8); 18
Right to a nationality		24(3)	5(d-iii)	9		7; 8	29
Political rights and access to public service		25	5(c)	7; 8		18(2)(3); 26; 23(3)(4)	41; 42(3)
Right to life; right to physical and moral integrity; slavery, forced labour and traffic in persons		6; 7; 8		6	1; 16	6; 11; 19; 34; 32; 35 33, 36; 37(a)	9; 10; 11

	ICESCR	ICCPR	ICERD	CEDAW	CAT	CRC	CMW
Right to liberty and security of the person		9; 10; 11	5(b)			37	16
Right to freedom of movement; right of access to any public place; expulsion and extradition		12; 13	5(d-i); 5(d-ii); 5(f)	15(4)	3	10	8; 22; 39; 56
Right to privacy; right to freedom of thought, conscience and religion		17; 18	5(d-vii)			14; 16	12; 14
Freedom of opinion and expression		19; 20	5(d-viii); 4(a); 4(c)			12; 13	13
Right to peaceful assembly and association	8	21; 22	5(d-ix); 4(b)			15	40
Right to marry and found a family; protection of the family, mother and children	10	23; 24	5(d-iv)	16; 12; 4(2); 5(b); 11(2)		16; 18; 19; 20; 22; 23; 33; 34; 36; 38	44
Right to own property, to inherit and obtain financial credits			5(d-v); 5(d-vi)	13(b); 15(2)			32
Right to work	6(1)		5(e-i)	11(1-a,b,c)			25
Right to just and favourable conditions of work	7		5(e-i)	11(1-d,f); 11(2); 11(3)			25; 35
Trade union rights	8	22	5(e-ii)				26; 40
Right to social security	9		5(e-iv)	11(1-e); 13(a); 14(2-c)		26	43(e)
Right to adequate food and clothing	11	6(1)	5(e-iii)	14(2-h)		27(3)	
Right to enjoy the highest standard of physical and mental health	12	6(1)	5(e-iv)	12; 14(2-b)		24	28; 43(e)
The right to education; other cultural rights	13; 14; 15	27	5(e-v); 5(e-vi)	10; 13(c); 14(2-d)		23; 24 (2)(c); 28; 29; 30; 31	30; 31; 43(a)(b)(c)

Targeted reports

21. The common core document presents information of general relevance to all treaty bodies and should be submitted to each treaty body in tandem with the targeted treaty-specific document prepared specifically for that committee. The treaty-specific document provides to each treaty body information relating to the provisions of the relevant treaty which are specific to that treaty. The information provided in the treaty-specific document enables each treaty body to pursue in greater depth any issues of particular concern to its mandate, although these may also have been covered in the common core document.

22. Once the content of the common core document has been agreed, specific guidelines on the content of the treaty-specific document relating to each treaty would be prepared, taking into account the information contained in the common core document.

Procedural and other issues raised by the common core document

23. The common core document is intended to facilitate reporting by States by consolidating in one document information currently reproduced in up to six or seven reports. As the common core document is the first part of each report, the information contained in the core document would need to be updated whenever it is submitted to a treaty body alongside the treaty-specific document.

24. Each treaty establishes a periodicity according to which State parties' reports must be submitted to the relevant treaty body. The periodicity for submission of initial reports ranges from one to two years and for periodic reports from two to five years. The recurring obligation to produce reports under each of these periodicity provisions creates what may be referred to as the "reporting cycle". Each State may be involved in up to seven separate reporting cycles simultaneously.

25. The different reporting cycles for the treaty bodies are not synchronized, so that dates for submission of reports by a State to the relevant treaty bodies often do not coincide. There could be a considerable delay between the time a given State submits the common core document to the first treaty body and the time that document is considered by the last treaty body in the sequence.

26. In order to achieve maximum benefit from the common core document, States should be encouraged to update their core document regularly (at least once per reporting cycle) and to report to all relevant committees in a timely manner. The treaty

bodies should endeavour to consider the reports submitted to them within the shortest possible time. This would avoid the need for States to produce a new updated common core document for each committee.

27. It may be necessary to bring the periodicities into phase with each other, so as to create a unified reporting cycle for each State to keep the period of active reporting by a State as short as possible. There is currently no means of coordinating when submission and consideration of reports; measures and procedures should be developed to allow the treaty bodies to coordinate the schedule for reporting by each State and their consideration of reports. Ideally, a State should be able to submit all of its reports to the treaty bodies, using one common core document, within 18 months.

28. States that are reporting for the first time should report using a common core document and treaty-specific documents. States that have a substantial reporting history should also be encouraged to produce a common core document as the first part of their periodic reports, drawing on the information already submitted in their recent reports to any of the treaty bodies.

Importance of the reporting process

29. The guidelines emphasize the importance of the process of reporting, as much as the report eventually produced, in assisting States to review their implementation of all of their human rights obligations. The participation of civil society is an important aspect of this process.

30. All States are parties to at least one of the main international human rights treaties, and more than 75 per cent are party to four or more. As a consequence, all States have considerable reporting obligations to fulfil. In such circumstances, reporting for all treaty bodies should be undertaken in a coordinated manner.

31. States should consider setting up an appropriate institutional framework for the preparation of all of their human rights reports. These institutional structures—which could include an inter-ministerial drafting committee and/or focal points on reporting within each relevant government department—should support all of the State's reporting obligations under the international human rights instruments. They could also support the State's reporting obligations under related international treaties and conferences, for example, reporting under the ILO Conventions, follow-up to international conferences, and reporting on the Millennium Development Goals. These

institutional structures should be established on a permanent basis, helping to preserve the institutional memory of the State's reporting.

Use of information technology

32. The common core document should facilitate the task of collecting and collating the information necessary for States to report in accordance with their obligations by providing a framework within which to prepare their reports as part of a coordinated and integrated process. The institutional structures put in place by the State to support its reporting should develop an efficient system—supported by modern technologies—for the collection of all statistical and other data relevant to the implementation of human rights, in a comprehensive and continuous manner.

33. Greater use of information technology at all stages of the reporting process could assist further. IT tools for data collection and management as well as database software to assist States in the compilation of their reports in accordance with the requirements of the treaty bodies could be developed. OHCHR, in consultation with the Division for the Advancement of Women (DAW), United Nations bodies and donors could provide technical assistance.

Need for a pilot case

34. The preparation of the guidelines has highlighted the need for a concrete example of a common core document and treaty-specific document in order to assess the practicability of the proposal. The next step should therefore be to encourage interested States, perhaps those facing the prospect of having to produce several reports within a short timeframe, to pilot reporting with the common core document and treaty-specific document. OHCHR in consultation with DAW could provide technical assistance for this project.

35. The following is a tabular presentation of the proposed structure of reports, consisting of a common core document and a treaty-specific document.

**Proposed structure of reports consisting of a
common core document and a treaty-specific document**

COMMON CORE DOCUMENT			
I. General factual and statistical information about the reporting State			
General factual background information	Demographic, economic, social and cultural characteristics (A)	General constitutional, political & legal structure (B)	Statistical data and human rights indicators (annex)
II. General framework for the protection and promotion of human rights			
Acceptance of international human rights norms (C)	General legal framework for protection of human rights (D)	General framework for the promotion of human rights (E)	The role of the reporting process in promoting human rights at the national level (F)
Other related human rights information (G)			
III. Congruent substantive provisions			
Non-discrimination and equality (H)	Effective remedies (I)	Procedural guarantees (J)	Participation (K)

TREATY-SPECIFIC DOCUMENT			
ICCPR	ICESCR	CEDAW	ICERD
CAT	CRC	CMW	

Annex

**PROPOSED COMMON GUIDELINES ON REPORTING TO THE
INTERNATIONAL HUMAN RIGHTS TREATY MONITORING BODIES****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 (ICCPR), reporting to the Human Rights Committee (HRC);
- Article 16 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), reporting to the Committee on Economic, Social and Cultural Rights (CESCR);
- Article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), reporting to the Committee on the Elimination of Racial Discrimination (CERD);
- Article 18 of the Convention on the Elimination of Discrimination Against Women, reporting to the Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW);
- Article 19 of the Convention Against Torture, and Other Forms of Cruel, Inhuman or Degrading Treatment and Punishment, reporting to the Committee Against Torture (CAT);
- Article 44 of the Convention on the Rights of the Child, reporting to the Committee on the Rights of the Child (CRC);
- Article 73 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, reporting to the Committee on Migrant Workers (CMW).

These guidelines do not apply to reports prepared by States under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and article 12 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, although States may wish to consider the information provided in those reports when preparing their other reports for the treaty bodies.

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 reports on the measures, including legislative, judicial, administrative or other measures, which they have adopted and the progress made in achieving the observance or enjoyment of the rights recognized in the treaty. Most treaties also require State parties to indicate in their reports the factors and difficulties, if any, affecting the implementation of the treaty.

3. Reports presented in accordance with the present common guidelines will enable each treaty body and the State party to obtain a complete picture of progress made in 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. Compliance with these guidelines will:

- (a) Avoid unnecessary duplication of information already submitted to other treaty bodies;
- (b) Minimize the possibility that reports may be considered inadequate in scope and insufficient in detail to allow the treaty bodies to fulfil their mandates;
- (c) Reduce the need for a committee to request supplementary information before considering a report;
- (d) Enable a consistent approach by all committees in considering the reports presented to them; and
- (e) Help each committee to consider the situation regarding human rights in every State party on an equal basis.

5. States are obliged to report only on the implementation of the provisions of the treaties to which they are a party. It should be noted that, where considered appropriate 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 by the States parties, notwithstanding the submission of its report under these guidelines.

6. The guidelines provide guidance to States parties on the recommended form and content of reports to be submitted in fulfilment of the State's reporting obligations to each of the treaty bodies monitoring the implementation of the treaties to which the State is a party. They 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 on the content of the common core document to be submitted to all treaty bodies and the targeted treaty-specific document to be submitted to each treaty body.

I. GUIDANCE ON THE RECOMMENDED APPROACH TO THE REPORTING PROCESS

Purpose of reporting

Holistic perspective of human rights

7. The revised reporting system 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 as part of a coordinated and streamlined process. This approach, which was supported by the Secretary-General and the General Assembly, reflects the holistic perspective of human rights established by the Universal Declaration of Human Rights and reaffirmed in the human rights treaties: that human rights are indivisible and interrelated, and that equal importance should be attached to each and every right recognized therein. When reporting, States should consider the implementation of the rights protected in each treaty within the wider context of its implementation of all of their international human rights obligations.

Commitment to treaties

8. The reporting process constitutes a reaffirmation by the State party of its continuing commitment to respect and ensure observance of the rights set out in the treaties to which it is party. This commitment should be viewed within the wider context of the commitment of all States "to promote respect for [the] rights and freedoms [set out in the Universal Declaration of Human Rights] and 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 the fulfilment of an international obligation, 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 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;
- (d) Assess future needs and goals for more effective implementation of the treaties; and
- (e) Plan and develop appropriate policies to achieve these goals.

10. The reporting process should encourage and facilitate, at the national level, popular participation, public scrutiny of government policies and constructive engagement with 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 framework 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 implementation of the international human rights instruments and in encouraging international cooperation in the promotion and protection of human rights in general.

Collection of data and drafting of the report

12. All States are parties to at least one of the main international human rights treaties, and more than seventy-five per cent are party to four or more. As a consequence, all States have considerable reporting obligations to fulfil and should benefit from adopting a coordinated approach to their reporting for all treaty bodies.

13. The treaty bodies recommend that States 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—should support all of the State’s reporting obligations under the international human rights instruments and related international treaties (for example Conventions of the International Labour Organization), and should provide an effective mechanism to coordinate follow-up to the concluding observations of the treaty bodies. They should be established on a permanent basis.

14. These institutional structures should develop an efficient system—supported by modern technologies—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. Technical assistance is available 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.

15. Permanent institutional structures of this nature could 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.

Periodicity

16. In accordance with the terms of the relevant treaty, each State party undertakes to submit a report on the measures taken to give effect to that treaty's provisions and on the progress made in that respect within a specified period after the treaty's entry into force

for the reporting State. Thereafter, States are required to submit further reports periodically in accordance with the provisions of each treaty. The periodicity of these reports varies from treaty to treaty.

17. The common core document, submitted in tandem with a different treaty-specific document, will form the first part of several reports to the treaty bodies. In accordance with the different dates of accession to the treaties and the different periodicities, these reports will not be due at the same time. States should coordinate the preparation their reports in consultation with the relevant treaty bodies with a view to submitting all of their reports in a timely and coordinated manner. This will ensure that States receive the full benefit of the possibility of submitting information required by several treaty bodies in a common core document.

18. Reports submitted after some delay may not fulfil all of the requirements set by the treaty bodies if, when the treaty-specific document is submitted, the information contained in the common core document is no longer current.

II. GUIDANCE ON THE RECOMMENDED FORM OF ALL REPORTS

19. Information which the State considers relevant to assisting the treaty bodies in understanding the situation in the country should be presented in a concise and structured way. Reports should not be of excessive length. Common core documents should not exceed 60-80 pages, initial treaty-specific documents should not exceed 60 pages, and subsequent treaty-specific 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.

20. States may wish to submit copies of the principal legislative, judicial, administrative and other texts referred to in the report, 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. Where a text is not quoted in or annexed to the report, the report should contain sufficient information to be understood without reference to that text.

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 thoroughly checked before submission to the Secretary-General to ensure that the language is comprehensible and accurate. 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 will be edited by the Secretariat. Nevertheless, in order to facilitate the editing and translation process and avoid the risk of errors and misunderstandings, it is recommended that the final text be edited by a professional editor competent in the language in which the report will be submitted.

24. Reports should be submitted in electronic form (on diskette, CD-ROM or by electronic mail), accompanied by a printed paper copy.

25. Reports which, upon receipt, are found to be manifestly incomplete or require significant editing may be returned to the State party for modification before being officially accepted by the Secretary-General.

III. GUIDANCE ON THE CONTENT OF REPORTS

General

26. Each report consists of two complementary documents: a common core document and a targeted treaty-specific document. The common core document will be submitted to all treaty bodies in conjunction with a targeted report specific to the relevant treaty. Both documents form an integral part of the State's report: the State party will not be considered by each committee to have fulfilled its reporting obligations under the relevant treaty until it has submitted both parts of the report containing up-to-date information.

27. The common core document should contain all information relating to the implementation of each of the treaties to which the reporting State is party and which may be of relevance to all or several of the treaty bodies monitoring the implementation of those treaties. The aim is to avoid reproducing the same information in several reports produced in accordance with the provisions of different treaties. It also allows each committee to view the implementation of its treaty in the wider context of the protection of human rights in the State in question.

28. The treaty-specific document should contain information relating to the implementation of the treaty which is of specific interest to the committee monitoring the implementation of that treaty, as well as any issues of particular concern which may be raised by the committee on a case-by-case basis.

29. Each document may be submitted separately. However, States are advised to approach all of their reporting obligations as part of a coordinated process and should try to minimize the delay between the submission of the common core document and the submission of the treaty-specific document to each committee to ensure that the common core document is as up-to-date as possible when the treaty-specific document is considered. A treaty body may request that the common core document be updated if it considers that the information it contains is out of date.

30. The procedure for reporting under this reporting system will be as follows:

- (a) The State party submits the common core document to Secretary-General which is then transmitted to each of the treaty bodies monitoring the implementation of the treaties to which the State is party;
- (b) The State party submits the treaty-specific document to the Secretary-General which is then transmitted to the specific treaty body concerned;
- (c) Each treaty body considers the State report, consisting of the common core document and its treaty-specific document, according to its own procedures.

31. Reports provide an opportunity for the State party to present to each treaty body the extent to which its laws and practices comply with the human rights treaties which it has ratified or to which it has acceded.

32. Reports should contain information sufficient to provide each treaty body with a comprehensive understanding of the implementation of the relevant treaty in the country concerned.

33. Reports should elaborate both the *de facto* and the *de jure* position with regard to the implementation of the provisions of the treaties to which the State is 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 economic, political social and cultural realities and general conditions existing in the country.

34. 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 refer to the information contained in those reports, insofar as it remains current, whilst preparing their core document.

FIRST PART OF THE REPORT: THE COMMON CORE DOCUMENT

35. For convenience, the common core document should be structured using the headings numbered consecutively from A to J in accordance with the guidelines. The common core document should include the following information:

1. General factual and statistical information about the reporting State

36. This section should present general factual and statistical information relevant to assisting the committees in understanding the political, legal, social and economic context in which human rights implementation in the State concerned should be understood.

37. The report should provide a general overview of the data sufficient to assist the treaty bodies in assessing the State's implementation of the treaties, presented and explained in an accessible manner. Relevant statistical data, disaggregated by sex and other population groups, may be summarized in the text of the report where necessary.

38. Since many statistical indicators will be relevant for several sections of the report, full statistical information should be presented together in tables, annexed to the document as a compilation of statistical data. Such information should be disaggregated

by sex, should allow comparison over time and should indicate data sources. Data should be further disaggregated where possible in relation to other demographic groups including, *inter alia*, children and young people under the age of 18 years, racial, ethnic, indigenous, linguistic or religious groups, persons with disabilities, minorities, refugees, internally displaced persons or migrants.

39. A list of indicators that may be relevant to reporting under the international human rights treaties is provided in appendix 4. Many States may not be in a position to provide data relating to all indicators. States with particular difficulties in providing full statistical information relating to their human rights obligations should explain these difficulties in the common core document.

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

40. States may provide initial 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.

41. States should provide accurate information about the main ethnic and demographic characteristics of the country and its population.

42. States should provide accurate information on the standard of living of the different segments of the population, as well as common economic statistics.

43. States should provide additional information on such areas as work, health, access to education and media (see appendix 4).

44. States should include accurate information on crime figures and the administration of justice.

B. Constitutional, political and legal structure of the State

45. 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.

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

C. Acceptance of international human rights norms

46. 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.

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

- (i) The scope of such reservations;
- (ii) The reason why such reservations were considered to be necessary;
- (iii) The precise effect of the reservation in terms of national law and policy;
- (iv) Whether any reservations entered by the State party on obligations arising from one treaty are consistent with obligations with regard to the same rights set forth in other treaties; and
- (v) 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 (see A/CONF.157/23, Part II, paras. 5 and 46), 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 by law or custom from the provisions of any of the treaties to which it is a party, the 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.
- (d) *Objections of other States parties.* States should indicate whether any other States parties have objected to any the reporting State's reservations, derogations, restrictions or limitations of any of the provisions of the relevant treaty.

47. 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:

- (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 ILO conventions.* States may wish to indicate whether they are party to any of the ILO conventions relevant to human rights protection listed in appendix 2, section C.

Where States have already submitted reports to the ILO supervisory committee concerned which are relevant to the provisions of the international human rights treaties to which they are also party, States may wish to refer to the respective parts of those reports rather than repeat the information that they contain.

- (c) *Ratification of the Hague conventions on private international law.* States may wish to indicate whether they are party to any of conventions of the Hague Conference on Private International Law relevant to human rights protection listed in appendix 2, section D.

- (d) *Ratification of Geneva conventions and other humanitarian treaties.* States should indicate whether it is party to any of the Hague and Geneva conventions on international humanitarian law or any other humanitarian law treaties relevant to human rights protection listed in appendix 2, section E.
- (e) *Ratification of regional human rights conventions.* States may indicate whether they are party to any regional human rights conventions. Where such conventions require States to report, the reporting State may wish to coordinate the use of relevant information in meeting all of their reporting obligations.

D. General legal framework within which human rights are protected at the national level

48. States should set out the specific legal context within which human rights are protected in the country. In particular, information should be provided on:

- (a) Which judicial, administrative or other competent authorities have jurisdiction affecting human rights matters and the extent of such jurisdiction;
- (b) The remedies available to an individual who claims that any of his or her rights have been violated, and the systems of compensation and rehabilitation that exist for victims;
- (c) Whether any of the rights referred to in the various human rights instruments are protected either in the constitution, a bill of rights and other basic law and, if so, what provisions are made for derogations and in what circumstances;
- (d) How human rights treaties are incorporated into the national legal system;
- (e) Whether the provisions of the various human rights instruments can be invoked before, or directly enforced by, the courts, other tribunals or administrative authorities, or whether they must be incorporated into domestic laws or administrative regulations in order to be enforced;

- (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, minorities and indigenous populations, refugees and internally-displaced persons, migrant workers, aliens and non-citizens or other groups, and what human and financial resources are available to that machinery;
- (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 should be provided where possible.

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

49. States should set out the efforts made to promote respect for human rights in the State, including the role played by civil society. In particular, States should provide information on:

- (a) *National and regional parliaments and assemblies.* The role and activities of the national parliament and other sub-national, regional, provincial or municipal assemblies or authorities in promoting and protecting human rights in general and the international human rights treaties in particular;
- (b) *National human rights institutions.* Any institutions created for the protection and promotion of human rights at the national level, their precise mandate, composition, financial resources and activities, and whether such institutions are regarded as independent in accordance with the “Principles relating to the status of national institutions” (Paris Principles) E/1992/22 (A/RES/48/134);
- (c) *Publication 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 in all national, local, minority or indigenous languages, including in simplified and accessible versions;

- (d) *Promotion of human rights awareness for public officers.* Any measures taken to ensure adequate education and training in human rights in general, and the international human rights instruments in particular, for government and other public officials, including teachers, law enforcement officials, including police, immigration officers, judges, prosecutors, lawyers, members of the armed forces, prison officers, medical doctors, health workers and social workers;
- (e) *Promotion of human rights awareness through educational programmes and Government-sponsored public information.* Measures taken to promote respect for human rights and fundamental freedoms, in accordance with the Universal Declaration, through education and training. Details should be provided on the inclusion of human rights education within national school curricula, adult education programmes and Government-sponsored public information campaigns, and the extent to which such education is available in all national, local, minority or indigenous languages;
- (f) *Promotion of human rights awareness through the mass media.* The role of the mass information media, i.e. the press, radio and television, in publicizing human rights and disseminating information on the purposes and principles of the human rights instruments. Attention should be paid to the availability of such information in all national, local, minority or indigenous languages;
- (g) *Role of civil society, including non-governmental organizations.* The current state of civil society, including non-governmental organizations, their activities and programmes within the country, and 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;
- (h) *Budget allocations and trends.* The budget allocations and trends, in percentages of national or regional budgets or gross domestic product (GDP) allocated specifically to the implementation of the State's human rights obligations and the provisions of the treaties;

- (i) *Development cooperation and assistance.* The extent to which the State receives development cooperation or assistance or other support which is linked to human rights promotion, including budgetary allocations. Information on the extent to which the State provides development cooperation or assistance to other States which is linked to the promotion of human rights in that country.

F. Role of the reporting process in promoting human rights at the national level

50. The reporting State should describe the process by which its reports are prepared. It should include information on:

- (a) Participation of governmental departments at the central, regional and local levels and, where appropriate, at the federal and provincial levels;
- (b) Independent participation, where appropriate, of National Human Rights Institutions constituted in accordance with the Paris Principles in the reporting process, in monitoring government reports to the treaty bodies and in actively monitoring the implementation of concluding observations/comments of treaty bodies at the national level;
- (c) Participation of non-governmental organizations and other elements of civil society at any stage of the reporting process at the national level, including through public debate on drafts of the State's reports to any of the treaty bodies and/or the national response to the concluding observations/comments of any of the treaty bodies;
- (d) Participation of those most affected by specific provisions of the relevant treaties, including women, children and groups, such as the elderly, ethnic, racial, indigenous, religious, linguistic or cultural groups and minorities, persons with disabilities, members of political parties or organizations, immigrants and migrant workers, refugees, internally-displaced persons, asylum-seekers and non-nationals;
- (e) The steps taken to publicize the report to everyone in the State, including by translating and disseminating it in the national, local, minority and

indigenous languages and making it available to those with sensorial impairment;

- (f) 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/comments of human rights treaty monitoring bodies

51. States should indicate the measures and procedures adopted or foreseen, if any, to ensure wide dissemination of and effective follow-up to 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.

52. Specific information on the steps taken to implement each of the recommendations of a given treaty body should be provided in the treaty-specific document submitted to the relevant treaty body (see Second Part of the Report below).

G. Other related human rights information

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

Follow-up to international conferences

54. States may provide relevant information on follow-up to and implementation of the declarations, recommendations, commitments or obligations adopted at world conferences and subsequent reviews insofar as these have a bearing on the human rights situation in the country. A non-exhaustive list of relevant conferences is contained in appendix 3.

55. Where such conferences include reporting procedures, States may refer to information contained in those reports in their reports to the treaty bodies. In particular, the reporting on Millennium Development Goals is of particular interest to many of the

committees insofar that each goal impacts on related articles of the treaties (see appendix 5).

3. Implementation of substantive human rights provisions common to all or several treaties

56. This section should address the measures taken by the State to ensure the implementation of those rights contained in the main international human rights treaties to which it is party that are common to all or several treaties. In order to assist States in presenting relevant information concerning substantive rights provisions in a coherent and structured way, related articles have been clustered into groups which may be addressed together.

57. Statistical data and other indicators which relate to several rights may be presented as an annex to the report.

H. Non-discrimination and equality

58. This grouping examines the implementation of the State's general obligation to eliminate discrimination and promote equality for all in accordance with articles 1 and 2 of the Universal Declaration of Human Rights. It addresses the following congruent provisions: articles 2(1) and 3 ICCPR; articles 2(2) and 3 ICESCR; articles 2-7 ICERD; articles 2 and 9-16 CEDAW; article 2 CRC; articles 7, 18, 25, 27 CMW. CAT refers to the principle of equality in its preamble.

59. Reports should present information on measures taken to eliminate discrimination in all its forms in the enjoyment of civil, political, cultural, economic and social rights, and promote equality for everyone within the State. Discrimination includes all forms of discrimination based, *inter alia*, on race, colour, sex, age, descent, disability, language, religion or conviction, political or other opinion, national ethnic or social origin, economic position, property, marital status, birth or other status.

60. Reports should address the situation in the country with regard to all groups of persons who may experience discrimination including, *inter alia*, women, children (including those born to unmarried parents and those who are living and/or working on the streets), the elderly, ethnic, racial, indigenous, religious, linguistic or cultural groups and minorities, persons with disabilities, persons living with HIV/AIDS, members of

political parties or organizations, internally-displaced persons, immigrants and migrant workers, refugees, asylum-seekers and other non-nationals.

61. Reports should indicate whether the principle of non-discrimination is included as a general binding principle in the constitution or bill of rights or in domestic legislation; whether all the possible grounds for discrimination are reflected in such legal provisions; and whether such provisions specifically apply to each of the groups identified as requiring protection in any of the conventions.

62. Information should be provided on steps taken to ensure that discrimination in all its forms is prevented and combated, both in law and practice. Where provisions of any of the conventions require States parties to enact specific penal legislation to outlaw certain forms of discrimination, the report should delineate whether specific legislation designed to implement such provisions have been enacted or are planned. Where no specific legislation has been enacted, the report should provide 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.

63. States should describe any major problems encountered in implementing the provisions of conventions relating to non-discrimination and their plans to solve these problems. The report should evaluate progress in preventing and combating all forms of discrimination, including those arising from harmful or negative traditional practices. Where members of any of the specific groups requiring protection under the various conventions are not guaranteed all of the rights set out in them, the report should explain the justification behind such discriminatory practices as do exist and what steps are being taken or are planned to eliminate such discrimination.

64. The situation regarding the equal enjoyment of all rights by members of the specific groups covered under the various treaties should be specifically addressed. Reports should reveal obstacles to their participation on an equal basis with other members of society in the political, social, economic and cultural life of their countries, and give information on types and frequency of cases of non-compliance with the principle of equal rights.

65. States should indicate whether specific measures have been adopted to reduce economic, social and geographical disparities, including between rural and urban areas, to prevent discrimination against the most disadvantaged groups, and describe the impact of such measures.

66. States should indicate measures, including educational programmes and public information campaigns, which have been taken to prevent and eliminate negative attitudes to, and prejudice against, protected groups preventing them from fully enjoying their human rights, and describe the impact of these measures.

Equality before the law and equal protection of the law

67. This grouping examines the implementation of the State's obligation to guarantee equality before the law and equal protection of the law in accordance with article 7 of the Universal Declaration of Human Rights. It addresses the following congruent provisions: articles 14(1) and 26 ICCPR; article 5(a) ICERD; article 15 CEDAW; article 18(1) CMW. Issues related to this right are also raised in article 9(2) CRC and articles 12 and 13 CAT.

68. States should describe specific measures taken to guarantee the right to equality before the law and equal protection of the law for everyone within its jurisdiction, including measures taken to ensure that members of the groups mentioned above as being subject to discrimination receive equal protection against any discrimination in violation of the provisions of the conventions to which the State is party and against any incitement to such discrimination.

Special measures to accelerate progress towards equality

69. Certain treaties allow for the adoption of temporary special measures in specific circumstances to help accelerate progress towards equality. Such measures are addressed in the following provisions: article 27 ICCPR; article 2(3) ICESCR; articles 1(4) and 2(2) ICERD; articles 4 and 14 CEDAW; articles 22 and 23 CRC. The impact of such measures is of interest to all committees.

70. States should describe whether special measures, especially temporary special measures, aimed at accelerating *de facto* equality for members of particular groups protected by the non-discrimination provisions of any of the treaties to which the State

is a party have been adopted, and describe the impact of these measures. Where such measures have been adopted on a temporary basis, the State should indicate the expected timeframe for the attainment of the goal of equality of opportunity and treatment and the withdrawal of such measures.

I. Effective remedies

71. This grouping examines the implementation of the State's obligation to provide effective remedies in accordance with article 8 of the Universal Declaration of Human Rights. It addresses the following congruent provisions: article 2(3) ICCPR; article 6 ICERD; article 2(c) CEDAW; article 14 CAT ; article 37(d) and 39 CRC; article 16(9) CMW.

72. States should describe the effective remedies that are available to any individual through the competent national tribunals for acts violating the fundamental rights granted by the constitution or by law.

J. Procedural guarantees

73. This grouping examines the implementation of the State's obligation to provide procedural guarantees in accordance with articles 9 to 11 of the Universal Declaration of Human Rights. It addresses the following congruent provisions: articles 14(2), (3) and (5) and 15 ICCPR; article 5(a) ICERD; article 15 CAT; articles 37 and 40 CRC; article 18(2) and (3) and 19 CMW.

74. States should indicate the extent to which each person in the State, including members of the groups mentioned above as being subject to discrimination, is recognized as a person before the law.

75. States should indicate what guarantees exist to ensure that everyone in the State is free from arbitrary arrest, detention or exile.

76. States should indicate what guarantees exist to ensure that everyone's rights and obligations, or any criminal charge against anyone, are determined in full equality in a fair and public hearing by an independent and impartial tribunal. The reporting State should indicate what guarantees exist to ensure the independence of the judiciary. Any special tribunals with particular jurisdiction in specific cases should be explained.

77. States should indicate what guarantees exist to protect those charged with penal offences, including whether the presumption of innocence until proved guilty is guaranteed by law, whether penal trials may in certain circumstances be held in private, and what guarantees are provided to ensure the accused receives a proper defence.

K. Participation in public life

78. This grouping examines the implementation of the State's obligation to guarantee equal rights for all to participate in the public life of the country in accordance with articles 15 and 21 of the Universal Declaration of Human Rights. It addresses the following congruent provisions: right to a nationality: article 24(3) ICCPR; article 5(d)(iii) ICERD; article 9 CEDAW; articles 7 and 8 CRC; article 29 CMW. Right to political participation and access to public service: article 25 ICCPR; article 5(c) ICERD; articles 7 and 8 CEDAW; article 18(2) and (3), article 23(3) and (4) and article 26 CRC; articles 41 and 42(3) CMW.

79. States should provide information on its nationality laws, including procedures for acquiring or changing nationality and whether its nationals may in certain circumstances be deprived of their nationality. The reporting State should indicate whether there are any groups, including any of the groups mentioned above as being subject to discrimination, which are not entitled to the nationality of the State, stating the reason and any steps being taken to ensure the protection of the rights of such groups.

80. States should provide information on its electoral laws and the electoral process, indicating, *inter alia*:

- (a) The periodicity for elections, including presidential, national and regional parliamentary and municipal elections;
- (b) The rules on suffrage for elections, including any limitations or restrictions placed on particular groups of individuals, especially members of any of the groups mentioned above;
- (c) The guarantees to ensure the secrecy of the ballot or equivalent free voting procedures;
- (d) The mandate of elected representatives at all levels of Government;

- (e) Eligibility for holding public office, not restricted to elected posts, including any limitations or restrictions placed on particular groups of individuals, especially members of the groups mentioned above.

This section should not duplicate information already provided in section B above.

81. States should provide information on participation in non-governmental organizations and associations concerned with the public and political life of the country.

SECOND PART OF THE REPORT: THE TREATY-SPECIFIC DOCUMENT

82. The treaty-specific document should contain all information relating to the State party's implementation of each specific treaty which is relevant solely or principally to the Committee charged with monitoring the implementation of that treaty. This part of the report allows the Committee to focus its attention on more specific issues relating to the implementation of the Convention.

83. The document should include the following information:

- (a) Information requested by the relevant treaty body in its guidelines on the treaty-specific document which is specific to the treaty in question and therefore not included in the first part of the report (common core document);
- (b) Information requested by the relevant treaty body designed to supplement information submitted in the common core document where the committee requires more specific information;
- (c) Where applicable, information on the specific steps taken to address issues raised by the treaty body in its concluding observations/comments on the State party's previous report.

84. Each committee may issue treaty-specific guidelines for the preparation of the second part of its reports in accordance with these common guidelines:

[Treaty-specific guidelines for Human Rights Committee]

[Treaty-specific guidelines for Committee on Economic, Social and Cultural Rights]

[Treaty-specific guidelines for Committee on the Elimination of Racial Discrimination]

[Treaty-specific guidelines for Committee on the Elimination of Discrimination Against Women]

[Treaty-specific guidelines for Committee Against Torture]

[Treaty-specific guidelines for Committee on the Rights of the Child]

[Treaty-specific guidelines for Committee on Migrant Workers]

APPENDIX 1

Mandate of treaty bodies for requesting reports from states parties

International Covenant on Economic, Social and Cultural Rights

Article 16

1. The States Parties to the present Covenant undertake to submit in conformity with this part of the Covenant reports on the measures which they have adopted and the progress made in achieving the observance of the rights recognized herein.

2. (a) All reports shall be submitted to the Secretary-General of the United Nations, who shall transmit copies to the Economic and Social Council for consideration in accordance with the provisions of the present Covenant; [...]

Article 17

1. The States Parties to the present Covenant shall furnish their reports in stages, in accordance with a programme to be established by the Economic and Social Council within one year of the entry into force of the present Covenant after consultation with the States Parties and the specialized agencies concerned.

2. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Covenant.

3. Where relevant information has previously been furnished to the United Nations or to any specialized agency by any State Party to the present Covenant, it will not be necessary to reproduce that information, but a precise reference to the information so furnished will suffice.

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.

International Convention on the Elimination of All Forms of Racial Discrimination

Article 9

1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted and which give effect to the provisions of this Convention:

(a) within one year after the entry into force of the Convention for the State concerned; and

(b) thereafter every two years and whenever the Committee so requests. The Committee may request further information from the States Parties.

[...]

Convention on the Elimination of All Forms of Discrimination Against Women

Article 18

1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect:

(a) Within one year after the entry into force for the State concerned;

(b) Thereafter at least every four years and further whenever the Committee so requests.

2. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Convention.

Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Article 19

1. The States Parties shall submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have taken to give effect to their undertakings under this Convention, within one year after the entry into force of the Convention for the State Party concerned. Thereafter the States Parties shall submit supplementary reports every four years on any new measures taken and such other reports as the Committee may request.

2. The Secretary-General of the United Nations shall transmit the reports to all States Parties.

3. Each report shall be considered by the Committee which may make such general comments on the report as it may consider appropriate and shall forward these to the State Party concerned. That State Party may respond with any observations it chooses to the Committee. [...]

Convention on the Rights of the Child

Article 44

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights:

(a) Within two years of the entry into force of the Convention for the State Party concerned;

(b) Thereafter every five years.

2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.

3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.

4. The Committee may request from States Parties further information relevant to the implementation of the Convention.

5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.

6. States Parties shall make their reports widely available to the public in their own countries.

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Article 73

1. States Parties undertake to submit to the Secretary-General of the United Nations for consideration by the Committee a report on the legislative, judicial, administrative and other measures they have taken to give effect to the provisions of the present Convention:

(a) Within one year after the entry into force of the Convention for the State Party concerned;

(b) Thereafter every five years and whenever the Committee so requests.

2. Reports prepared under the present article shall also indicate factors and difficulties, if any, affecting the implementation of the Convention and shall include information on the characteristics of migration flows in which the State Party concerned is involved.

3. The Committee shall decide any further guidelines applicable to the content of the reports.

4. States Parties shall make their reports widely available to the public in their own countries.

Article 74

1. The Committee shall examine the reports submitted by each State Party and shall transmit such comments as it may consider appropriate to the State Party concerned. This State Party may submit to the Committee observations on any comment made by the Committee in accordance with the present article. The Committee may request supplementary information from States Parties when considering these reports. [...]

APPENDIX 2

International conventions relating to issues of human rights

A. Main international human rights conventions and protocols

International Covenant on Economic, Social and Cultural Rights

International Covenant on Civil and Political Rights

International Convention on the Elimination of All Forms of Racial Discrimination

Convention on the Elimination of All Forms of Discrimination against Women

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Convention on the Rights of the Child

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Optional Protocol to the CRC on the involvement of children in armed conflict

Optional Protocol to the CRC on the sale of children, child prostitution, and child pornography

Optional Protocol to CCPR, concerning individual petition

Second Optional Protocol to CCPR, concerning abolition of the death penalty

Optional Protocol to CEDAW, concerning individual complaints and inquiry procedures

Optional Protocol to Committee Against Torture, concerning regular visits by national and international institutions to places of detention

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 on the Reduction of Statelessness 1961
 Convention relating to the Status of Stateless Persons 1954
 Convention relating to the Status of Refugees 1951
 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)
 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)
 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)

D. 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

E. 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. Geneva 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

World Conferences

World Summit on the Information Society 2003-2005;

World Summit on Sustainable Development 2002;

World Conference against racism, racial discrimination, xenophobia and related intolerance 2001;

United Nations Conferences on the Least Developed Countries 2001;

Millennium Summit 2000;

Second United Nations Conference on Human Settlements (Habitat II) 1996;

Fourth World Conference on Women 1995;

World Summit for Social Development 1995;

International Conference on Population and Development 1994;

World Conference on Human Rights 1993;

UN Conference on Environment and Development (Earth Summit) 1992;

World Summit for Children 1990.

APPENDIX 4

Indicators related to human rights

The statistical annex to the report should contain the following indicators, disaggregated by sex and other population group where available:

Land and People

The reporting State should provide accurate information about the main demographic characteristics of its population, such as:

Population growth

Population density

Land use

Language of population by mother tongue

Religion

Age-composition

Dependency ratio (percentage of population under 15 (**under 18**) and over 65 years of age)

Sex

Proportion of population in rural and urban areas

Statistics on births

Statistics on deaths

Life expectancy

Fertility rate

Household size

Proportion of single-parent households and households headed by women

Social, economic and cultural statistics

The reporting State should provide accurate information on the standard of living of each segment of the population, including:

Per capita income

Share of (household) consumption expenditures on food, housing, health and education

Proportion of the population below national poverty line

Proportion of population below minimum level of normative dietary intakes

Gini coefficient (relating to distribution of income)

Prevalence of underweight children under five years of age

Infant mortality, maternal mortality

Causes of death

Rates of infection with HIV/AIDS

Net enrolment ratio in primary and secondary education

Attendance and completion rates in primary and secondary education

Drop-out rates

Ratio of teachers to students

Literacy rates

Rate of unemployment

Employment by sectors, including the distinction between formal and informal sectors

Work participation rates by sex, religion and population groups.

Population coverage of mass-media, circulation of daily newspapers and books, broken down by language.

Gross domestic product (GDP)

Growth rate

Gross National Income

Rate of inflation

Public expenditures as proportion of GDP

External and domestic government debt

Share of international assistance in public revenues and development expenditure

Political system and administration of justice statistics

The reporting State should provide information on electoral and political characteristics of the country, including:

Number of recognized political parties

Distribution of legislative seats by party

Percentage of women in parliament

Periodicity of elections at the national and local level

Voter turnouts

Crime statistics and information on the administration of justice, including:

Number of criminal cases

Backlog of cases per judge

Prison population with breakdown by offence and length of sentence

Death in penal institutions

Instances of use of the death penalty

Number of condemned prisoners and length of time awaiting execution

APPENDIX 5

Millennium Development Goals and Indicators

Millennium Development Goals and the human rights conventions

Goal 1 (Eradicate extreme poverty and hunger): ICESCR (art. 11 and general comment 12), CRC (arts. 24(2) and 27(3));

Goal 2 (Achieve universal primary education): ICESCR (arts. 13 and 14, and general comment 11), CRC (art. 28 a and general comment 1), CERD (arts. 5 and 7);

Goal 3 (Promote gender equality and empower women): CEDAW; ICESCR (arts. 3 and 7(a)(i)); ICCPR (arts. 3, 6(5) and 23(2)); CRC (art. 2); CERD (general comment 25);

Goal 4 (Reduce child mortality): CRC (arts. 6 and 24(2)(a)); ICESCR (arts. 12(2)(a), general comment 14);

Goal 5 (Improve maternal health): CEDAW (arts. 10(h), 11(f), 12(1), 14(b), and general comment 24; CERD (art. 5 e iv); ICESCR: general comment 14; CRC (art. 24 (d));

Goal 6 (Combat HIV/AIDS, malaria and other diseases): International guidelines on HIV/AIDS and human rights; ICESCR: general comment 14; CRC (art. 24(c) and general comment 3);

Goal 7 (Ensure environmental sustainability) Safe drinking water: ICESCR: general comments 15 and 14, Slum dwellers: ICESCR: general comments 4 and 7; CRC (art. 24(c));

Goal 8 (Develop a global partnership for development): Charter of the United Nations (art. 1 (3)), ICESCR (art. 2), CRC (art. 4).

Millennium Development Goal Indicators

This information is taken from the United Nations Statistical Division. See the following website: http://millenniumindicators.un.org/unsd/mi/mi_goals.asp

1. Proportion of population below \$1 (PPP) per day (World Bank)
2. Poverty gap ratio [incidence x depth of poverty] (World Bank)
3. Share of poorest quintile in national consumption (World Bank)
4. Prevalence of underweight children under five years of age (UNICEF-WHO)
5. Proportion of population below minimum level of dietary energy consumption (FAO)

6. Net enrolment ratio in primary education (UNESCO)
7. Proportion of pupils starting grade 1 who reach grade 5 (UNESCO)
8. Literacy rate of 15-24 year-olds (UNESCO)
9. Ratio of girls to boys in primary, secondary and tertiary education (UNESCO)
10. Ratio of literate women to men, 15-24 years old (UNESCO)
11. Share of women in wage employment in the non-agricultural sector (ILO)
12. Proportion of seats held by women in national parliament (IPU)
13. Under-five mortality rate (UNICEF-WHO)
14. Infant mortality rate (UNICEF-WHO)
15. Proportion of 1 year-old children immunized against measles (UNICEF-WHO)
16. Maternal mortality ratio (UNICEF-WHO)
17. Proportion of births attended by skilled health personnel (UNICEF-WHO)
18. HIV prevalence among pregnant women aged 15-24 years (UNAIDS-WHO-UNICEF)
19. Condom use rate of the contraceptive prevalence rate (UNAIDS, UNICEF, UN Population Division, WHO)
 - 19a. Condom use at last high-risk sex (UNICEF-WHO)
 - 19b. Percentage of population aged 15-24 years with comprehensive correct knowledge of HIV/AIDS (UNICEF-WHO)
20. Ratio of school attendance of orphans to school attendance of non-orphans aged 10-14 years (UNICEF-UNAIDS-WHO)
21. Prevalence and death rates associated with malaria (WHO)
22. Proportion of population in malaria-risk areas using effective malaria prevention and treatment measures (UNICEF-WHO)
23. Prevalence and death rates associated with tuberculosis (WHO)
24. Proportion of tuberculosis cases detected and cured under DOTS (internationally recommended TB control strategy) (WHO)
25. Proportion of land area covered by forest (FAO)
26. Ratio of area protected to maintain biological diversity to surface area (UNEP-IUCN)
27. Energy use (kg oil equivalent) per \$1 GDP (PPP) (IEA, World Bank)
28. Carbon dioxide emissions per capita (UNFCCC, UNSD) and consumption of ozone-depleting CFCs (ODP tons) (UNEP-Ozone Secretariat)
29. Proportion of population using solid fuels (WHO)

30. Proportion of population with sustainable access to an improved water source, urban and rural (UNICEF-WHO)
31. Proportion of population with access to improved sanitation, urban and rural (UNICEF-WHO)
32. Proportion of households with access to secure tenure (UN-HABITAT)
33. Net ODA, total and to LDCs, as percentage of OECD/Development Assistance Committee (DAC) donors' gross national income (GNI)(OECD)
34. Proportion of total bilateral, sector-allocable ODA of OECD/DAC donors to basic social services (basic education, primary health care, nutrition, safe water and sanitation) (OECD)
35. Proportion of bilateral ODA of OECD/DAC donors that is untied (OECD)
36. ODA received in landlocked developing countries as a proportion of their GNIs (OECD)
37. ODA received in small island developing States as proportion of GNIs (OECD)
38. Proportion of total developed country imports (by value and excluding arms) from developing countries and from LDCs, admitted free of duty (UNCTAD, WTO, WB)
39. Average tariffs imposed by developed countries on agricultural products and textiles and clothing from developing countries (UNCTAD, WTO, WB)
40. Agricultural support estimate for OECD countries as percentage of GDP (OECD)
41. Proportion of ODA provided to help build trade capacity (OECD, WTO)
42. Total number of countries that have reached their Heavily Indebted Poor Countries Initiative (HIPC) decision points and number that have reached their HIPC completion points (cumulative) (IMF - World Bank)
43. Debt relief committed under HIPC initiative (IMF-World Bank)
44. Debt service as a percentage of exports of goods and services (IMF-World Bank)
45. Unemployment rate of young people aged 15-24 years, each sex and total (ILO)
46. Proportion of population with access to affordable essential drugs on a sustainable basis (WHO)
47. Telephone lines and cellular subscribers per 100 population (ITU)
48. Personal computers in use per 100 population and Internet users per 100 population (ITU)

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