

PARTICIPANT'S HANDBOOK

MODULE 3 – PREPARING THE STATE REPORT

DESCRIPTION

This module provides an understanding of State reporting under CRC and CEDAW. It includes information about *why* States have to report to the Committees, the structure and content of the report and *when* states should report.

TIME: 1 HOUR 40 MINUTES

MODULE AIMS

The aim of the module is to provide participants with an understanding of how to prepare a State report to fulfil the reporting obligations under CRC and CEDAW.

- The first part of the module explains the obligations of States to report on the implementation of the two Conventions.
- The second part of the module provides an introduction to State reporting, and runs through different examples of how a State may organise the collection of material and the development of the State Party Report.
- The third part of the module provides details on the information that States must include in their reports, and how this information should be structured. This section takes participants through the guidelines that States must follow when reporting under each of the Conventions or their Optional Protocols.

LEARNING OUTCOMES

On completion of this module participants should have:

1. An understanding of the reporting obligations under CRC and CEDAW.
2. Knowledge of how a State may organise the drafting of the State Party Report.
3. Detailed knowledge of the different components of a State report, i.e. the Common Core Document and the Treaty-Specific Document and their differences.
4. An understanding of the CRC and CEDAW reporting guidelines, the information that States are required to include in their reports and how this information should be structured.

SECTION HEADINGS

- 3.1 The UN Treaty Monitoring System
- 3.2 Why are States Required to Report?
- 3.3. When to Submit a Report
- 3.4. Failure to Report
- 3.5 Reporting Logistics
- 3.6 Preparing to Draft a State Report: Some Points to Remember
- 3.7 Contents of the Report
- 3.9 The Common Core Document
- 3.9 The Treaty Specific Document

3.1 The UN Treaty Monitoring System

Under the UN system, there are nine core international human rights treaties. Some of these treaties also include Optional Protocols that States may choose to sign and ratify independent of being party to the main treaty.

The nine treaties and their optional protocols are:

- The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- The International Covenant on Civil and Political Rights (ICCPR)
 - The Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP1)
 - The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (ICCPR-OP2)
- The International Covenant on Economic, Social and Cultural Rights (ICESCR)
 - The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR-OP)
- The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

- The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP-CEDAW)
- The Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
 - The Optional Protocol to the Convention against Torture (OPCAT)
- The Convention on the Rights of the Child (CRC)
 - The Optional Protocol to the CRC on the Involvement of Children in Armed Conflict (CRC-OPAC)
 - The Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (CRC-OPSC)
 - The Optional Protocol on a Communications Procedure (CRC-OPIC)
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW)
- The Convention on the Rights of Persons with Disabilities (CRPD)
 - The Optional Protocol to the Convention on the Rights of Persons with Disabilities (OP-CRPD)¹³⁹
- The International Convention for the Protection of All Persons from Enforced Disappearance (ICCPED)

Along with the treaties, there are currently ten human rights treaty bodies, which are committees of independent experts established to monitor implementation of the treaties.

Nine of these treaty bodies monitor implementation of the core international human rights treaties mentioned above, while the tenth treaty body, the Subcommittee on Prevention of Torture, established under the Optional Protocol to the Convention against Torture, monitors places of detention in States Parties to this Optional Protocol.¹⁴⁰

Each committee is composed of independent experts (ranging in number from 10 to 23 members) of recognized competence in the field of human rights who are nominated and elected for fixed, renewable terms of four years by States Parties to the relevant treaty.¹⁴¹

¹³⁹ United Nations Office of the High Commissioner for Human Rights, *Core International Human Rights Instruments and their Monitoring Bodies*, available at:

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx> [accessed 24 April 2013]

¹⁴⁰ United Nations Office of the High Commissioner for Human Rights, *Human Rights Bodies* available at: <http://www.ohchr.org/en/hrbodies/Pages/HumanRightsBodies.aspx> [accessed 24 April 2013].

¹⁴¹ UN Office of the High Commissioner for Human Rights, *Fact Sheet No. 30, The United Nations Human Rights Treaty System: An introduction to the core human rights treaties and the treaty bodies*, June 2005, No.

The different treaty bodies are:

- The Human Rights Committee (CCPR)
- The Committee on Economic, Social and Cultural Rights (CESCR)
- The Committee on the Elimination of Racial Discrimination (CERD)
- The Committee on the Elimination of Discrimination against Women (CEDAW)
- The Committee Against Torture (CAT)
- The Subcommittee on Prevention of Torture (SPT)
- The Committee on the Rights of the Child (CRC)
- The Committee on Migrant Workers (CMW)
- The Committee on the Rights of Persons with Disabilities (CRPD)
- The Committee on Enforced Disappearances (CED)¹⁴²

Why are there treaty bodies?

30, available at: <http://www.ohchr.org/Documents/Publications/FactSheet30Rev1.pdf> [accessed 24 April 2013], p. 24.

¹⁴² UN Office of the High Commissioner for Human Rights, *Monitoring the Core International Human Rights Treaties*, available at: <http://www.ohchr.org/EN/HRBodies/Pages/TreatyBodies.aspx> [accessed 24 April 2013].

The ratification¹⁴³ or accession¹⁴⁴ to a treaty by a State Party imposes legal obligations on that State to implement the rights set out in the treaty at the national level. However, the recognition of rights on paper does not guarantee that these rights will be enjoyed in practice.¹⁴⁵

Each State Party to a treaty must therefore submit a report detailing how they are working to implement the treaty through national law.

A Committee, or ‘Treaty Body,’ has been established for each treaty in order to monitor implementation of the specific treaty’s provisions by State Parties. The role and working methods of each treaty body varies slightly. These are established by the treaties themselves, and in guidelines issued by the Committees. Each treaty body has a number of obligations and responsibilities, which vary slightly depending on the specific treaty and its provisions. In general, their tasks include:

1. Consideration of State Parties’ reports
2. Adopt Concluding Observations and Recommendations on State Parties’ reports
3. Adopt General Recommendations or Comments interpreting the provisions of the treaties
4. Consider complaints from individuals claiming that their rights have been violated by a state party¹⁴⁶
5. Undertake visits to State Parties

¹⁴³ “‘Ratification’ is an act by which a State signifies an agreement to be legally bound by the terms of a particular treaty. To ratify a treaty, the State first signs it and then fulfils its own national legislative requirements. Once the appropriate national organ of the country – Parliament, Senate, the Crown, Head of State or Government, or a combination of these – follows domestic constitutional procedures and makes a formal decision to be a party to the treaty. The instrument of ratification, a formal sealed letter referring to the decision and signed by the State’s responsible authority, is then prepared and deposited with the United Nations Secretary-General in New York.” (Definition from UNICEF, *Introduction to the UNCRC: Definition of Key Terms*, available at <http://www.unicef.org/crc/files/Definitions.pdf> last accessed May 15 2013).

¹⁴⁴ “‘Accession’ is an act by which a State signifies its agreement to be legally bound by the terms of a particular treaty. It has the same legal effect as ratification, but is not preceded by an act of signature. The formal procedure for accession varies according to the national legislative requirements of the State. To accede to a human rights treaty, the appropriate national organ of a State – Parliament, Senate, the Crown, Head of State or Government, or a combination of these – follows its domestic approval procedures and makes a formal decision to be a party to the treaty. Then, the instrument of accession, a formal sealed letter referring to the decision and signed by the State’s responsible authority, is prepared and deposited with the United Nations Secretary-General in New York.” (Definition from UNICEF, *Introduction to the UNCRC: Definition of Key Terms*, available at <http://www.unicef.org/crc/files/Definitions.pdf> last accessed May 15 2013).

¹⁴⁵ UN Office of the High Commissioner for Human Rights, *Fact Sheet No. 30, The United Nations Human Rights Treaty System: An introduction to the core human rights treaties and the treaty bodies*, June 2005, No. 30, available at: <http://www.ohchr.org/Documents/Publications/FactSheet30Rev1.pdf> [accessed 24 April 2013], p. 23.

¹⁴⁶ Six of the human rights treaty bodies, CCPR, CERD, CAT, CEDAW, CRPD and CED may, under certain circumstances consider individual complaints or communications from individuals.

6. Days of general discussion amongst the committee in order to analyse the success of the relevant treaty
7. Hold annual joint meetings
8. Conduct Inquiries¹⁴⁷

3.2 Why are States Required to Report?

As indicated in the *Harmonized Guidelines on Reporting Under the International Human Rights Treaties, Including Guidelines on a Core Document and Treaty-Specific Documents*, there are three (3) main purposes of reporting:

1. Commitment to treaties
2. Review of the implementation of human rights at the national level
3. Basis for constructive dialogue at the international level

Commitment to treaties

The reporting process constitutes an essential element in the continuing commitment of a State to respect, protect and fulfil the rights set out in the treaties to which it is party.¹⁴⁸ When a State ratifies a UN Human Rights Treaty, it undertakes to **respect**, **protect** and **fulfil** the rights of that treaty.¹⁴⁹

- By undertaking to ‘**respect**’ human rights, States agree not to take any actions that interfere with or restrict the human rights of persons within their jurisdictions.
- By agreeing to ‘**protect**’ human rights, States undertake to ensure that individuals, and groups, are not exposed to rights violations (whether at the hands of the State or others (non- State actors)). In order to meet such requirements under both CEDAW and CRC, States Parties must act according to the standards of due diligence. For example, under

¹⁴⁷ UN Office of the High Commissioner for Human Rights, *Fact Sheet No. 30, The United Nations Human Rights Treaty System: An introduction to the core human rights treaties and the treaty bodies*, June 2005, No. 30, available at: <http://www.ohchr.org/Documents/Publications/FactSheet30Rev1.pdf> [accessed 24 April 2013], p. 21. The [Committee Against Torture](#) and the [Committee on the Elimination of Discrimination Against Women](#) may initiate inquiries in cases where they have received reliable information of grave or systematic violations by a State Party of rights established under the Convention.

¹⁴⁸ *Harmonized Guidelines on Reporting Under the International Human Rights Treaties, Including Guidelines on a Core Document and Treaty-Specific Documents*

¹⁴⁹ UN Office of the High Commissioner for Human Rights, *International Human Rights Law*, available at: <http://www.ohchr.org/en/professionalinterest/Pages/InternationalLaw.aspx> [accessed 24 April 2013].

the CRC, State parties agree that they will establish mechanisms to ensure that children are not subject to violence and abuse (whether at home or elsewhere).

- By committing to ‘fulfil’ human rights, States agree to take **active action** to ensure that individuals and groups are able to enjoy their rights.¹⁵⁰ For example, under CEDAW, State parties agree to ensure that girls and women enjoy the right to education on an equal basis to boys and men by ensuring respect and protection of the right to education and furthermore, facilitating access to education by “proactively engag[ing] in activities intended to strengthen access to and utilization of resources and means to ensure” their right to education (See CESCR General Comment No. 12, para. 15, explaining the State obligation to fulfill in the context of the right to adequate food).¹⁵¹ If the right to education cannot be enjoyed by individuals “by means at their disposal”, “for reasons beyond their control”, “States have the obligation to *fulfil (provide)* that right directly” (See CESCR General Comment No. 12, para. 15, explaining the State obligation to fulfill in the context of the right to adequate food).¹⁵²

However, ratifying a treaty is only the first step. Through the ratification of a treaty, the State commits to undertake the greater task of *implementing* the Treaty provisions in practice. It is recognised that implementing a treaty takes time and is dependent upon the human and financial resources of a State and the level of infrastructure development. Implementation of treaty provisions will be incremental and are likely to represent the progressive realisation of rights over time. In order to measure that process and to assist States with implementation, both the **CRC and CEDAW treaties require that States Parties submit regular reports: an initial report as the first report and then on-going periodic reports.** The reporting process also serves as an on-going reaffirmation of the State’s commitment to human rights.

The obligation to report is found in the treaties under Article 44 (CRC) and 18 (CEDAW):



Article 44(1) of the CRC:

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 recognised 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, **Article 18 of CEDAW**

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

¹⁵⁰ UN Office of the High Commissioner for Human Rights, *International Human Rights Law*, available at: <http://www.ohchr.org/en/professionalinterest/Pages/InternationalLaw.aspx> [accessed 24 April 2013].

¹⁵¹ CESCR General Comment No. 12, *The Right to Adequate Food (Art. 11 of the Covenant)*, 12 May 1999, para. 15, available at: <http://www.refworld.org/docid/4538838c11.html> [accessed 7 February 2015]

¹⁵² CESCR General Comment No. 12, *The Right to Adequate Food (Art. 11 of the Covenant)*, 12 May 1999, para. 15, available at: <http://www.refworld.org/docid/4538838c11.html> [accessed 7 February 2015]

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.

Review of the implementation of human rights at the national level

Reporting can seem like a daunting and challenging task for States, especially in light of the different requirements by each treaty body, and the vast and detailed amount of information that is requested in the report.

Today all States are party to at least one of the UN Human Rights treaties and 80% are party to four or more treaties.¹⁵³ State ratification of treaties has also increased greatly worldwide. In 2000 the six core international human rights treaties had 927 ratifications. By 2012 there were 1586 ratifications, an increase of over 50%.¹⁵⁴ Whilst the increase in treaty ratification is to be welcomed, it also means that States can face heavy reporting burdens.

Nevertheless, it is important to remember that producing reports for treaty monitoring bodies can be a useful and beneficial process for the State. The reporting process should be seen not only as an **obligation** but also as an **opportunity**. It provides an occasion for the State to review and take stock of the state of human rights protection in their jurisdiction, to show the positive developments that have occurred, the extent to which its laws, policies and practices meet international human rights standards, to express the challenges faced in implementing the rights contained in the Convention and to identify areas for improvement and reform as well as the action that needs to be taken to achieve this.¹⁵⁵

Basis for constructive dialogue at the international level

The reporting process also creates a basis for constructive dialogue between states and the treaty monitoring bodies. Through this process, treaty monitoring bodies are able to provide States with practical advice on actions needed for the full implementation of the respective treaties.

¹⁵³ Bayefsky, Anne (2001) *The UN Human Rights Treaty System: Universality at the Crossroads* available at: <http://www.bayefsky.com/report/finalreport.pdf> [accessed 24 April 2013], p i.

¹⁵⁴ United Nations Office of the High Commissioner for Human Rights, *Strengthening the United Nations Human Rights Treaty Body System : A Report by the United Nations High Commissioner for Human Rights*, June 2012, available at: <http://www.refworld.org/docid/4fe8291a2.html> [accessed 24 April 2013], p. 17.

¹⁵⁵ United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 5. A full explanation of the objectives of reporting can be found in CESCR General Comment No. 1.

3.3 When to Submit a Report

Reports under the CRC

- Under **Article 44(1)(a)** of the CRC, a State is obliged to submit its first report within **two years** of the Convention's entry into force. This is known as the **initial report**.
- In accordance with Article 44(1)(b) States are then required to submit subsequent reports every **five years**. These reports are called **periodic reports**. Periodic reports should contain information about the progress made in implementing the Convention and the enjoyment of specific human rights in the State since the last reporting period.

Reports under the Optional Protocols of the CRC

- States that have ratified the *Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (OPSC)* must submit an initial report **two years** after the treaty's entry into force. Subsequently, States should integrate their following (periodic) reports to the OPSC into their report under the CRC (reporting every **five years**).¹⁵⁶
- In the same way, States that are parties to the *Optional Protocol on Children in Armed Conflict (OPAC)* are obliged to submit an initial report **two years** after the treaty comes into force. Subsequently, States should integrate their (periodic) reports to the OPSC into their report under the CRC (reporting every five years).¹⁵⁷

For a list of the Caribbean states that are parties to the CRC and the Optional Protocols see Annex B

Reports under CEDAW

- Under **Article 18(1)(a)** of CEDAW, a State is obliged to submit an **initial report** to the Committee within **one year** of the Convention's entry into force.
- According to the preamble of CEDAW, States are then required to submit **periodic reports** every **four years** and whenever the Committee so requests according to Article 18(1)(b).

Reporting under the Optional Protocol to CEDAW

- Article 8 of the Optional Protocol to the CEDAW establishes an inquiry procedure that allows the Committee to initiate a confidential investigation where it has received reliable information of grave or systematic violations by a State Party of rights established in the Convention. Where such an inquiry has been undertaken by the CEDAW Committee, the State's initial or periodic report must also include details on measures taken in response to that inquiry as well as measures taken to ensure that a violation does not reoccur.

¹⁵⁶ Article 12 of the Optional Protocol on the Sale of Children.

¹⁵⁷ Article 8 of the Optional Protocol on Children and Armed Conflict.

For a list of the Caribbean states that are parties to the CEDAW and the Optional Protocol see Annex B

Exceptional Reports under CEDAW

In addition to the regular report that States must submit, the CEDAW Committee may request a State to submit a report on what is known as an ‘**exceptional basis**’. Exceptional reports are requested in situations where there is a special cause for concern regarding (actual or potential) violations of women’s rights. This may be the case in a State undergoing political instability or armed conflict, or where a special event has come to the attention of the Committee.¹⁵⁸

No State in the Caribbean has, to date, been required to submit an exceptional report to CEDAW.



In January 2008, the CEDAW Committee decided to request the State of India to submit an exceptional report regarding the 2002 Gujarat incident and its aftermath.

The Gujarat incident was sparked when inter-religious conflict in India descended into mass riots, leading to mass assault and sexual violence especially directed towards women: “[the Committee] notes with great concern that acts of violence specifically targeting women and girls were prevalent in the communal violence which took place including torture, murder, gang rape, forced nudity, parading women naked, mutilation of breast and other body parts, insertion of wooden or metal objects into genitals and other forms of sexual violence” (Concluding Observations 2010 CEDAW/C/IND/SP).

The CEDAW Committee recommended that the State strengthen efforts to ensure justice for survivors and tackle violence against women, including: establishing a truth and reconciliation commission; reforming law (e.g. widening the definition of rape in the penal code) and through the strengthening of mechanisms to ensure compensation for women survivors amongst many others (Concluding Observations 2010 CEDAW/C/IND/SP).

Combined Reports

A major problem across the treaty body system is that States do not submit their report in time and, further, that a considerable number of States do not report at all.

Of the 187 States parties to the CEDAW, 40 States were overdue with their reports at the beginning of 2013. Of these, 8 States had not submitted their initial report (including

¹⁵⁸ UN Committee on the Elimination of Discrimination Against Women (CEDAW), *Rules of Procedure of the Committee on the Elimination of Discrimination against Women*, 20 July 2001, A/56/38(Supp) available at http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAW_Rules_en.pdf [accessed 1 May 2013] and the CEDAW Committees decisions 21/I and 31/III (h) on exceptional reports.

Dominica). For the CRC, 69 of 193 States were overdue with their reports at the beginning of 2013, more than a quarter of all State parties.¹⁵⁹

To encourage States to fulfil their reporting requirements, and to address the backlog of reports waiting to be heard by the Committees, both the CEDAW and CRC Committees have allowed States to combine their outstanding reports into one document.¹⁶⁰

Further reading

Interested in the treaty body strengthening process?

Go to: <http://www2.ohchr.org/english/bodies/HRTD/>

The CEDAW Committee Rules of Procedure permit States to submit a **combined report** comprising no more than two overdue reports, though the Committee still has the discretion to permit a greater number of combined reports.¹⁶¹ The CRC Committee Rules of Procedure do not deal with submission of combined reports, but the Committee may invite States to submit a combined report. If a State seeks to do this, the first approach should be made to the Secretariat of the CRC Committee or an approach could also be made through the UNICEF office in the country.



In 2012 Grenada submitted a report to the CEDAW Committee combining its initial, second, third, fourth and fifth report.



Submitting a combined report is a really useful provision for States who are behind on their reporting requirements as it brings the State up to date with their reporting obligations through one report. The combined report must, however, include information covering the whole period since the last report.

3.4 Failure to Report

¹⁵⁹ United Nations Office of the High Commissioner for Human Rights, *Strengthening the United Nations Human Rights Treaty Body System : A Report by the United Nations High Commissioner for Human Rights*, June 2012, available at: <http://www.refworld.org/docid/4fe8291a2.html> [accessed 24 April 2013], p. 23.

¹⁶⁰ UN Committee on the Elimination of Discrimination against Women (CEDAW), *Rules of Procedure of the Committee on the Elimination of Discrimination against Women, 20 July 2001, A/56/38(Supp)* available at http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAW_Rules_en.pdf [accessed 1 May 2013] p. 19 and United Nations, *Report on the Working Methods of the Human Rights Treaty Bodies Relating to the State Party Reporting Process*, 23 May 2011, HRI/ICM/2011/4 available at <http://www2.ohchr.org/english/bodies/icm-mc/docs/HRI.ICM.2011.4.doc> [accessed 1 May 2013], p. 10.

¹⁶¹ UN Committee on the Elimination of Discrimination against Women (CEDAW), *Rules of Procedure of the Committee on the Elimination of Discrimination against Women, 20 July 2001, A/56/38(Supp)* available at http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAW_Rules_en.pdf [accessed 1 May 2013], p. 110.

At the end of each CEDAW and CRC Committee session, the period of meetings of the Committees, the Secretary-General of each committee notifies the Committees of all cases of non-submission of reports. The Committees then remind the State in writing that it is late with its submission. If the State continues not to submit, the Committees can include a reference to this effect in their annual report to the General Assembly. If the State still continues to fail to submit its State report, both Committees **may** decide to **review the human rights situation in the State itself in the absence of a report**.¹⁶²

States that are encountering difficulties in compiling their reports can request assistance from the OHCHR (or UNICEF with regards to the CRC). More information regarding what this may include and how States can go about requesting assistance is available in Module 4.

The CEDAW and CRC Committees will take the decision, on a case-by-case basis, to review the human rights situation in a State in the absence of a State report. Although such review is rare, Committees are particularly likely to make this decision in cases where a State has continuously failed to submit its **initial report** after having ratified a particular Convention.¹⁶³

Before making this decision, the relevant Committee will remind the State that it is overdue in its reporting requirement and recommend that it seeks assistance from UNICEF (in the case of the CRC) or UN Women (in the case of CEDAW) to prepare a report. The Committee will inform the State of when the review will take place, leaving one final opportunity for the State to submit its report.¹⁶⁴

When reviewing a State's human rights situation in the absence of a State report, the Committee may use information submitted to it through United Nations partners, national human rights institution (NHRI) and NGOs.¹⁶⁵ During the review process, despite not having provided a report, a State may still send a delegation to take part in the Plenary Session. This is generally beneficial for States as they are thereby able to contribute even at this late stage.¹⁶⁶

As a result of this review process, the Committee may provide the State with *provisional* Concluding Observations, which may be included in the Committee's annual report but will

¹⁶²Committee on the Rights of the Child, Rules of procedure, 8 April 2013, CRC/C/4/Rev.3, available at: http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.4.Rev.3_en.doc [accessed 1 May 2013], p. 20. and UN Committee on the Elimination of Discrimination against Women (CEDAW), *Rules of Procedure of the Committee on the Elimination of Discrimination against Women, 20 July 2001, A/56/38(Supp)* available at http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAW_Rules_en.pdf [accessed 1 May 2013], p. 110.

¹⁶³ United Nations, *Report on the Working Methods of the Human Rights Treaty Bodies Relating to the State Party Reporting Process*, 23 May 2011, HRI/ICM/2011/4 available at:

<http://www2.ohchr.org/english/bodies/icm-mc/docs/HRI.ICM.2011.4.doc> [accessed 1 May 2013], p. 20.

¹⁶⁴ United Nations, *Report on the Working Methods of the Human Rights Treaty Bodies Relating to the State Party Reporting Process*, 23 May 2011, HRI/ICM/2011/4 available at:

<http://www2.ohchr.org/english/bodies/icm-mc/docs/HRI.ICM.2011.4.doc> [accessed 1 May 2013], p. 24.


¹⁶⁵ United Nations, *Report on the Working Methods of the Human Rights Treaty Bodies Relating to the State Party Reporting Process*, 23 May 2011, HRI/ICM/2011/4 available at:

<http://www2.ohchr.org/english/bodies/icm-mc/docs/HRI.ICM.2011.4.doc> [accessed 1 May 2013], p. 24.

¹⁶⁶ United Nations, *Report on the Working Methods of the Human Rights Treaty Bodies Relating to the State Party Reporting Process*, 23 May 2011, HRI/ICM/2011/4 available at:


<http://www2.ohchr.org/english/bodies/icm-mc/docs/HRI.ICM.2011.4.doc> [accessed 1 May 2013], p. 19.

not be published. Alternatively it is possible that the Committee will issue public and final Concluding Observations (in the same way as if they had received a State report).¹⁶⁷



When a State fails to submit a report it loses an opportunity to communicate with the Committee and to explain the obstacles and constraints that it has encountered in implementing the Convention.

It is important to remember that reporting can be a **constructive** and **beneficial** process. When a State attends a Plenary Session (explained further in Module 4), its representatives have an opportunity to discuss both reporting and implementation issues and obstacles with a Committee of world renowned experts with far-reaching experience in dealing with and addressing such issues.



In 2009, the CEDAW Committee decided to consider the women's rights situation in **Dominica in absence of a report**. Dominica had not reported once to the Committee since ratifying the Convention in 1981.

The National Coalition of Dominican Women submitted an alternative report to the Committee.¹⁶⁸ The State also sent a delegation that attended and participated in the constructive dialogue at the Plenary Session.

3.5. Reporting Logistics

When States start the process of preparing their periodic report on the implementation of CRC and CEDAW, they will need to refer to the work of a number of different Government departments, bodies and agencies. To ensure that all the information is captured and contained in the report, States need to establish a structure that allows all the different government ministries, departments, agencies and bodies to report on activity relevant to implementation of the Convention. This will include an evaluation and an analysis of relevant laws, policies and practice, as well as the collecting of statistical data required by the CRC and CEDAW Committees.

States can save time and resources by adopting a coordinated approach to reporting, that ensures that those with knowledge of the areas covered by the Conventions are involved. Both the CRC and CEDAW Committees recommend that States establish an institutional framework for the preparation of reports that can facilitate this type of coordination.

Models of Reporting


¹⁶⁷ United Nations, *Report on the Working Methods of the Human Rights Treaty Bodies Relating to the State Party Reporting Process*, 23 May 2011, HRI/ICM/2011/4 available at: <http://www2.ohchr.org/english/bodies/icm-mc/docs/HRI.ICM.2011.4.doc> [accessed 1 May 2013], pp. 24-25.

¹⁶⁸The National Coalition of Dominican Women (2009) DOMINICA: CEDAW Alternative Information to the Committee on the Elimination of All Forms of Discrimination Against Women, available at http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/DNCW_Dominica_CEDAW43.pdf [accessed 7 May 2013].

There is no definitive model that will ensure a coordinated approach to reporting; the model a state chooses will depend upon the needs and resources of each particular State. It is essential, however, that a body (this may be a government ministry, department or agency) is nominated to take overall responsibility for the coordination and submission of the State report, particularly given the range of rights and the different government entities that will have to be approached to obtain the necessary information for the report. Within that framework, however, there are a number of different approaches that can be taken to bring together all the information.

One possible model is to establish a **Drafting Committee**, which includes representatives from all the relevant government ministries, departments, bodies and agencies whose work covers the subject area of the Convention.¹⁶⁹ It is important, if this model is chosen that each of the government entities assigns a senior and knowledgeable person to this Committee. That person should be clear that she or he will be expected to attend regular meetings of the draft committee and to contribute in a meaningful way until the report is finally drafted.

An alternative model would be to allocate the task of writing certain specific parts of the report to the relevant government body. On the whole, this is not an ideal approach; it is very difficult to ensure consistency of information or style, and equally difficult to avoid duplication and overlap. It is far better to use the Committee to obtain all the necessary information and for one government ministry, department, body or agency to take responsibility for writing the report.



If the ‘committee’ model is chosen to prepare the report, States could consider asking the **NHRI** or **ombudsman** (such as the Office of the Ombudsman in **Antigua and Barbuda** or **Trinidad and Tobago**, or the Office of the Parliamentary Commissioner in **Saint Lucia**), to provide guidance. They should not, however, ask the NHRI or Ombudsman to actually write the report.¹⁷⁰

A model taken by many States is to appoint a government body to lead on preparation of the report, and to give that body authority to obtain information from ministries, departments and other relevant bodies. For instance, The Human Rights Unit of the Ministry of the Attorney General of **Trinidad and Tobago** prepared, drafted and presented the State’s first three reports to the CEDAW Committee.¹⁷¹ If this model is chosen, it is often still helpful to appoint a Review Committee which meets regularly throughout the process, and who can assist in the obtaining of information and provide feedback on the draft report. The members of the Review Committee should again, be senior and knowledgeable about the subject area of the report.

Some States choose to appoint a consultant from *outside* government, however (usually) with *experience* of working in government, to prepare the report. Again, it is helpful if the person is

¹⁶⁹ Guidelines on an expanded core document and treaty-specific targeted reports and harmonized guidelines on reporting under the international human rights treaties, U.N. Doc. HRI/MC/2004/3 (2004).

¹⁷⁰ UN Office of the High Commissioner for Human Rights, *Fact Sheet No. 30, The United Nations Human Rights Treaty System: An Introduction to the Core Human Rights Treaties and the Treaty Bodies*, June 2005, No. 30, available at: <http://www.ohchr.org/Documents/Publications/FactSheet30Rev1.pdf> [accessed 24 April 2013], p. 13.

¹⁷¹ Committee on the Elimination of Discrimination Against Women, “Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women – Initial Report of States Parties Trinidad and Tobago” CEDAW/C/TTO/1-3.

working to a Supervisory Board or a Review Committee. This can be a more costly option, but if there is limited human capacity in government it is worth considering. Obtaining the right person is essential. The person will need an understanding of Government, knowledge of the subject area and of UN procedures, an ability to work cooperatively and should have good writing skills.

States will need to consider who should be on the Review Committee. Mostly, such committees consist of representatives of the government entities with responsibility for the areas covered by the Convention. Sometimes Governments chose to include NGOs on their review committee or the Children's Ombudsman, if there is one. It can be difficult for NGOs to sit on review committees, as they may well disagree with the content or approach of the report. As discussed in **Module 7** NGOs are invited to submit their own Alternative Report and NGOs who are involved in drafting an Alternative Report are likely to have a conflict of interest if they also sit on a review committee for the State's periodic report.

De Jure V. De Facto Implementation

The CRC and CEDAW Committees both request that State parties report on the *de jure* and *de facto* implementation of the Conventions. These terms are not always well understood, but in essence mean that the State report should set out, first, the extent to which **the law** ensures rights contained in the Convention and, second, **how the law is being implemented in practice** and is impacting on people's everyday lives. It is important that both the *de jure* and the *de facto* aspects are covered as simply passing a law does not necessarily ensure that the rights vouchsafed to individuals by the Convention are a practical reality in everyday life.

De jure: Latin for 'by law.' This means that the report must contain detailed information on how the State's **laws** reflect its commitments under the CRC and CEDAW. It requires a thorough examination of each article and relevant provisions of national law, and an analysis of how the national law does or does not reflect/implement the State's obligations under the Convention.¹⁷²

De facto: Latin for 'by fact.' The report must also contain detailed information about how **actual practice** in the State reflects its commitments under CRC or CEDAW. Actual practice includes the **situation** on issues addressed in the Convention, the **actual implementation** of laws, policies and practice, and their **impact**. Reporting on *de facto* implementation requires the collection of extensive qualitative and quantitative data from a number of sources and the ability to analyse the implications of that data for the implementation of the relevant Convention.¹⁷³

¹⁷² Vandenhole, Wouter. "Non-discrimination and Equality in the View of the UN Human Rights Treaty Bodies." Intersentia 2005 Antwerpen-Oxford, p. 72 and 79.

¹⁷³ Ibid.

Legal analysis to assess *de jure* implementation is best undertaken by a legal expert who has knowledge both of national law and the relevant Convention. A State might request that this analysis be completed by:

- a. A government lawyer;
- b. Lawyers or legal experts from each relevant agency, to be collected by the body responsible for coordination/submission; or
- c. An external consultant.

3.6 Preparing to Draft a State Report: Some Points to Remember

As part of getting ready to draft the report, it is useful to bear in mind some stylistic drafting techniques that can make the report especially effective. Individuals responsible for drafting should keep the following points in mind:

1. Committee experts may not be familiar with the political, economic and social background of your State, so contextual information that can provide a stronger understanding of an issue should always be included.¹⁷⁴
2. Treaty Bodies operate under time constraints, and the CRC and CEDAW Committees are no exception. Information should be in as concise a format as possible, and, whilst all issues in the Conventions must be addressed, priority issues should receive the most attention. Excessive information should be avoided.¹⁷⁵
3. If it is thought to be desirable to provide laws, policy documents or research papers, include them as an annex to the report.¹⁷⁶
4. General Recommendations, decisions, and prior Concluding Observations issued by the Committee should be prioritised and specifically addressed.¹⁷⁷ This will also impact on data collection processes.

¹⁷⁴ United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 6.

¹⁷⁵ United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 6-7.

¹⁷⁶ United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 7.

¹⁷⁷ United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 15.

5. The CRC requires that reports be organised by thematic issue, while for CEDAW information should be organised according to the articles in the Convention.¹⁷⁸ It is critical for the work of Committees that States follow the structure set out in the reporting guidelines. It will also ensure that reports can be reviewed in a timely fashion, and will avoid creating additional work for Committees (and the State) by negating the need for the Committee to return to the State party with questions before a review can be undertaken.
6. Do not hesitate to mention areas where implementation of the Convention has been most difficult and to identify the obstacles that cause this to be the case. Also, include details of any actions being taken to address these obstacles. Input of relevant government departments and/or independent experts should be sought those drafting the report where it would be beneficial to do so.¹⁷⁹
7. Report on any existing reservations to the Conventions. The (relevant) Committee will be sure to bring these up in their review of the State party, so it is helpful if the State report addresses these, and includes commentary on why they are considered necessary and whether there are any plans for withdrawal. States should have the intent of eventually withdrawing reservations as the socio-cultural and legal contexts evolve to allow for greater compliance with the Convention. If it is not possible to remove a reservation or take steps towards doing so, explain why this is the case, and enumerate any steps being taken to resolve the issues.¹⁸⁰
8. Reports must be submitted in one of the official languages of the United Nations (for the Caribbean this will be English or French or Spanish) in electronic form (diskette/CD-ROM or electronic mail), accompanied by a printed paper copy.¹⁸¹ It should be formatted for A4-size paper, written in 12 point Times New Roman with 1.5 line spacing and should contain a list of abbreviations (especially with regards to national institutions and similar).¹⁸²

3.7. Contents of the Report

¹⁷⁸United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 67 and 83.

¹⁷⁹United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], pp. 12-13.

¹⁸⁰United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 10.

¹⁸¹United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 6-7.

¹⁸²United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 6-7.

In order to make reporting requirements as clear and accessible as possible to States, the Office of the High Commissioner for Human Rights and its Committees provide a number of detailed guidelines on the content and structure of the Report.

In recent years a process of reform has been established, aimed at strengthening the treaty-body system. In 2006 a new set of “Harmonized Guidelines” were issued, aiming to **streamline** and **simplify** the reporting process for States.¹⁸³ Under the new guidelines **States are required to provide two documents, a Common Core Document and the Treaty-specific Document.**

The Common Core Document must be included in all reports to Treaty Bodies of which the State is a member. Having one Common Core Document **avoids duplication**; it means that States do not have to constantly reproduce the same information for different Committees.

The harmonized guidelines on reporting to the international human rights treaty bodies, were last revised in 2009 (HRI/GEN/2/Rev.6) and can be found at:

http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc

This document includes guidelines both for the Common Core Document and the Treaty-specific Document to the CEDAW Committee.

For reports under the CRC, the Committee has published guidelines in 2010, available at: <http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.58.Rev.2.doc>

Reporting guidelines for the initial reports on the Optional Protocols under the CRC can be found at:

OPAC (English):

http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.OPAC.2_en.pdf

OPSC (English):

<http://daccess-ods.un.org/access.nsf/Get?Open&DS=CRC/C/OPSC/2&Lang=E>

States that have submitted their initial reports under the Optional Protocols should refer to the Treaty-Specific Guidelines of the CRC for their Optional Protocol periodic reports.

Following the correct guidelines closely should speed up the reviewing process and reduce the number of supplementary questions and the List of Issues. There will be less work for both States parties and Committees, as reports can be considered without the delays caused by missing information.

3.8. The Common Core Document

¹⁸³ <http://www1.umn.edu/humanrts/iwraw/CCDmanual-09.html>

The **Common Core Document** constitutes the first part of the State report to the Committee and should be made available to every treaty body to which the State reports. The matters to be covered are contained in the Guidelines attached as an annex to this module. The Document should be factual in nature and include information about the geography, demography, economic development, constitutional, political and legal structure of the State; the general framework for the protection and promotion of human rights; and other related human rights information. Finally the Guidelines ask for information on the nature and scope of remedies provided in domestic legislation against violations of human rights and whether victims have effective access to such remedies.¹⁸⁴

Hopefully as the State prepares to draft a report to the CEDAW or CRC Committees, it will find that the Common Core Document has already been drafted and will merely require some updating. Updates may be submitted as an addendum to the existing Common Core Document.¹⁸⁵ However, depending on the extent of changes or developments that have taken place since the last submission of the Common Core Document, a new, revised version may need to be produced. If no update is considered necessary, this should be clearly stated. Bear in mind, however, that should the Committee consider the State's Common Core Document to be out of date they may request the State to update it.¹⁸⁶

In general, a Common Core Document should not exceed 60 to 80 pages.¹⁸⁷ As can be seen from the Guidelines, the information required is wide-ranging and detailed. Given the page limit, the report therefore needs to be written in a concise manner directly addressing the questions asked.

Preparing the Common Core Document, or updating an existing document before drafting the Treaty Specific Document should reduce the workload and prevent duplication. There is no need to repeat information contained in the Common Core Document in the Treaty Specific Document a reference to the Common Core Document can simply be made. Drafters of the Treaty Specific Document will need to find out who in Government is responsible for the Common Core Document and agree who will update the Document.

Common Core Documents submitted since 2006 can be found at:

<http://www2.ohchr.org/english/bodies/coredocs.htm>

WWW

¹⁸⁴United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 8-15.

¹⁸⁵United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 8.

¹⁸⁶United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 8.

¹⁸⁷United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 6.

They provide good examples of *what* information should be included in these documents and *how* this information should be structured.

It may also be helpful to look at the United Nations Human Rights Treaty System Fact Sheet: <http://www.ohchr.org/Documents/Publications/FactSheet30Rev1.pdf>



At this point, the facilitator will conduct Exercise 3.8.1: “Failing to report and review of the human rights situation in the absence of a report”.

3.9. The Treaty Specific Document

The Treaty Specific Document should include information on the State’s implementation of the *specific provisions of that treaty and its Optional Protocol(s) if applicable*. As seen above the CEDAW and CRC Committees have produced treaty-specific reporting guidelines that detail the information that should be provided for each particular treaty.

The treaty-specific report should be comprehensive, transparent, analytical and should highlight achievements as well as difficulties encountered in implementing the Convention. The reporting guidelines request that State parties provide information on:

- Follow-up to the Committee’s previous recommendations
- Disaggregated data and comprehensive, updated information
- Data on implementation of all provisions/clusters
- Difficulties in implementing the provisions of the treaty

General information that should be included in all Treaty Specific Documents includes:

1. Recent developments in law and practice which impact on the enjoyment of rights contained in the treaty;
2. Steps and measures taken by the State to address issues raised in the Concluding Observations made by the Committee during the last reporting process (this requirement obviously does not apply to initial reports).

For both the CRC and CEDAW, the Treaty Specific Document should cover the period between the consideration of the last report and the submission of the current report (in other words from the time of the last Concluding Observations and not the date of submission of the last periodic report), and should, in particular, address the previous recommendations made by

the Committee in their Concluding Observations. If the recommendations have not been implemented, the report should explain why this is so.¹⁸⁸

The Treaty-Specific Document should include relevant statistical data, disaggregated by sex, age,¹⁸⁹ and population groups, with identified sources. This information should also allow for comparison over time.¹⁹⁰

For reports under the CRC, the report should also include information of a more analytical nature than the Common Core Document and should set out how laws, legal systems, jurisprudence, the institutional framework, policies and programmes impact on children within the State.¹⁹¹ Having provided this information, the Treaty Specific Document should then focus on providing the substantive information on the clusters of rights which are set out in the guidelines).¹⁹²

For reports under CEDAW, an analytical and result-oriented examination of additional legal and/ or appropriate steps and measures undertaken towards implementation of the Convention should be included, as should information on remaining and emerging obstacles to the enjoyment of the full rights under the Convention and the measures the State is taking to overcome these obstacles. The Committee requests States to address trends over time in eliminating discrimination against women and, in particular the measures taken with respect to different groups of women, especially those subject to multiple forms of discrimination. The Committee also asks States to provide information on any fundamental changes in the political and legal approach to implementing the Convention and any new legal or administrative measures that have been introduced. Texts, judicial and other decisions should be attached as an annex.

Concise versions of the Guidelines for reporting to both the CRC Committee and the CEDAW Committee are attached as at the end of this module.

Initial Treaty Specific Documents should not exceed 60 pages, and subsequent periodic documents should be limited to 40 pages.¹⁹³ Bearing in mind the broad nature of the rights contained in the Convention, the page limit is very tight. So once again, the report needs to be

¹⁸⁸ United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 15.

¹⁸⁹ Including with respect to children (persons under the age of 18 years).

¹⁹⁰ United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], pp. 7-8.

¹⁹¹ United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 82.

¹⁹² United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p. 88.

¹⁹³ United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013], p.7.

concise, clear and to the point. Remember that Laws, policies etc. can be attached as an annex and do not have to be set out verbatim in the report.



At this point, the facilitator will conduct Exercise 3.9.2: “Obstacles to drafting a State Report”.



FURTHER READING

1. United Nations, *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties*, 3 July, 2009, HRI/GEN/2/Rev.6, available at: http://www.ohchr.org/Documents/HRBodies/TB/HRI-GEN-2-REV-6_en.doc [accessed 24 April 2013]

2. United Nations Committee on the Rights of the Child, *Revised Guidelines Regarding Initial Reports to be Submitted by States Parties under Article 8, Paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict*, 19 October 2007, CRC/C/OPAC/2, available at:

http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.OPAC.2_en.pdf [accessed 24 April 2013]

3. United Nations Committee on the Rights of the Child, *Revised Guidelines Regarding Initial Reports to be Submitted by States Parties under Article 12, Paragraph 1, of the Optional protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography*, 3 November 2006, CRC/C/OPSC/2, available at: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G06/450/97/PDF/G0645097.pdf> [accessed 24 April 2013]

4. United Nations Committee on the Rights of the Child, *Treaty-Specific Guidelines Regarding the Form and Content of Periodic Reports to be Submitted by States Parties under Article 44, Paragraph 1 (b), of the Convention on the Rights of the Child*, 23 November 2010, CRC/C/58/Rev2, available at:

<http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.58.Rev.2.doc> [accessed 24 April 2013]

5. United Nations Office of the High Commissioner for Human Rights, *Strengthening the United Nations Human Rights Treaty Body System : A Report by the United Nations High Commissioner for Human Rights*, June 2012, available at:

<http://www.refworld.org/docid/4fe8291a2.html> [accessed 24 April 2013].