



UN HUMAN RIGHTS COMMITTEE

PARTICIPATION IN THE REPORTING PROCESS

GUIDELINES FOR NON GOVERNMENTAL ORGANISATIONS (NGOs)

CHAPTERS I-IV

Guidelines on the Reporting Process to the UN Human Rights Committee

Authors:

Peggy Brett and Patrick Mutzenberg

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Version as of 1st December 2008

This is a draft version. Feedback and comments to improve the guidelines are welcome.

Do not hesitate to contact us: info@ccprecentre.org

Documents of reference:

- “A Guide for NGO Reporting to the Committee of the Rights of the Child (CRC)”, (2006), NGO Group for CRC - www.childrightsnet.org
 - “Civil and Political Rights: The Human Rights Committee” (2005), Office of the United Nations High Commissioner for Human Rights.
 - “The Treaty Bodies – Bringing Human Rights Home”, DVD (2006), Office of the United Nations High Commissioner for Human Rights and Association for the Prevention of Torture (APT).
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Part I: The International Covenant on Civil and Political Rights (ICCPR) and the Human Rights Committee (HR Committee)

1. The ICCPR and the Optional Protocols (OP1 and OP2)

The International Covenant on Civil and Political Rights (ICCPR) was adopted by the General Assembly in 1966 and entered into force in 1976, once 35 States had become party to it. By June 2007, a total 163 States were parties to the Covenant. An up to date list of the States Parties can be found on the Centre for Civil and Political Rights (CCPR Centre) website.¹

The Covenant contains 53 articles and is divided into six Parts:

- **Parts I and II contain a series of provisions generally applicable to all the rights set out in the Covenant**

Article 1, which forms Part I, guarantees the right of self-determination. This differs from the other Covenant rights in that it is, explicitly, a right exercised by “peoples” rather than by individuals.

- **Part II comprises articles 2 to 5 and sets out the scope of the Covenant and the obligations of the State in relation to the Covenant**

Article 2 provides that a State Party must respect and ensure the rights recognised in the Covenant to all persons within its jurisdiction and provide effective remedies to persons whose rights under the Covenant are violated. States should also ensure that rights guaranteed by the Covenant are incorporated into domestic law.

Article 3 sets out the equal right of men and women in relation to Covenant rights.

Article 4 allows States to derogate from some of the rights recognised in the Covenant (i.e. to limit the application of some rights) in exceptional situations (such as a state of emergency). However the measures taken must be “strictly required by the exigencies of” the relevant crisis. Articles 6 (right to life), 7 (prohibition of torture), 8 paragraphs 1 and 2 (prohibition of slavery), 11 (prohibition of imprisonment because of inability to fulfil a contractual obligation), 15 (prohibition of retroactive criminal proceedings), 16 (right to be recognised as a person before the law) and 18 (freedom of thought, conscience and religion) may not be derogated from under any circumstances.

Article 5 is a savings provision that prohibits the use of the Covenant by the State or any group or individual to justify limiting or destroying the rights of others and provides that a State Party whose domestic law provides greater protections than those contained in the Covenant may not use the Covenant as an excuse to lower the national protection.

- **Part III contains all the substantive individual rights and fundamental freedoms guaranteed by the Covenant.**

Articles 6 to 11 may be regarded as core provisions for the protection of the life, liberty and physical security of the individual. These provisions also stipulate the narrow confines within which the death

¹ Information available on the CCPR Centre website: www.ccprcentre.org

penalty may legitimately be imposed in States Parties where that penalty has not been abolished. Specific prohibitions are set out concerning torture (article 7), unauthorized medical experimentation, slavery and forced labour (article 8). The rights of persons deprived of their liberty, usually by arrest, and in detention are also covered.

Articles 12 and 13 cover movement into, out of, and within a State, with particular rules on the expulsion of aliens.

Articles 14 to 16 address with how a person must be treated in judicial processes. **Article 14** guarantees the right to a fair trial in both criminal and civil cases. It sets out the rights to equality before the courts and to fair adjudication of claims resolved before courts and tribunals. It also lists additional protections for the conduct of criminal trials. **Article 15** prohibits retroactive criminal punishment, while **article 16** states simply that everyone has the right to be recognized as a person before the law.

Articles 17 to 22 set out fundamental freedoms to be enjoyed free of unjustified interference, including the right to privacy (**article 17**), freedom of thought, conscience and religion (**article 18**) and freedom of opinion and expression (**article 19**). **Article 20** prohibits advocacy for war or of national, racial or religious hatred. **Article 21** guarantees the right to peaceful assembly and **article 22** freedom of association, including in trade unions.

Articles 23 and 24 recognize the particular role of the family unit and address issues around marriage and the rights of children.

Article 25 outlines the right to vote and to be elected at genuine periodic elections by universal suffrage in a secret ballot as well as the rights to take part in public affairs and to have equal access to the public service.

Alongside articles 2 and 14, **article 26** sets out the rights to equality before the law and to equal protection of the law, with a wide guarantee of non-discrimination.

To conclude Part III, **article 27** guarantees persons belonging to ethnic, religious or linguistic minorities the right, in community with other members of the group, to enjoy and practise their own culture, religion or language.

- **Parts IV, V and VI deal with the establishment of the Human Rights Committee, the Committee's monitoring functions and a variety of technical matters.**

Part IV, covering **articles 28 to 45**, sets up the Committee and provides for its functions and procedures (see section on the Human Rights Committee).

Part V, in **articles 46 and 47**, includes savings provisions with respect to the United Nations Charter and, linked with article 1, to the inherent right of peoples freely to enjoy and utilize their natural wealth and resources.

Part VI includes **articles 48 to 53**, and deals with standard treaty provisions concerning mechanics for becoming a party, notification and amendments.

The two Optional Protocols

There are two Optional Protocols to the ICCPR. The First Optional Protocol authorizes individuals to submit complaints (“individual communications”) to the Human Rights Committee alleging violations of their rights under the ICCPR provided that they have exhausted domestic remedies. Such individual complaints are only authorised in respect of States that have ratified the First Optional Protocol. As of July 2008, there were 111 States parties to the Optional Protocol. If the Committee finds that a State party has breached its obligations under the ICCPR, it will require that the violation be remedied and ask that the State party provide it follow-up information in this regard. The Human Rights Committee’s decisions and its follow-up activities are made public and included in the Committee’s Annual Report to the UN General Assembly.

The Second Optional Protocol aims at the abolition of the death penalty. Under Article 1, no one within the jurisdiction of a State party to the Protocol may be executed. As of Dec. 2008 it has been ratified by 69 States parties.

2. The Human Rights Committee

A) Membership

The “Human Rights Committee” (HR Committee) is established under Article 28 of the ICCPR. Its functions are outlined in Part IV of the treaty. It has the role of monitoring and supervising the implementation by States Parties of their obligations under the treaty. The HR Committee is composed of 18 members, often called “*Experts*”. Each member is nominated by a State Party, and is elected by secret ballot by the States Parties.

Each member serves a four year term, and may be re-elected if renominated. States Parties should ensure that there is an “equitable geographical distribution” of HR Committee members (article 31). Members “*shall be persons of high moral character and recognized competence in the field of human rights*” (article 28). A member serves in his or her personal capacity, not as a representative of his or her State.

B) Sessions

The HR Committee meets three times a year, once at the main headquarters in New York City (usually in March) and twice at UN headquarters in Geneva (usually in July and October). Each meeting lasts for three weeks.

Each session of the Committee is usually preceded by a one-week meeting of the Committee’s working group. The functions of the working group have evolved over the years and are currently devoted solely to handling, as an initial chamber, decisions on the admissibility of individual complaints under the Optional Protocol.

C) Functions of the Human Rights Committee

The HR Committee performs its function of supervising and monitoring the implementation of the ICCPR in four ways:

- **Reporting**

See part II

- **Considering of Individual Complaints**

- **Issuing of General Comments**

Article 40 establishes the possibility of producing General Comments. By the end of 2007 the Committee had issued 32 General Comments. These clarify the scope and meaning of various articles and so, of the obligations of States Parties.

- **Considering of Inter-state Complaints**

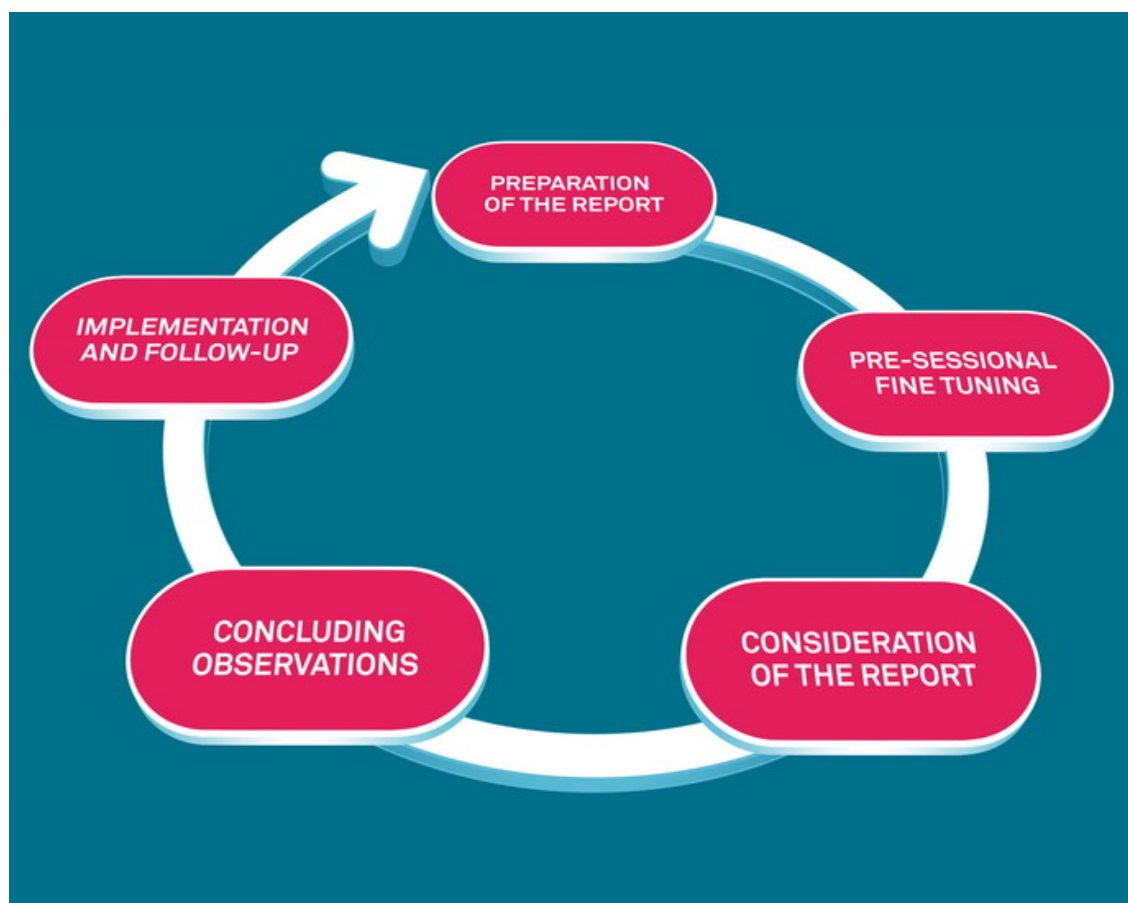
A State Party may submit a communication to the Committee alleging that another State Party is not fulfilling its obligations under the Covenant (article 41 which is applicable only for States Parties that have specifically recognized the competence of the Committee in this area and in case of reciprocity). To date, however, no inter-State complaint has been submitted to the Committee.

Part II: The Reporting Process

A State Party to the ICCPR must submit an initial report one year after the ICCPR comes into force for that State. Thereafter, the State Party must submit periodic reports at intervals dictated by the HR Committee, every four or five years (article 40).

The State Party report should detail the measures adopted to give effect to the rights that the Covenant establishes and the progress made in the enjoyment of those rights. The Initial Report should comprehensively cover all substantive articles of the Covenant, including information on the State's constitutional and legal framework and the legal and practical measures taken to implement the Covenant. The subsequent (Periodic) reports are usually much shorter and should focus on the Committee's previous Concluding Observations and significant developments since the previous report.

Box 1: The different steps of the reporting procedure:



Source: DVD "The UN Treaty Bodies" OHCHR/APT

1. Pre-sessional activities: Identification of the main difficulties in the implementation of the ICCPR and drafting of the List of Issues

The report is assigned to a group of between four and six Committee members known as a Country Report Task Force (CRTF). Among the CRTF, one member is the designated “country rapporteur”, whose main responsibility is to accompany a report through the Committee’s processes. The names of the experts on the CRTF and of the “country rapporteur” are confidential.

With the assistance of the Committee’s secretariat, the CRTF draws up a “List of Issues” which addresses the most crucial matters regarding the implementation of the ICCPR and requests further information from the State on these issues.

The List of Issues is sent to the State Party in advance of the session at which the report will be examined.

The State is requested to provide written answers to the List of Issues. Some do so in advance, others only at the beginning of the Committee’s public examination of the report.

Both the List of Issues and the replies provided by the State are public and accessible online.²

2. Examination of the States reports and dialogue with the States parties

The State report is examined by the Committee in a public session in a dialogue with representatives of the State Party. During this dialogue, the HR Committee will seek clarifications and explanations from the State representatives on the contents of the report.

It usually takes one and a half days for the Committee to examine an Initial Report and two half-day meetings to review subsequent (Periodic) reports. The examination begins with an opening presentation by the State Party’s delegation, often including responses to the List of Issues.

The Committee members then put questions to the representatives, seeking to clarify or deepen their understanding of issues concerning the implementation and enjoyment of Covenant rights in the State Party. This often includes questions that have not been fully answered by the responses to the List of Issues.

3. Adoption of the Concluding Observations

At the end of the dialogue, the President of the Committee concludes the meeting, identifying key difficulties, which will usually be included in the Concluding Observations. These are adopted by the HR Committee in closed meetings and are transmitted to the relevant State Party. Concluding Observations are made public at the end of the session and are available on the OHCHR website as well as on the CCPR Centre website.

Concluding Observations are divided into three parts: 1) Introduction, 2) Positive developments and 3) Subjects of concern and recommendations. The final paragraph gives the date by which the next report should be submitted to the Committee.

The Concluding Observations help States to better implement the ICCPR. They also identify the Committee’s key areas of concern and so form a basis for future reports and discussions.

² Available at www.ohchr.org and www.ccprcentre.org

4. Follow-up process

In 2001, the HR Committee decided to develop a follow-up procedure related to the Concluding Observations. Since then, the Committee has usually identified a limited number of Concluding Observations of particular priority. It then asks the State Party to provide, within a year, information on the measures it has taken to address those particular issues.

In this context, a new position of Special Rapporteur on Follow-up to Concluding Observations has been created. It is the role of the Special Rapporteur to assess this follow-up information and make a recommendation to the Committee on any further steps that may be appropriate. These may include requests for additional information.

If States fail to submit the follow-up information, the Special Rapporteur sends reminders and seeks to meet with representatives in order to pursue the issue.

5. What happens if a State party fails to submit a report to the HR Committee?

Some States have been chronically late in submitting their reports. This has meant that the situation in them has not been examined by the Committee for many years. In 2001, the Committee decided to examine the implementation of the ICCPR in States that have failed to submit a report.

In these circumstances, the Committee adopts (confidential) Provisional Concluding Observations on the basis of information that has been submitted to it concerning the implementation of the ICCPR.

Part III: Role of NGOs in the reporting process

The Committee has often emphasized that the drafting of State reports should be an opportunity to review the national legislation, as well as administrative rules and procedures. This process should include civil society in the early stages of drafting the report.

However, in many countries, the participation of civil society in the drafting process is a challenge, and the views of civil society may not be fully taken into account. In this context, NGOs should be prepared to participate in the reporting process on their own.

States Parties usually submit reports that contain legislative information, but often fail to describe the measures taken to fully implement the ICCPR. Moreover, such reports do not address the difficulties that States face in implementing the rights in the Covenant.

It is, therefore, important that the Committee receives independent and reliable information in addition to the State report. NGOs have a critical role to play in providing the HR Committee with such information.

NGOs have a major role to play all through the reporting process to the HR Committee. In order for them to do this, it is crucial that they get organized and be ready to participate in all the stages of this process.



Source: DVD "The UN Treaty Bodies" OHCHR/APT

1. Pre-session activities: preparation of an NGO report

The Committee is always interested to receive additional information that deals with the different areas covered by the ICCPR. Especially when the State reports are short, not comprehensive or biased.

When to submit information?

- **Before the drafting of the List of Issues:**

NGO reports should be submitted in the very early stages of the reporting process. More precisely, it is important that Committee has access to NGO information before the drafting of the List of Issues (usually adopted during the session before the examination of the State report).

The List of Issues is drafted by the CRTF with the support of the OHCHR's Secretariat between six and eight weeks before the session where the List of Issues is scheduled to be adopted. NGO information should be available for the CRTF before they start to draft the List of Issues.³

- **After the adoption of the List of Issues:**

Additional information may be submitted after the adoption of the List of Issues. At this point, the information sent to the Committee should ideally follow the structure of the List of Issues and provide replies to the questions raised therein. Concerns which are not addressed in the List of Issues may also be raised by NGOs.

2. Lobbying during the session

NGOs and civil society representatives may attend as observers the Committee sessions where State Reports are under review. Attendance is not limited to NGOs with ECOSOC status, but is open to all interested people, as long as they apply to the Secretariat for accreditation.

A) NGO Briefings

There are two possibilities for NGOs wishing to address the Committee during the session.

a) Formal NGO briefings:

NGOs and civil society representatives have the opportunity to address the Committee on issues and subjects of concern related to Countries being reviewed during the official NGO briefings. These meetings usually take place on the first day of the session (typically scheduled on Monday morning between 11 a.m. and 1 p.m.). They are chaired by the Committee's President and are closed, which means that only Committee members and the NGOs are allowed to attend and participate. The meeting is conducted in the Committee's working languages (English, French and Spanish) and all the interpretation facilities are provided.

The President invites the NGOs to deliver a brief statement and afterwards time is allocated for Committee members to ask questions and NGOs to reply. The CCPR Centre addresses the HR Committee on behalf of national NGOs if they are not in a position to take part to the NGO briefings.

b) Informal lunch briefings:

³ See the CCPR Centre's website for deadlines – www.ccprcentre.org

NGOs also have the possibility of organising informal meetings with the Committee. These informal meetings (also called informal lunch briefings) are usually scheduled over lunchtime and last up to 90 minutes. They are not held in the Committee room and no interpretation is provided.

Although not all Committee members attend these meetings, they are a unique opportunity for NGOs to raise their concerns and to flag the key points of the NGO reports submitted to the Committee. Lunch briefings should also allow time for Committee members to ask questions and seek clarification.

Requests to organise such meetings should be made to the Secretary of the Committee at least one month before the session. It is the responsibility of the NGOs organising the meeting to print invitations and provide sandwiches and refreshments. It is important to note that no translation is available during such meetings.

The CCPR Centre provides support to NGOs that wish to organise informal lunch briefings.

B) Additional information provided by NGOs during the session

Attendance at the session where the State report is reviewed by the Committee is very important as it allows NGOs to react to the information provided by the State representatives. If necessary NGOs should be ready to provide short written submissions to the Committee members when assertions made by State representatives seem to be irrelevant or inaccurate. Although NGOs are not allowed to take the floor in the plenary session, Committee members can be approached and lobbied at the end of the meetings or before the meeting starts the following day. NGOs should not hesitate to suggest additional questions or clarifications that the Committee could ask the State representatives.

3. NGOs and the follow-up process

The adoption of the Concluding Observations by the Committee is very often seen as the last step of the reporting process. On the contrary, NGOs should bear in mind that the most challenging part of the reporting process is related to the follow-up to the Concluding Observations, once the session is over.

There are three main areas where NGOs might be involved with regard to the follow-up to the Concluding Observations.

A) Raising awareness about the Concluding Observations

- Issuing press releases and organizing press conferences

Issuing press releases as soon as the Concluding Observations are available is the first step to ensure that the national media are aware of the recommendations of the Committee. Press releases should also integrate the findings and the concerns of the NGOs.

NGOs may also organize press conferences at the national level or take advantage of their presence at the United Nations Offices to meet press and agencies' correspondents based in New York or Geneva.

- Make the Concluding Observations available in the national languages

It is the duty of the State to translate into national languages and disseminate the Concluding Observations. However, in practice States do not take action to ensure that Concluding Observations are available to the public.

It is therefore an important task for NGOs to translate the Concluding Observations into the national languages and to ensure that they are accessible to all the national, regional and local authorities.

B) Lobbying for the implementation of the Concluding Observations

The implementation of the Concluding Observations is the ultimate objective of the NGOs and civil society. However this is probably the most challenging aspect of the follow-up process as the result depends on the willingness of the State authorities to cooperate and be actively involved in implementation.

NGOs and civil society can nevertheless play a role in this matter, particularly in lobbying the authorities to ensure that concrete steps are taken toward the implementation of the Concluding Observations.

Round tables or special events on the implementation of the Concluding Observations could be very useful to engage the State's authorities in dialogue, especially with regard to the Parliamentarians or Human Rights bodies. The National Human Rights Institutions should also be involved in this process, as well as the UNDP or OHCHR's field offices.

C) Reporting back to the HR Committee

NGOs have an active role to play in the follow-up procedure of the Concluding Observations established by the Committee in 2001 (see above).

The Rapporteur on follow-up is in charge of assessing the replies provided by States on the measures taken to implement the Concluding Observations selected for the follow-up procedure. To that end, he relies on the NGOs to objectively evaluate what steps have in fact been undertaken by the authorities.

NGO progress reports should therefore focus on the Concluding Observations selected for the follow-up process. They should contain comprehensive information on the actions taken by the authorities and assess their effectiveness. Absence of measures should also clearly be mentioned. NGOs may also comment on the replies provided by the State authorities.

Part IV: Guidelines for NGO written submissions to the HR Committee

1. General consideration

A) Why it is important to make NGO written submissions

In order to undertake an effective review of the implementation of the Covenant at the national level, the HR Committee needs additional information aside from what is available in the State report. For that reason the HR Committee seeks reliable and independent information from other stakeholders and especially from NGOs which are in a position to provide it.

NGO information is therefore an essential element in the monitoring process. The HR Committee seeks information on different provisions in the Covenant in order to effectively monitor its implementation at the national level. As mentioned, NGO written submissions are especially welcomed when the HR Committee is considering State reports that are 1) not covering all the provisions of the ICCPR, 2) superficial and lacking adequate documentation or not enough documented or 3) biased.

To ensure that the Committee's members have a full picture of the implementation of the ICCPR, the NGO information should ideally review and analyse how far the national laws, policies and other measures in the State party comply with the ICCPR. Specific attention should be focused on gaps between the national laws and their implementation at the national level.

Additionally the reporting process to the HR Committee may provide a good opportunity for NGOs to assess the Human Rights situation at the national level and monitor how the authorities actually implement the rights enshrined in the ICCPR. This process may also facilitate the dialogue with authorities and lead to further steps to implement the Covenant.

B) When to send NGO written submissions

- **Why it is important to send the NGO contribution before the adoption of the List of issues:**

Starting the drafting of the reports in the early stages of the reporting process is strongly recommended. NGOs may ask the Secretariat of the HR Committee or the CCPR Centre for a list of the countries that will be reviewed in the coming sessions. In order to be considered in the drafting of the List of issues reports should be sent to the Secretariat two months before the session at which the List of issues will be adopted.

As mentioned before, it is very useful to submit information before the HR Committee starts to draft the list of issues. In terms of lobbying strategy, such reports may have a great impact as subjects of concern raised at this stage may be included in the List of issues, which forms the basis of the interactive dialogue with the State.

Once the List of issues is adopted, NGOs may still send additional information to the HR Committee. This may take the form of replies to the List of issues or a short update to the report submitted for the List of issues.

If issues of concern are missing from the List of issues, NGOs should provide additional information with a view to getting them appropriately addressed during the dialogue with the State.

If NGOs have not been in a position to send reports prior to the adoption of the List of issues, they can, of course, send their contribution afterwards. NGO reports sent later may be taken into account during the interactive dialogue. This information should be submitted no later than two weeks before the start of the session where the State report will be examined.

C) Global reports or thematic reports

Global reports are comprehensive reports covering all the provisions of the ICCPR. They are the most appreciated by the HR Committee. Such global reports are usually structured “article by article” or by “clusters” of articles dealing with related issues. This structure allows the experts to quickly find the relevant information and to compare the NGO information with the State report. There is no limitation on the length of the report, although an average of 30 – 50 pages is advised.

It is however common for NGOs, particularly specialized NGOs, to prefer to submit thematic reports on the topic they work on and related to particular provisions of the ICCPR.

• What to do if NGOs do not have the capacity to provide a report to the HR Committee

Writing an NGO report is time consuming and expensive, especially when the objective is to provide a complete picture of the implementation of the ICCPR at the national level. NGOs may not have the capacity to do this.

NGOs may compile recent documents already available. These compilations should however only contain information falling in the scope of the provisions of ICCPR, and be duly updated.

• NGOs working as a coalition:

NGOs are encouraged to work in coalition to draft their reports. Such reports are usually taken very seriously by the HR Committee as they represent the views of several stakeholders from civil society. Moreover it is more difficult for State delegations to contest them.

In addition, working in a coalition allows NGOs to coordinate their work and so avoid duplication. NGOs can also share the workload (research and drafting) as well as the related costs. In the end, coalitions of NGOs are usually in a better position to produce global reports covering all the provisions of the ICCPR.

2. Structure and content of the NGO reports

A) Structure and content of the report

NGO reports usually include three main parts:

• Introduction:

The introduction should include a presentation of the NGO (including the contact details) submitting the alternative report, as well as the methodology of work. The introduction may also include information

about the **general context**, such as historical context, specific situations (e.g. armed conflict or socio-economic context).

- **Substantive part:**

The substantive part should provide an overview of the legal framework and specific information as well as a critical analysis of the implementation of the provisions in the ICCPR.

For each provision of the ICCPR, the report should analyse the relevant legislation and assess how this complies with the Covenant.

The information provided in the report should be directly linked to an analysis of the implementation of the Convention, with clear indications of which articles are being breached, in what way, and the consequences that this implies. It may be useful to refer to already established interpretations of what constitutes a breach of the Covenant. To that end, the HR Committee has adopted 33 **General Comments**⁴ which set out its interpretation of various provisions of the Covenant.

NGO written submissions should be objective and it is therefore advisable to acknowledge any progress, such as the positive measures taken by the State to implement the Covenant.

NGO reports will be highly valued if they indicate concrete cases that could help to measure the current situation in practice. It is important to illustrate **the NGOs findings with case law that show concretely how the authorities fail to implement the ICCPR**. Case law should be updated with the latest judicial process and other relevant information such as dates and sources. NGOs should be sure that the credibility of the information cannot be called into question.

- **Conclusions and recommendations**

NGO reports should also include a conclusion and a set of recommendations. Recommendations should be concrete, realistic and action oriented. It may also be relevant to prioritise those concerns and recommendations, suggesting concrete measures that should be taken as well as time frames for their implementation.

Recommendations could also be made with regard to the role of the NGO in the implementation of the ICCPR and their involvement in the implementation of the Concluding Observations.

It can also be very useful to include at the beginning of the report an **executive summary** (2 or 3 pages), highlighting the main issues raised in the report, including the most relevant NGO conclusions and recommendations.

As mentioned earlier, the substantive part of global reports should follow the same structure as the Covenant, which means “article by article” or organised by “clusters”. It might be appropriate to organise thematic reports in a different way, however clear reference to the relevant articles of the ICCPR should be made.

B) Reference to the State report and the previous Concluding Observations

- **The State reports that will be examined by the HR Committee at the relevant session:**

⁴ The General comments are available on the OHCHR website:
www2.ohchr.org/english/bodies/hrc/comments.htm

The Government has a duty to make their reports widely available to civil society and NGOs are entitled to ask for a copy of such a document. If NGOs have difficulties obtaining a copy of the State report, it can be found on the OHCHR's or CCPR Centre's websites.⁵

References to the State report are very important, particularly if the State report merely consists of a description of the legislation in place to protect human rights, or if the NGOs consider that it lacks information or provides biased information. Direct references to the State report should include the paragraph number in the State report, allowing the Committee to quickly and easily identify the specific points which the NGOs are commenting on.

- **The previous Concluding Observations:**

The Concluding Observations adopted by the HR Committee after the examination of the previous State report should also be taken into account by NGOs when they start to draft their reports. It is extremely important to assess if any progress has been made by the authorities with regard to the previous Concluding Observations. When NGOs consider that no improvement has been made with regard to the recommendations of the HR Committee, it should be clearly stated. Particular attention should be devoted to the Concluding Observations related to the follow-up procedure (see the section on follow-up).

It may also be very useful to consult the summary records of the discussions that had taken place during the consideration of the previous report by the Committee as well as the written replies or comments (if any) provided by the State in response to the previous recommendations of the Committee. Both are available on the OHCHR web site as well as on the CCPR Centre's website.⁶

If NGOs begin to draft their reports after the **List of issues** has been adopted, references to the questions included in that list should be integrated in to the NGO report. Replies to the questions raised in the List of issues will be very useful to the HR Committee to conduct the dialogue with the State's representatives and will allow the Experts to raise additional questions on the selected issues.

3. Practical Information

A) General information

a) Confidentiality of the NGO information submitted

In principle, NGO information submitted to the HR Committee is made public and posted on the OHCHR website. This means that the reports are also available to the States parties. This should be kept in mind especially for NGOs coming from countries where civil society cannot work freely and is harassed by the authorities.

Under exceptional circumstances, the information sent by NGOs may be kept confidential and not posted on the OHCHR's website. However if the State party learns that such information has been submitted to the HR Committee and requests a copy, the Secretariat is not in a position to refuse.

b) Translation of the NGO information into the HR Committee's working languages

⁵ State Reports can be found online: <http://www2.ohchr.org/english/bodies/hrc/sessions.htm>

⁶ Available on the CCPR Centre website: www.ccprcentre.org

NGO information sent to the HR Committee is transmitted as such to the Experts. No editing work or translations into other UN working languages are done by the UN Secretariat. If possible it is therefore best to submit NGO information in the three UN working languages (English, French and Spanish). Alternatively, NGOs can submit their information in one of the UN working languages and prepare executive summaries in the other two languages.

B) When to submit NGO information?

- **NGO information for the List of Issues**

NGO information for the List of issues should be available before the HR Committee and the OHCHR's staff starts the drafting process. Concretely, NGO information should be submitted at least two months before the session where the List of issues will be adopted (see the schedule below).

- **NGO information for the examination of the State report (dialogue)**

NGO information sent for the examination of the State report (dialogue between the State representatives and the HR Committee) should be available at least two weeks before the beginning of the session where the State review is scheduled.

- **Schedules for standard reporting process**

These timelines apply to standard reporting process. Exceptions are frequent (e.g. the examination of the State report does not always take place immediately after the adoption of the list of issues and may be postponed for one or two sessions).

State report scheduled for the March session:

When	May - July	August - September	October Session	November – February	March Session
Who	NGO	HR Committee / OHCHR	HR Committee	NGO	HR Committee / OHCHR
What	Drafting process for information to be submitted to the List of issues	Drafting process of the List of issues	Adoption of the List of issues	Drafting of the information for the examination of the State report	Examination of the State report
Deadlines	31 st July			At least 2 weeks before the session	

State report scheduled for the July session:

When	October - December	January - February	March Session	April – June	July Session
Who	NGO	HR Committee / OHCHR	HR Committee	NGO	HR Committee / OHCHR
What	Drafting process for information to be submitted to the List of issues	Drafting process of the List of issues	Adoption of the List of issues	Drafting of the information for the examination of the State report	Examination of the State report
Deadlines	31 st December			At least 2 weeks before the session	

State report scheduled for the October session:

When	February – April	May – June	July Session	August - September	October Session
Who	NGO	HR Committee / OHCHR	HR Committee	NGO	HR Committee / OHCHR
What	Drafting process for information to be submitted to the List of Issues	Drafting process of the List of issues	Adoption of the List of issues	Drafting of the information for the examination of the State report	Examination of the State report
Deadlines	30 th April			At least 2 weeks before the session	

- **Where to send NGO information?**

NGOs have to send their documents electronically to the Secretariat of the HR Committee as well as providing 25 hard copies that will be distributed to the Experts. If needed, the CCPR Centre will provide support to the NGOs in the transmission of the documents to the Secretariat.

NGO information should be sent to by post to:

Nathalie Prouvez
Secretary of the Human Rights Committee
Human Rights Treaties Branch
Office of the High Commissioner for Human Rights
UNOG-OHCHR,
CH-1211 Geneva 10,
Switzerland

An electronic copy should be sent to:

Nathalie Prouvez
Secretary of the Human Rights Committee
email: nprouvez@ohchr.org