

Briefing note: *Follow-up Procedure of the UN Human Rights Committee at a glance*

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ICCPR

The *International Covenant on Civil and Political Rights* (ICCPR) is one of the UN Human Rights Treaties. It was adopted by the UN General Assembly on 16 December 1966 and entered into force on 23 March 1976. As of August 2018, it has *172 State parties*. All State parties to ICCPR are obliged to take necessary actions to implement its provisions and protect concrete civil and political rights enshrined therein. There are also two *Optional Protocols* to ICCPR, the 1st one (*OP1*) on *individual communications* and the 2nd one (*OP2*) on the *abolition of death penalty*.

Human Rights Committee

The UN *Human Rights Committee* (HR Committee) is the monitoring body of ICCPR composed of *18 individual independent experts*. The HR Committee meets three times a year, usually in March, July and October, for 3-4 weeks in Geneva, Switzerland. In these meetings (or so-called *sessions*), the HR Committee mainly: a) *review* the situation of ICCPR implementation by each State party (ref. next section on “Review Process”); b) consider *individual communications*; and c) draft and issue *General Comments* (general guidelines for all State parties how to implement (particular provisions of) ICCPR).

Review Process

Each State party to ICCPR is obliged to submit reports (so-called *State report*) to the HR Committee, initial report 1 year after ICCPR comes into force in the country concerned (3 months after ratification or accession) and periodic reports thereafter at intervals specified by the HR Committee, usually every 3-6 years. The State report should provide information on the implementation of ICCPR by the State party. In periodic reports, State parties are also requested to provide information on the implementation of recommendations issued by the HR Committee.

Based on the information provided in the State report as well as reports from other stakeholders including NGOs, the HR Committee carries out the *review of the State party* concerned through *interactive dialogue* with the representatives of the State in Geneva, Switzerland. The interactive dialogue will take around 6 hours over 2 days in a public meeting of the Committee, which is open for observation by interested stakeholders.

After the review, the HR Committee will issue its *Concluding Observations* (COs) to the State party concerned, which includes a set of (usually 25-30) *recommendations* specifying actions to be taken by the State party. It also specifies the deadline by which the State party concerned should submit its next periodic report. The State party is obliged to implement ALL recommendations issued by the Committee within appropriate time period.

Follow-up procedure of HR Committee

In order to enhance the implementation of its recommendations by the State parties after the review, the HR Committee has established a specific procedure for follow-up, so-called *follow-up procedure*. Under this procedure, for each State party after the review, the HR Committee will select *2-4* recommendations (so-called *follow-up recommendations*) in its COs and request the State party to *implement them and report back to the Committee within 2 year*. Recommendations that are implementable within 2 years and that require urgent attention are selected for the follow-up procedure. Other stakeholders including NGOs are also invited to assess the implementation status of these recommendations and submit their reports to the HR Committee under this procedure.

Based on the information provided by the State party in so-called *State follow-up report* as well as from other stakeholders including NGOs, the HR Committee will evaluate the actions taken by the State party to implement follow-up recommendations. In doing so, the HR Committee also gives *grades* from A to E to each action taken by the State party with following criteria¹:

A - Reply/action largely satisfactory: The State party has provided evidence of significant action taken towards the implementation of the recommendation made by the Committee.

B – Reply/action partially satisfactory: The State party has taken steps towards the implementation of the recommendation, but additional information or action remains necessary.

C – Reply/action not satisfactory: A response has been received, but action taken or information provided by the State party is not relevant or does not implement the recommendation.

D – No cooperation with the Committee: No follow-up report has been received after the reminder(s).

E – Information or measures taken are contrary to or reflect rejection of the recommendation

After the evaluation, the HR Committee publishes the *result* in its *report on follow-up to Concluding Observations*², which also includes information on: reply provided by the State party; information, if any, provided by other stakeholders; and evaluation of the HR Committee as well as the grades adopted.

¹ Full criteria is available at: http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/1_Global/INT_CCPR_FGD_8108_E.pdf

² The HR Committee’s report on follow-up is published after each session of the Committee