



**United Nations**

# **Report of the Human Rights Committee**

**132nd session  
(28 June–23 July 2021)**

**133rd session  
(11 October–5 November 2021)**

**134th session  
(28 February–25 March 2022)**

**General Assembly**

**Official Records**

**Seventy-seventh Session**

**Supplement No. 40**





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*Note*

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## I. Jurisdiction and activities

### A. States parties to the International Covenant on Civil and Political Rights and to the Optional Protocols

1. As at 24 March 2022, 173 States were parties to the International Covenant on Civil and Political Rights and 116 States were parties to the Optional Protocol to the Covenant. Both instruments have been in force since 23 March 1976. The Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty, entered into force on 11 July 1991. As at 24 March 2022, 90 States were parties to that Optional Protocol.

2. Also as at 24 March 2022, 50 States had made the declaration provided for under article 41 (1) of the Covenant. In this connection, the Committee appeals to States parties to make the declaration under article 41 of the Covenant and to consider using this mechanism with a view to making implementation of the provisions of the Covenant more effective.

3. All information on the status of the treaties, including reservations and declarations made by States parties, is available at <https://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>.

### B. Sessions of the Committee

4. The Committee has held three sessions since the adoption of its previous annual report. The 132nd session was held from 28 June to 23 July 2021, the 133rd session from 11 October to 5 November 2021 and the 134th session from 28 February to 25 March 2022. Owing to the coronavirus disease (COVID-19) pandemic, the 132nd session was held online, while the 133rd and 134th sessions were held in a hybrid mode.

### C. Election of officers

5. On 1 March 2021, the Committee elected the following officers for a term of two years, in accordance with article 39 (1) of the Covenant (for a list of Committee members, see the annex):

<i>Chair:</i>	Photini Pazartzis
<i>Vice-Chairs:</i>	Arif Bulkan, Furuya Shuichi and Vasilka Sancin
<i>Rapporteur:</i>	Duncan Laki Muhumuza

6. During the 132nd, 133rd and 134th sessions, the Bureau of the Committee held several online and in-person meetings. Pursuant to a decision taken at the seventy-first session, the Bureau records its decisions in formal minutes, which are kept as a record of all decisions taken.

### D. Special rapporteurs

7. During the period covered by the present report, the Committee, through its Special Rapporteurs on new communications and interim measures, Arif Bulkan and H el ene Tigroudja, registered 211 communications, which they transmitted to the States parties concerned. They also issued 35 decisions calling for interim measures of protection pursuant to rule 94 of the Committee's rules of procedure.

8. The Special Rapporteur for follow-up on concluding observations, Vasilka Sancin, the Deputy Special Rapporteur for follow-up on concluding observations, Mahjoub El Haiba, the Special Rapporteur for follow-up on Views, Jos e Manuel Santos Pais, and the Deputy Special Rapporteur for follow-up on Views, Furuya Shuichi, carried out their functions during the reporting period.

## **E. Country report task forces and Working Group on Communications**

9. Country report task forces met during the 132nd, 133rd and 134th sessions to consider and adopt lists of issues on the reports of Brazil, Burundi, Egypt and Turkmenistan and lists of issues prior to reporting for Albania, Canada, Ecuador, France, Greece, Mozambique, North Macedonia, Timor-Leste and Turkey.

10. Briefings for the Committee members by various stakeholders prior to the adoption of lists of issues and lists of issues prior to reporting were organized by the Secretariat and the Centre pour les droits civils et politiques (Centre CCPR).

11. At the 132nd session, owing to the exceptional COVID-19-related constraints, the Working Group on Communications met in two subgroups, by language, through the Webex platform. The Working Group was composed of Yadh Ben Achour, Furuya Shuichi, Photini Pazartzis, Vasilka Sancin, José Manuel Santos Pais, H  l  ne Tigroudja and Gentian Zyberi. Mr. Santos Pais was designated Chair-Rapporteur. The Working Group met from 21 to 25 June 2021 through the Webex platform.

12. At the 133rd session, the Working Group resumed in-person meetings and was composed of Wafaa Ashraf Moharram Bassim, Yadh Ben Achour, Mahjoub El Haiba, Carlos G  mez Mart  nez, Photini Pazartzis, Jos   Manuel Santos Pais and Kobauyah Tchamdja Kpatcha. Mr. Santos Pais was designated Chair-Rapporteur. The Working Group met from 4 to 8 October 2021.

13. At the 134th session, the Working Group was composed of Arif Bulkan, Furuya Shuichi, Carlos G  mez Mart  nez, Vasilka Sancin, Jos   Manuel Santos Pais, Kobauyah Tchamdja Kpatcha and H  l  ne Tigroudja. Ms. Sancin was designated Chair-Rapporteur. The Working Group met from 21 to 25 February 2022.

## **F. Derogations pursuant to article 4 of the Covenant**

14. Article 4 (1) of the Covenant stipulates that, in time of public emergency which threatens the life of the nation, States parties may take measures derogating from certain obligations under the Covenant. Pursuant to article 4 (2), no derogation is allowed from articles 6, 7, 8 (1) and (2), 11, 15, 16 and 18. Pursuant to article 4 (3), any derogation must be immediately notified to the other States parties through the intermediary of the Secretary-General. A further notification is required upon the termination of the derogation<sup>1</sup> or in the event of an extension thereof. During the period covered by the present report, Ecuador, Guatemala, the Republic of Moldova, Trinidad and Tobago and Ukraine made such initial notifications. The following States extended the derogations they had initially made: the Dominican Republic, Ecuador, Georgia, Guatemala, Paraguay and Peru. All such notifications are available from <http://treaties.un.org>.

## **G. Concluding observations and follow-up to concluding observations**

15. Since its forty-fourth session, held in March 1992,<sup>2</sup> the Committee has adopted concluding observations. It takes the concluding observations as a starting point in the preparation of the list of issues for the consideration of the subsequent State party report. During the period under review, concluding observations were adopted on 10 States parties. At its 132nd session, the Committee adopted concluding observations on Togo.<sup>3</sup> At its 133rd session, the Committee adopted concluding observations on Armenia, Botswana, Germany and Ukraine.<sup>4</sup> At its 134th session, the Committee adopted concluding observations on Bolivia (Plurinational State of), Cambodia, Iraq, Israel and Qatar.<sup>5</sup> The

<sup>1</sup> A/60/40 (vol. I), chap. I, para. 28.

<sup>2</sup> A/47/40, chap. I, sect. E, para. 18.

<sup>3</sup> CCPR/C/TGO/CO/5.

<sup>4</sup> CCPR/C/ARM/CO/3, CCPR/C/BWA/CO/2, CCPR/C/DEU/CO/7 and CCPR/C/UKR/CO/8.

<sup>5</sup> CCPR/C/BOL/CO/4, CCPR/C/KHM/CO/3, CCPR/C/IRQ/CO/6, CCPR/C/ISR/CO/5 and CCPR/C/QAT/CO/1.



concluding observations are available from the treaty body database (<https://tbinternet.ohchr.org/SitePages/Home.aspx>) and from the Official Document System of the United Nations (<http://documents.un.org>) under the symbols indicated.

16. During the 132nd, 133rd and 134th sessions, the Special Rapporteur and the Deputy Special Rapporteur for follow-up on concluding observations submitted interim reports to the Committee. During its 132nd session, the Committee reviewed the following States parties under the follow-up process: Bangladesh, Liechtenstein, New Zealand and Switzerland. During its 133rd session, the Committee reviewed the following States parties under the follow-up process: Dominican Republic, Hungary, Jordan and Mauritius. During its 134th session, the Committee reviewed the following States parties under the follow-up process: Australia, Guatemala, Lebanon and Norway.

17. During the period under review, follow-up information was received from States parties and from other stakeholders.

18. All information on follow-up to concluding observations, including follow-up reports, can be found on the Office of the United Nations High Commissioner for Human Rights (OHCHR) website.<sup>6</sup>

## H. Communications and follow-up to Views

19. Individuals who claim that their rights under the Covenant have been violated by a State party and who have exhausted all available domestic remedies may submit written communications to the Committee for consideration under the Optional Protocol. No communication can be considered unless it concerns a State party to the Covenant that has recognized the competence of the Committee by becoming a party to the Optional Protocol.

20. Consideration of communications under the Optional Protocol is confidential and takes place in closed meetings (art. 5 (3)). The Committee's final decisions (Views, decisions declaring a communication inadmissible and decisions to discontinue the consideration of a communication) are made public. The names of the authors are disclosed unless the Committee decides otherwise at the request of the authors.

21. An overview of States parties' obligations under the Optional Protocol is contained in the Committee's general comment No. 33 (2008).

### 1. Progress of work

22. The Committee started its work under the Optional Protocol at its second session, in 1977. Since then, 4,121 communications concerning 94 States parties have been registered for consideration by the Committee, of which 211 were registered during the period covered by the present report. At present, the status of the 4,121 registered communications is as follows:

(a) Consideration concluded by the adoption of Views under article 5 (4) of the Optional Protocol: 1,812, in 1,352 of which violations of the Covenant were found;

(b) Declared inadmissible: 815;

(c) Discontinued or withdrawn: 562;

(d) Not yet concluded: 2,309.

23. At its 132nd, 133rd and 134th sessions, the Committee adopted Views on 74 cases and concluded the consideration of 24 cases by declaring them inadmissible. The Views and final decisions adopted by the Committee at all three sessions are available through the treaty body case law database (<http://juris.ohchr.org>), as well as from the details on jurisprudence available on the OHCHR website (by session).<sup>7</sup> They are also accessible through the treaty

<sup>6</sup> See [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/FollowUp.aspx?Treaty=CCPR&Lang=en](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/FollowUp.aspx?Treaty=CCPR&Lang=en).

<sup>7</sup> See [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/SessionsList.aspx?Treaty=CCPR](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/SessionsList.aspx?Treaty=CCPR).

body database on the OHCHR website and from the Official Document System of the United Nations.

24. For the period under review, the Committee decided to discontinue the consideration of 34 communications for such reasons as withdrawal by the author, because the author or counsel failed to respond to the Committee despite repeated reminders or because authors with expulsion orders pending against them were ultimately allowed to stay in the countries concerned.

25. The table below sets out the pattern of the Committee's work on communications over the past eleven years (communications dealt with from 2011 to 31 December 2021).

<i>Year</i>	<i>New cases registered</i>	<i>Cases concluded<sup>a</sup></i>	<i>Pending cases at 31 December</i>
2021	212	132	1 273
2020	170	155	1 193
2019	413	134	1 178
2018	190	101	746
2017	167	131	635
2016	211	113	599
2015	196	101	532
2014	191	124	456
2013	93	72	379
2012	102	99	355
2011	106	188	352

<sup>a</sup> Total number of cases decided (by the adoption of Views, decisions of inadmissibility and decisions to discontinue consideration).

26. As at 24 March 2022, some 367 communications were ready to be prepared by the secretariat for the Committee to take decisions on admissibility and/or the merits. Unless there is a significant increase in the capacity of the secretariat to process communications, however, the Committee's ability to address its backlog in that regard will continue to be seriously compromised.

27. During the period under review, the Committee, through its Special Rapporteurs on new communications and interim measures, transmitted 211 new communications to States parties under rule 92 of the Committee's rules of procedure, requesting information or observations relevant to questions of admissibility and the merits.

## **2. Cooperation by States parties in the examination of communications**

28. In several cases decided during the period under review, the Committee noted that States parties had failed to cooperate in the procedure by not providing observations on the admissibility and/or the merits of the authors' allegations or by disregarding the request for interim measures to prevent the occurrence of an irreparable harm to the alleged victims. The Committee strongly regretted the situation and recalled that good faith implementation of the Optional Protocol required States parties to transmit to the Committee all information at their disposal and to respect the request for interim measures. In the absence of a reply by States parties, due weight had to be given by the Committee to the author's allegations, to the extent that they had been properly substantiated.

## **3. Issues considered by the Committee**

29. The full texts of the Views adopted by the Committee and of its decisions declaring communications inadmissible under the Optional Protocol are available in the treaty body database.

30. During the period under review, the Committee examined and found violations of the Covenant in the following communications: *Postnov v. Belarus* (CCPR/C/132/D/2361/2014),

*A.K. et al. v. Australia* (CCPR/C/132/D/2365/2014), *Aravinda v. Sri Lanka* (CCPR/C/132/D/2508/2014), *Oliveira Pereira and Sosa Benega v. Paraguay* (CCPR/C/132/D/2552/2015), *Bengono v. Cameroon* (CCPR/C/132/D/2609/2015), *Devi Maya Nepal v. Nepal* (CCPR/C/132/D/2615/2015), *A.M.F and A.M. v. Denmark* (CCPR/C/132/D/2651/2015), *Bekmanov et al. v. Kyrgyzstan* (CCPR/C/132/D/2659/2015), *Pichugina v. Belarus* (CCPR/C/132/D/2711/2015), *Pichardo Salazar v. Bolivarian Republic of Venezuela* (CCPR/C/132/D/2833/2016), *Garzón v. Spain* (CCPR/C/132/D/2844/2016), *Aheyev v. Belarus* (CCPR/C/132/D/2862/2016), *A.S. v. Australia* (CCPR/C/132/D/2900/2016), *Petromelidis v. Greece* (CCPR/C/132/D/3065/2017), *Mikhalenya v. Belarus* (CCPR/C/132/D/3105/2018), *Thompson v. New Zealand* (CCPR/C/132/D/3162/2018), *Kurakbayev v. Kazakhstan* (CCPR/C/132/D/2509/2014), *Sainz de la Maza y del Castillo v. Spain* (CCPR/C/132/D/2996/2017), *M.N. v. Denmark* (CCPR/C/132/D/3188/2018), *Abramovich v. Belarus* (CCPR/C/132/D/2702/2015), *Krasulina v. Belarus* (CCPR/C/132/D/3126/2018), *Yurgel v. Belarus* (CCPR/C/132/D/2856/2016), *Tolchina et al. v. Belarus* (CCPR/C/132/D/2857/2016), *Zavadskaya et al. v. Belarus* (CCPR/C/132/D/2865/2016), *Sazonov v. Belarus* (CCPR/C/132/D/2397/2014), *Voronezhstsev et al. v. Belarus* (CCPR/C/132/D/2561/2015), *Sudalenko and Poplavny v. Belarus* (CCPR/C/132/D/2691/2015), *Zabayo and E v. Netherlands* (CCPR/C/133/D/2796/2016), *Amedzro v. Tajikistan* (CCPR/C/133/D/3258/2018), *Brewer-Carias v. Bolivarian Republic of Venezuela* (CCPR/C/133/D/3003/2017), *Suleymanova and Israfilova v. Azerbaijan* (CCPR/C/133/D/3061/2017), *Berlinov v. Belarus* (CCPR/C/133/D/2708/2015), *Sheriffdeen v. Sri Lanka* (CCPR/C/133/D/2978/2017), *E.S. v. Kyrgyzstan* (CCPR/C/133/D/2850/2016), *Lutskovich v. Belarus* (CCPR/C/133/D/2899/2016), *Gnaneswaran v. Australia* (CCPR/C/133/D/3212/2018), *Pirogov v. Russian Federation* (CCPR/C/133/D/2916/2016), *Narymbaev v. Kazakhstan* (CCPR/C/133/D/2904/2016-CCPR/C/133/D/2907/2016), *Salikhov v. Russian Federation* (CCPR/C/133/D/2759/2016), *Statkevich v. Belarus* (CCPR/C/133/D/2619/2015), *Adda v. Algeria* (CCPR/C/134/D/2721/2016), *Drif and Rafrav v. Algeria* (CCPR/C/134/D/3320/2019), *Selyun v. Belarus* (CCPR/C/134/D/2840/2016), *Litkevich v. Russian Federation* (CCPR/C/134/D/2758/2016), *Alimov v. Kyrgyzstan* (CCPR/C/134/D/2836/2016), *Bengechov v. Turkmenistan* (CCPR/C/134/D/3272/2018), *K.R. et al. v. Nepal* (CCPR/C/134/D/2906/2016), *Tharu and Tharuni v. Nepal* (CCPR/C/134/D/3199/2018), *Alekseev et al. v. Russian Federation* (CCPR/C/134/D/2943/2017-CCPR/C/134/D/2953/2017-CCPR/C/134/D/2954/2017), *Mezhoud v. France* (CCPR/C/134/D/2921/2016), *García Mendoza and Gutiérrez Julca v. Peru* (CCPR/C/134/D/3664/2019), *Erkaeva v. Kazakhstan* (CCPR/C/134/D/2864/2015), *Parfenenka v. Belarus* (CCPR/C/134/D/2737/2016), *Lula da Silva v. Brazil* (CCPR/C/134/D/2841/2016 (Initial proceedings) and CCPR/C/134/D/2841/2016 (Final proceedings)), *P. et al. v. Sweden* (CCPR/C/134/D/2632/2015), *Niftaliyev et al. v. Azerbaijan* (CCPR/C/134/D/3094/2018), *Belsky v. Belarus* (CCPR/C/134/D/2755/2016), *Shchukina v. Belarus* (CCPR/C/134/D/3242/2018) and *Essonov v. Cameroon* (CCPR/C/134/D/3135/2018).

31. The Committee found no violations of the Covenant in the following communications: *Rahaman v. Canada* (CCPR/C/132/D/2810/2016), *Johar v. Norway* (CCPR/C/132/D/2854/2016), *Isherwood v. New Zealand* (CCPR/C/132/D/2976/2017), *Kakharzhanov v. Kyrgyzstan* (CCPR/C/132/D/2814/2016), *J.R.R. et al. v. Denmark* (CCPR/C/132/D/2787/2016), *Baranovs v. Latvia* (CCPR/C/133/D/3021/2017), *Bessis v. France* (CCPR/C/133/D/3215/2018), *S.K. v. Canada* (CCPR/C/133/D/2623/2015), *M.R. v. Denmark* (CCPR/C/133/D/2510/2014), *Seremet et al. v. Republic of Moldova*, (CCPR/C/133/D/3278/2018), *Mariton et al. v. France* (CCPR/C/133/D/3009/2017) and *Johnson v. Netherlands* (CCPR/C/134/D/3077/2017).

32. The Committee decided that the following communications were inadmissible: *F.F.J.H. v. Argentina* (CCPR/C/132/D/3238/2018), *G.P. et al. v. Canada* (CCPR/C/132/D/3016/2017), *H.G. v. Sweden* (CCPR/C/132/D/3266/2018), *D.V.K. v. Kazakhstan* (CCPR/C/132/D/2675/2015), *S.R. v. Lithuania* (CCPR/C/132/D/3313/2019), *A.L. v. Russian Federation* (CCPR/C/132/D/3038/2017), *A.T. v. Russian Federation* (CCPR/C/132/D/3049/2017), *M.N. v. Denmark* (CCPR/C/133/D/2458/2014), *A.F. v. Denmark* (CCPR/C/133/D/2816/2016), *H.J.T. v. Netherlands* (CCPR/C/133/D/3004/2017), *G.B. v. Latvia* (CCPR/C/133/D/3124/2018), *A.P. v. Kazakhstan* (CCPR/C/133/D/2726/2016),

*V.B. et al. v. Belarus* (CCPR/C/133/D/2709/2015), *N.E. v. Denmark* (CCPR/C/133/D/3325/2019), *M.R. and L.J. v. Austria* (CCPR/C/134/D/2965/2017), *O.H.D. et al. v. Australia* (CCPR/C/134/D/3023/2017), *T.T. v. Ukraine* (CCPR/C/134/D/2985/2017), *Z. v. Kazakhstan* (CCPR/C/134/D/2849/2016), *A. v. Kazakhstan* (CCPR/C/134/D/2698/2015), *C. v. Lithuania* (CCPR/C/134/D/3327/2019), *J. v. Slovakia* (CCPR/C/134/D/2959/2017), *B.M. v. Belgium* (CCPR/C/134/D/3249/2018), *A.Y.O.A.Q. v. Italy* (CCPR/C/134/D/3587/2019) and *M.A.A. and I.E.J. v. Italy* (CCPR/C/134/D/3589/2019).

#### 4. Follow-up on Views

33. During the period under review, the Special Rapporteurs for follow-up on Views submitted two reports, at the 133rd and 134th sessions.

34. At the time of the conclusion of the 134th session, the Committee had determined that there had been a violation of the Covenant in 1,342 of the 1,812 Views adopted since 1977. The Committee has continued the practice, initiated at its 109th session (14 October–1 November 2013), of including in its reports on follow-up to Views an assessment of the replies received from or action taken by States parties; the assessment uses the criteria established for the follow-up procedure to the concluding observations. At its 118th session (17 October–4 November 2016), the Committee decided to revise its assessment criteria. At its 121st session (16 October–20 November 2017), on 9 November 2017, the Committee decided to further revise its methodology and procedure for monitoring follow-up to Views. The Committee continues to note and regrets that many States parties fail to implement the Views adopted under the first Optional Protocol.

#### I. Staff resources, translation of official documents and meeting time

35. In accordance with article 36 of the Covenant, the Secretary-General has a duty to provide the Committee with the necessary staff and facilities for the effective performance of its functions. The Committee reiterates its concern regarding the shortage of staff resources and emphasizes once again the importance of allocating adequate staff resources to service its sessions, which includes preparing documents on the implementation of the Covenant and the Optional Protocol. The Committee reiterates the fact that, unless there is a significant increase in the staff capacity of the Petitions Unit that would allow it to prepare a greater number of communications for consideration by the Committee in the coming years than it has in the past, the Committee's ability to address its backlog will continue to be seriously compromised. In turn, this situation will have a serious impact on victims' rights.

36. The Committee regrets once again the strict word limits imposed under General Assembly resolution 68/268 on key documents, such as general comments, rules of procedure and Views. It also regrets the lack of capacity for some documents to be translated, as the absence of translations continues to have a negative impact on the Committee's work.

37. The Committee regrets the decision taken by the Division of Conference Management to revert to a two-hour limit on meeting time whenever active remote participation exceeds 30 minutes. Such decision has a negative impact on the Committee's work and its effective and efficient use of its meeting time entitlement.

#### J. Outreach on the work of the Committee

38. At its ninety-fourth session, the Committee adopted a paper on a strategic approach to public relations with the media.<sup>8</sup> Since then, the Committee has continued to develop its media strategy, which has included, inter alia, holding press conferences at the end of each session, issuing press statements on relevant individual communications and tweeting.

39. During the 132nd 133rd and 134th sessions, OHCHR provided a full webcast of the public parts of all the Committee's sessions, including the examination of all States parties' reports. The webcast may be viewed at <https://webtv.un.org>.

<sup>8</sup> CCPR/C/94/3.

## **K. Submission of the Committee's annual report to the General Assembly**

40. On 13 October 2021, during the 133rd session, the Chair attended the online interactive dialogue with the Third Committee, during which she presented the Committee's annual report.

## **L. Adoption of the report**

41. At its 3873rd meeting, held on 24 March 2022, the Committee considered the draft of its sixty-fourth annual report, covering its activities at its 132nd, 133rd and 134th sessions, held in 2021 and 2022. The report, as amended in the course of the discussion, was adopted unanimously. By virtue of its decision 1985/105 of 8 February 1985, the Economic and Social Council authorized the Secretary-General to transmit the Committee's annual report directly to the General Assembly.

## **II. Methods of work of the Committee under article 40 of the Covenant and cooperation with other United Nations bodies**

### **A. Recent developments and decisions on procedures**

42. On 2 November 2021, at its 133rd session, the Committee adopted a position paper in relation to the treaty body strengthening process (see annex II).

43. At its 133rd session, the Committee adopted revised guidelines on the procedure for follow-up to concluding observations ([CCPR/C/161](#)).

### **B. Links to other bodies**

44. In an effort to strengthen the relationship with other treaty bodies and regional human rights mechanisms, the Committee has appointed the following focal points: Marcia V.J. Kran for the Committee against Torture and the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Carlos Gómez Martínez for the Committee on Economic, Social and Cultural Rights; Kobauyah Tchamdja Kpatcha for the Committee on the Elimination of Discrimination against Women; Mahjoub El Haiba for the Committee on the Elimination of Racial Discrimination; Wafaa Ashraf Moharram Bassim for the Committee on the Rights of the Child; Gentian Zyberi for the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families; Imeru Tamerat Yigezu for the African human rights system; Carlos Gómez Martínez for the European Court of Human Rights; and Hernán Quezada Cabrera for the inter-American human rights system.

## **III. Submission of reports by States parties under article 40 of the Covenant**

### **A. Reports submitted to the Secretary-General between 27 March 2021 and 24 March 2022**

45. Between 27 March 2021 and 24 March 2022, 14 reports were submitted to the Secretary-General, by the following States parties: Chile (seventh periodic report), Guyana (third periodic report), Honduras (third periodic report), India (fourth periodic report), Indonesia (second periodic report), Iran (Islamic Republic of) (fourth periodic report), Maldives (second periodic report), Malta (third periodic report), Namibia (third periodic report), Serbia (fourth periodic report), Suriname (fourth periodic report), Syrian Arab Republic (fourth periodic report), United Kingdom of Great Britain and Northern Ireland (eighth periodic report) and Venezuela (Bolivarian Republic of) (fifth periodic report).

## B. Overdue reports and non-compliance by States parties with their obligations under article 40

46. The Committee wishes to reiterate that States parties to the Covenant must submit the reports referred to in article 40 of the Covenant on time so that the Committee can duly perform its functions under that article. Regrettably, serious delays have been noted since the establishment of the Committee. The Committee notes with concern that the failure of States parties to submit reports hinders the performance of its monitoring functions under article 40 of the Covenant. The Committee reiterates that States with overdue reports are in default of their obligations under that article.

## C. Periodicity with respect to States parties' reports examined during the period under review

47. The dates of examination of the State party reports considered during the period under review and the due date for the subsequent reports are indicated in the table below.

<i>State party</i>	<i>Date of examination</i>	<i>Year of examination of next report</i>
Togo	June/July 2021	2029
Armenia	October 2021	2029
Botswana	October 2021	2029
Germany	October 2021	2029
Ukraine	October 2021	2029
Bolivia (Plurinational State of)	March 2022	2030
Cambodia	March 2022	2030
Iraq	March 2022	2030
Israel	March 2022	2030
Qatar	February/March 2022	2030

48. The consideration of the eighth periodic report of the Russian Federation was scheduled to take place on 3 and 4 March 2022, during the 134th session. The Committee deeply regretted that representatives of the State party would not be able to travel to Geneva to participate in the review of the report. A statement was issued to that effect (CCPR/C/134/2). The Committee expects the State party to come before it for the consideration of the report at the 135th session.

## Annex I

### Members of the Human Rights Committee, 2021–2022

<i>Name</i>	<i>Country of nationality<sup>a</sup></i>	<i>Term ends 31 December</i>
Tania María Abdo Rocholl	Paraguay	2024 <sup>c</sup>
Wafaa Ashraf Moharram Bassim	Egypt	2024 <sup>c</sup>
Yadh Ben Achour	Tunisia	2022 <sup>b</sup>
Arif Bulkan	Guyana	2022 <sup>b</sup>
Mahjoub El Haiba	Morocco	2024 <sup>c</sup>
Furuya Shuichi	Japan	2022 <sup>b</sup>
Carlos Gómez Martínez	Spain	2024 <sup>c</sup>
Marcia V.J. Kran	Canada	2024 <sup>c</sup>
Duncan Laki Muhumuza	Uganda	2022 <sup>b</sup>
Photini Pazartzis	Greece	2022 <sup>b</sup>
Hernán Quezada Cabrera	Chile	2022 <sup>b</sup>
Vasilka Sancin	Slovenia	2022 <sup>b</sup>
José Manuel Santos Pais	Portugal	2024 <sup>c</sup>
Changrok Soh	Republic of Korea	2024 <sup>c</sup>
Kobauyah Tchamdja Kpatcha	Togo	2024 <sup>c</sup>
Hélène Tigroudja	France	2022 <sup>b</sup>
Imeru Tamerat Yigezu	Ethiopia	2024 <sup>c</sup>
Gentian Zyberi	Albania	2022 <sup>b</sup>

*Note:* Information on current and past membership of the Committee can be found at <https://www.ohchr.org/en/node/33623/membership>.

<sup>a</sup> In accordance with article 28 (3) of the International Covenant on Civil and Political Rights, the members of the Committee shall be elected and shall serve in their personal capacity.

<sup>b</sup> Member elected during the thirty-sixth meeting of States parties, held in New York on 14 June 2018.

<sup>c</sup> Member elected during the thirty-eighth meeting of States parties, held in New York on 17 September 2020.

## Annex II

### Position of the Human Rights Committee regarding the treaty body strengthening process

1. The Human Rights Committee thanks the Committee on the Rights of Persons with Disabilities and its Chair, Rosemary Kayess, for the proposal on strengthening the treaty body system dated 3 August 2021, put forward following the consideration of the state of the United Nations human rights treaty body system in 2020.
2. The Committee is supportive of collective efforts across treaty bodies aimed at enhancing the effectiveness and coherence of the system, bearing in mind that each treaty body needs to examine and develop proposals relevant to its treaty and procedures.
3. In a constructive spirit, the Committee presents its views on the three main issues identified in the proposal, building on General Assembly resolution 68/268, the common position of the Chairs of treaty bodies, as expressed at their thirty-first annual meeting in June 2019 (A/74/256, annex III), and in the report of the co-facilitators (A/75/601, annex). The Committee also refers to its decisions on additional measures to simplify the reporting procedure and increase predictability adopted at its 126th session (A/75/40, annex II) and to its position paper on the 2020 review, as updated at its 126th session (*ibid.*, annex III).

#### A. Predictable review cycle

4. The Committee agrees with the adoption of a review cycle that improves predictability in reporting and contributes to ensuring regular reporting by all States parties. With a view to giving further effect to General Assembly resolution 68/268 and pursuant to the Committee's 2019 position paper, as well as the common position of Chairs of treaty bodies, in July 2019 the Committee adopted an eight-year predictable review cycle, with a view to reviewing all 173 States parties to the Covenant. The cycle includes predictable dates for the submission of State party reports and the holding of constructive dialogues. It includes a procedure for follow-up to concluding observations, which focuses on the review of three key recommendations within a mid-term time frame.
5. While the full implementation of the predictable cycle has been partly disrupted by the coronavirus disease (COVID-19) pandemic, it is nevertheless being implemented to the extent possible. During its 133rd session, the Committee held a transitional hybrid session and reviewed four States parties. While the situation of the pandemic makes it difficult to plan definitively, the Committee is moving forward and scheduling constructive dialogues with States parties to be held at its upcoming sessions and advancing the implementation of its predictable review cycle.
6. The Committee has introduced the simplified reporting procedure as a permanent feature of its reporting procedure and is adapting its working methods to limit the issues to be addressed and, as far as possible, to avoid overlap with reviews by other treaty bodies. In this regard, at its 128th session in March 2020, the Committee adopted internal working guidelines on lists of issues and lists of issues prior to reporting (A/75/40, para. 47). Additionally, the Committee recalls its position on the need to review the resolution 68/268 formula, which is backward-looking, and adopt a forward-looking formula that would contribute to fully implementing the predictable review cycle.

#### B. Focused reviews

7. Many Committees have a long-standing follow-up procedure, which is being implemented and ensures a continuation of the dialogue with States parties in between the regular reporting reviews (see A/74/256, annex III). The procedure focuses on a limited number of priority issues that are identified when concluding observations are adopted and on which the States parties are requested to report. The Committee has observed that this



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procedure is effective and believes it should be supported by the necessary budgetary and human resources.

8. The Committee is of the view that the follow-up procedure is a realistic means to implement the idea of “focused reviews”. As each Committee has developed its own follow-up procedure, this issue would need further discussion in order to adapt and align the concept and parameters to the focused-review concept, taking into account the respective mandates and practices of treaty bodies.

9. The Committee believes that the proposal to have in situ visits raises important practical, human resource and budgetary issues, which would make it very difficult to implement effectively. The Committee suggests that the proposal of in situ visits be maintained as an item for future discussion but that it be kept separate from the predictable review cycle. For example, with the assistance of the Treaty Body Capacity-Building Programme and Office of the United Nations High Commissioner for Human Rights regional and field presences, Committees could assist States parties in the implementation of recommendations, upon the request of a State party.

10. The Committee supports moving ahead with the development of modalities to hold sessions at established United Nations regional hubs. This could be a means to bring the Committees’ work closer to States parties and civil society, enabling the Committees to draw to a greater extent on information available at the regional level in order to develop lists of issues and lists of issues prior to reporting; to inform constructive dialogues; to focus on countries in the region under the predictable calendar; to bring a regional focus to the work of the Committees; and to involve United Nations regional offices and non-governmental organizations in providing States parties with support to implement recommendations contained in concluding observations.

### **C. Digital uplift**

11. The Committee agrees with the necessity of a digital uplift, which is vital to support the Committee’s handling of individual communications and the processing of States parties reports. The Committee faces the largest number of individual communications among the treaty bodies, with a backlog of more than 1,000 cases as at 2 November 2021, which would require years to process even if no new cases were received. The current process urgently requires appropriate information technology solutions, as the process is outdated, cumbersome and exacerbates the backlog. The digital uplift should be focused on three areas: (a) prioritizing the development or acquisition of an up-to-date case management system and database, with a view to strengthening the management of individual communications; (b) identifying and sharing best practices among the treaty bodies to enhance overall efficiency; and (c) improving the reporting and monitoring of the backlog of communications pending review. Such a system would increase efficiency in the handling of individual communications and the processing of States parties’ reports, expedite the adoption of Views and decisions, track the implementation status of decisions and recommendations, and increase transparency for all stakeholders.

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