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**Thirty-third meeting of Chairs
of the human rights treaty bodies**

7–11 June 2021

Item 4 of the provisional agenda

**Adoption of the agenda and organization of work**

 Compliance by States parties with their reporting obligations to international human rights treaty bodies

 Note by the Secretariat

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|  *Summary* |
| For their 33rd meeting, the Chairs requested the Secretariat to update the information on the reporting obligations of and compliance by States, in an online format only, through a database available on the OHCHR website. The present note contains an overview of the reporting compliance by States parties as at 30 April 2021. Reporting is a dynamic process and the data included in the present note is regularly updated on the website as well as the Treaty body database of the Office of the United Nations High Commissioner for Human Rights ([www.ohchr.org](http://www.ohchr.org)). |
|  |

 I. Background

1. States parties have an obligation to report periodically under the nine core international human rights treaties and two optional protocols:

* International Convention on the Elimination of All Forms of Racial Discrimination (1965);
* International Covenant on Civil and Political Rights (1966);
* International Covenant on Economic, Social and Cultural Rights (1966);
* Convention on the Elimination of All Forms of Discrimination against Women (1979);
* Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984);
* Convention on the Rights of the Child (1989);
* International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990);
* Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (2000);
* Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000) Convention on the Rights of Persons with Disabilities (2006);
* Convention on the Rights of Persons with Disabilities (2006);
* International Convention for the Protection of All Persons from Enforced Disappearance (2006).

2. The Chairs of the human rights treaty bodies, at their twenty-fifth annual meeting, in May 2013, expressed deep concern over late reporting and non-reporting by a number of States parties to the international human rights treaties. The Chairs decided to include the issue as a standing item on the agenda of the meeting (see A/68/334, para. 47). For their 33rd meeting, the Chairs requested the Secretariat to update the information on the reporting obligations of and compliance by States, in an online format only, through a database available on the OHCHR website.

3. The present note contains an overview of the reporting compliance by States parties as of 30 April 2021. Reporting is a continuous process; the data included in the note are regularly updated on the OHCHR web page.[[1]](#footnote-2) The data is extracted from the treaty body database, which contains all public documents adopted or received by the human rights treaty bodies. All efforts are made to reflect the most updated information, and any inaccuracies should be brought to the attention of the Secretariat.

4. With regard to State Party reporting[[2]](#footnote-3), in 2020 there were:

* 10 ratifications/accessions
* 11 State Parties which submitted Common Core documents
* 138 State parties reports received
* Of the 147 State Parties reports due in 2020 we received 55
* 106 documents were received for the State Party reviews from Civil Society Organizations
* 6 documents were received for the State Party reviews from National Human Rights Institutions
* 365 documents were received for the State Party reviews from United Nations Agencies
* A total of 252 State parties avail themselves to the Simplified Reporting Procedure (CERD, HR Committee, CESCR, CEDAW, CAT, CRC , CMW and CRPD).

 II. Reporting obligations of States parties under international human rights treaties

5. Once a State has acceded to or ratified a human rights treaty, it is required to submit an initial report within one or two years after the entry into force of the treaty and, thereafter, periodic reports at intervals specified in the relevant treaty or by the treaty body. In most cases, the treaty explicitly sets out a timetable for the submission of initial and periodic reports, commonly referred to as the “reporting periodicity”, on the basis of the date of entry into force of the treaty for the specific State party. The reporting periodicity, by treaty, is presented in table 1 below.

6. The Human Rights Committee in 2019 took the decision on an “opt-out” approach to the Simplified Reporting Procedure (SRP) and requested States Parties to indicate their decision, should they decided to opt-out, by 31 December 2019.For the Human Rights Committee, only those who decided to opt-out notify the Secretariat. This means that 173 States parties to ICCPR, plus two additional states parties, that are territories /States parties separately, fall under the SRP unless they opt-out. As of 30 April 2021, eight States parties have opted out[[3]](#footnote-4). Furthermore, a number of State parties are currently submitting their reports under the standard reporting procedure as they are in the middle/final phase of the reporting process at the national level.

7. The Human Rights Committee also adopted a [predictable review cycle](https://www.ohchr.org/EN/HRBodies/CCPR/Pages/PredictableReviewCycle.aspx), which included an 8-year predictable review calendar. The two are closely inter-related. The 8-year calendar means changes and adjustments for the first 1 to 2 years, depending, for example on States Parties reports the Secretariat receives.

8. No specific periodicity is envisaged in the International Covenant on Economic, Social and Cultural Rights or the International Covenant on Civil and Political Rights. However, article 17 of the International Covenant on Economic, Social and Cultural Rights[[4]](#footnote-5) and article 40 of the International Covenant on Civil and Political Rights respectively, give the Committees discretion to establish the reporting frequency. At its 125th session in March 2019, the Human Rights Committee decided to move in 2020 to a predictable review cycle in order to improve predictability in reporting and to ensure regular reporting by all States parties, in line with resolution 68/268.[[5]](#footnote-6) The predictable review cycle will be based on an eight-year cycle, which includes periods for the submission of reports and constructive dialogue with the Committee[[6]](#footnote-7).

9. While CESCR has also agreed, during its 67th Session, to proceed with a predictable review cycle, the modalities of operationalizing and the timing of the predictable review cycle are currently being considered and will be discussed at the 68th session.  Pursuant to the International Convention on the Elimination of All Forms of Racial Discrimination, States parties must report every two years. However, the Committee on the Elimination of Racial Discrimination has adopted a flexible approach consisting of requesting States parties to submit combined reports in one document, often within a periodicity four years. The International Convention for the Protection of All Persons from Enforced Disappearance does not provide for periodic reports; however, the Committee on Enforced Disappearances may, pursuant to article 29 (4) of the Convention, request States parties to provide additional information on the implementation of the Convention.

10. Pursuant to the decision of the Human Rights Committee and the International Covenant on Economic, Social and Cultural Rights on the Predictable Review Cycle and the Simplified Reporting procedure the figures reflected in this report as of 30 April 2021 are based on the following seven Committees.

1. Committee on the Elimination of Racial Discrimination (CERD)
2. Committee on the Elimination of Discrimination against Women (CEDAW)
3. Committee against Torture (CAT)
4. Committee on the Rights of the Child (CRC)
5. Committee on Migrant Workers (CMW)
6. Committee on the Rights of Persons with Disabilities (CRPD)
7. Committee on Enforced Disappearances (CED)

Table 1
Reporting periodicity, by treaty

| *Treaty* | *Initial report due (following ratification) within* | *Periodic reports due thereafter (every)* |
| --- | --- | --- |
|  |  |  |
| ICERD | 1 year | 2 years |
| ICESCR | 2 | 5, in anticipation of the introduction of the 8 year predictable review cycle [[7]](#footnote-8) |
| ICCPR | 1 | 8 |
| CEDAW | 1 year | 4 years |
| CAT | 1 year | 4 years |
| CRC | 2 years | 5 years |
| OP-CRC-SC | 2 years | With next report under the Convention on the Rights of the Child or 5 years, if the State party has ratified the Optional Protocol only  |
| OP-CRC-AC | 2 years | With next report under the Convention on the Rights of the Child or 5 years, if the State party has ratified the Optional Protocol only |
| ICRMW | 1 year | 5 years |
| CRPD | 2 years | 4 years |
| ICPPED | 2 years | As requested by the Committee on Enforced Disappearances (art. 29 (4)) |

 III. Reporting compliance by States parties as at 30 April 2021

 A. List of States parties without overdue reports

11. As at 30 April 2021, 33 of the 197 States parties had no overdue reports under the relevant international human rights treaties and protocols. That is equivalent to 16.8 per cent of States parties.

 Table 2
States parties that had no overdue reports as at 30 April 2021

| *State party* | *Number of ratification or accession of human rights treaties and optional protocols that have reporting procedures* | *State party* | *Number of ratification or accession of human rights treaties and optional protocols that have reporting procedures* |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  | Kiribati | 6 |
| Angola | 9 | Kuwait | 9 |
| Azerbaijan | 10 | Lithuania | 10 |
| Belgium | 10 | Luxembourg | 9 |
| Bosnia and Herzegovina | 11 | Mexico | 11 |
| Bulgaria | 9 | Montenegro | 10 |
| Chile | 11 | New Zealand | 9 |
| Colombia | 11 | Norway | 10 |
| Denmark | 9 | Palau | 2 |
| Ecuador | 11 | Qatar | 9 |
| Finland | 9 | Republic of Korea | 9 |
| Guatemala | 10 | Russian Federation | 9 |
| Honduras | 11 | Senegal | 11 |
| Iraq | 10 | Singapore | 5 |
| Israel | 9 | Switzerland | 10 |
| Italy | 10 | Tajikistan | 9 |
| Kazakhstan | 10 | Uzbekistan | 8 |
| Total 33 |

B. States parties with overdue reports

12. Overdue reports are initial or periodic reports that are expected but not received. As of 30 April 2021, 152 of 197 States parties (77 per cent) were overdue in submitting initial or periodic reports. The number of overdue reports per State party ranged from one to six.

13. The data in the following tables are based on original due dates, and was retrieved from the treaty body database as of 30 April 2021. However, discrepancies may arise for those States parties that have opted to use the simplified reporting procedure and have been assigned new due dates and for those States considered in the absence of a report.

 Table 3
States parties with overdue initial reports as at 30 April 2021

| *Number of overdue reports* | *States parties* |
| --- | --- |
|  |  |
| 6 | Belize, Guinea-Bissau, San Marino *(3 State Parties had reports due to 6 committees which is 12 reports)* |
| 5 | Lesotho, Nigeria, Saint Vincent and the Grenadines, Sao Tome and Principe (*4 State Parties had reports due to 5 committees which is 20 reports due)* |
| 4 | Central African Republic, Comoros, Côte d'Ivoire, Eritrea, Eswatini, Grenada *(6 State Parties had reports due to 4 committees which is 24 reports due)* |
| 3 | Bahamas, Botswana, Burundi, Cabo Verde, Dominica, Dominican Republic, Equatorial Guinea, Fiji, Gambia, Guyana, Jamaica, Libya, Malaysia, Mali, Micronesia (Federated States of), Romania, Saint Lucia, Samoa, Seychelles, South Sudan, Zimbabwe*(21 State Parties had reports due to 3 committees which is 63 reports due )* |
| 2 | Afghanistan, Antigua and Barbuda, Bahrain, Benin, Bolivia (Plurinational State of), Brunei Darussalam, Cambodia, Chad, Congo, Djibouti, Indonesia, Liberia, Malawi, Malta, Marshall Islands, Mauritius, Mozambique, Namibia, Nauru, State of Palestine, Suriname *(21 State Parties had reports due to 2 committees which is 42 reports due)* |
| 1 | Algeria, Barbados, Cameroon, Croatia, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Gabon, Guinea, Iceland, Iran (Islamic Republic of), Ireland, Kenya, Lao People's Democratic Republic, Lebanon, Madagascar, Mauritania, Monaco, Morocco, Myanmar, Niger, Papua New Guinea, Saint Kitts and Nevis, Sierra Leone, South Africa, Sri Lanka, Syrian Arab Republic, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Ukraine, United Republic of Tanzania, Vanuatu, Yemen, Zambia *(36 State Parties had reports due to1 committees which is 36 reports due)* |
|  **Total: 91 States parties had initial reports due for a total of 197 reports** |

14. As at 30 April 2021, 91 States parties were overdue in their submission of initial reports.

 Table 4

 States parties with overdue periodic reports as at 30 April 2021

| *Number of overdue periodic reports* | *States parties* |
| --- | --- |
|  |  |
| 5 | Ghana *(1 State Parties had reports due to 5 committees which is 5 reports due)* |
| 4 | Algeria, Guinea, Madagascar, Venezuela (Bolivarian Republic of) *(4 State Parties had reports due to 4 committees which is 16 reports due)* |
| 3 | Armenia, Bangladesh, Belize, Burkina Faso, Burundi, Chad, China (Macau), Egypt, Ethiopia, Gabon, Gambia, Haiti, Holy See, India, Libya, Mali, Malta, Papua New Guinea, Philippines, Sierra Leone, Slovenia, Sri Lanka, Syrian Arab Republic, Trinidad and Tobago, Uganda, United Republic of Tanzania, Yemen, Zambia *(28 State Parties had reports due to 3 committees which is 84 reports due)* |
| 2 | Bahamas, Belarus, Benin, Cabo Verde, Canada, Central African Republic, China, China (Hong Kong), Comoros, Congo, Croatia, Czech Republic, Democratic Republic of the Congo, Djibouti, Dominican Republic, Equatorial Guinea, Estonia, Eswatini, Greece, Guinea-Bissau, Guyana, Indonesia, Japan, Lesotho, Liberia, Mozambique, Myanmar, Netherlands, Nigeria, Pakistan, Panama, Republic of Moldova, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Seychelles, Solomon Islands, Tunisia, United Arab Emirates, United States of America, Zimbabwe *(43 State Parties had reports due to 2 committees which is 86 reports due)* |
| 1 | Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Barbados, Bhutan, Brazil, Brunei Darussalam, Cambodia, Cameroon, Cook Islands, Costa Rica, Côte d'Ivoire, Cuba, Dominica, El Salvador, Fiji, Georgia, Germany, Grenada, Hungary, Iceland, Iran (Islamic Republic of), Ireland, Jordan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Liechtenstein, Malaysia, Maldives, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Namibia, Nepal, Nicaragua, Niue, North Macedonia, Oman, Paraguay, Peru, Poland, Portugal, Saint Kitts and Nevis, San Marino, Serbia, Slovakia, Somalia, South Africa, Spain, Sudan, Suriname, Sweden, Thailand, Timor-Leste, Togo, Tonga, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Viet Nam, Yugoslavia *(72 State Parties had reports due to 1 committees which is 72 reports due)* |
|  **Total: 152 States parties had periodic reports due for a total of 263 reports** |

15. As at 30 April 2021, 152 States parties were overdue in their submission of periodic reports.

 IV. Reporting status, by treaty, as at 30 April 2021

16. As at 30 April 2021, there were 460 reports (197 initial reports and 263 periodic reports) from 166 States parties that were overdue.

17. Initial reports, which States parties are required to submit within one or two years following the entry into force of the treaty for the State, were overdue for the;

* Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (54 reports)
* the Convention on the Rights of Persons with Disabilities (44 reports)
* the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (40 reports)
* the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (20 reports)
* the International Convention for the Protection of All Persons from Enforced Disappearance (14 reports)
* the International Convention on the Elimination of All Forms of Racial Discrimination (13 reports)
* the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (4 reports)
* the Convention on the Elimination of All Forms of Discrimination Against Women (2 reports)
* the Convention on the Rights of the Child (No pending initial report)

18. The treaties with the highest number of overdue periodic reports were;

* The International Convention on the Elimination of All Forms of Racial Discrimination (78), the Convention on the Elimination of All Forms of Discrimination Against Women (72), (see table 6).

Table 5

Overdue reports, by treaty, as at 30 April 2021

| *Treaty* | *Number of States parties (a)* | *Overdue initial reports* | *Overdue periodic reports* | *Total number of overdue reports/percentage* |
| --- | --- | --- | --- | --- |
| *Number of overdue reports(b)* | *Percentage(b)÷(a)* | *Number of overdue reports(c)* | *Percentage(c)÷(a)* |
| ICERD | 182 | 13 | 7% | 78 | 43% | 91 (50%) |
| CAT | 171 | 20 | 12% | 45 | 26% | 65 (38%) |
| CEDAW | 189 | 2 | 1% | 72 | 38% | 74 (39%) |
| CRC | 196 | 0 | 0% | 56 | 29% | 56 (29%) |
| OP-CRC-SC | 177 | 54 | 31% | N/A | N/A | 54 (31%) |
| OP-CRC-AC | 171 | 40 | 23% | N/A | N/A | 40 (23%) |
| ICRMW | 56 | 4 | 7% | 13 | 23% | 17 (30%) |
| CRPD | 182 | 44 | 24% | 11 | 6% | 55 (30%) |
| ICPPED | 63 | 14 | 22% | 0 | 0% | 14 (22%) |
| **Total** | **1387**  | **191** | **14%** | **275** | **20%** | **466 (34%)** |

 Chart 1

Table 6

 Comparison of reporting compliance by States parties 2015-2020

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| **Comparative Table States Parties without Overdue Reports** **(2015 to 2020)** |
| **Years** | **SP with No Overdue reports**  | **Percentage %** |
| 2015 | 29 | 15 |
| 2016 | 25 | 13 |
| 2017 | 36 | 18 |
| 2018 | 34 | 17 |
| 2019 | 37 | 19 |
| 2020 | 36 | 18 |

 Chart 2

1. http://tbinternet.ohchr.org/\_layouts/TreatyBodyExternal/LateReporting.aspx. [↑](#footnote-ref-2)
2. These figures were retrieved for the OHCHR Annual Report from human rights treaty body data base [↑](#footnote-ref-3)
3. Bangladesh, China-Hong Kong and China Macau, , Sri Lanka, Russian Federation, Iran, Syria and Viet Nam have opted-out. [↑](#footnote-ref-4)
4. https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx [↑](#footnote-ref-5)
5. https://www.ohchr.org/EN/HRBodies/CCPR/Pages/PredictableReviewCycle.aspx [↑](#footnote-ref-6)
6. https://www.ohchr.org/Documents/HRBodies/CCPR/List\_countries\_PRC.docx [↑](#footnote-ref-7)
7. CESCR decided to introduce a Predictable Review Cycle for review of States parties reports.  The Committee would thus review all States over an eight-year cycle. The modalities of operationalising this 8-year cycle and a start date will be discussed at the 68th Session of the Committee. [↑](#footnote-ref-8)