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|  |  | 30 May 2023Original: English Only |

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

29 May–2 June 2023

Item 3 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 35th 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 2023. 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 or provide additional information when requested by the Committee on Enforced Disappearances (see para. 9), 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);

• 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 35th meeting, the Chairs requested the Secretariat to update the information on the reporting obligations of and compliance by States parties, 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 2023. 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 2022, there were:

• 11 ratifications/accessions of human rights treaties.

• 8 States parties, which submitted common core documents.

• 110 States parties reports received.

• 1344 documents were received for the reviews of State party reports from UN agencies, national human rights institutions, and civil society organizations.

 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.

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 years | 5 years, in anticipation of the introduction of the 8 year predictable review cycle[[3]](#footnote-4) |
| ICCPR | 1 year | 8 years |
| 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)) |

 The simplified reporting procedure (SRP)

6. The modalities of the simplified reporting procedure established by the various treaty bodies are described below, which reflects the situation on 31 December 2022. The SRP does not apply to the Subcommittee on Prevention of Torture, given that this treaty body does not have a reporting procedure.

7. International Convention on the Elimination of All Forms of Racial Discrimination (ICERD): The simplified reporting procedure is not the standardized reporting procedure within ICERD, although CERD offers the simplified reporting procedure to States parties with at least 5 years of reporting delay. CERD will discuss the standardization of the simplified reporting procedure in August 2023.

8. International Covenant on Civil and Political Rights (ICCPR): the Human Rights Committee adopted an 8-year predictable review cycle (PRC) at its 126th session in July 2019. The Committee also decided to shift from an opt-in model for the simplified reporting procedure to an opt-out model and to introduce the simplified reporting procedure for initial reports. It amended rule 73 of the Committee’s Rules of Procedure to reflect its decision.

9. International Covenant on Economic, Social and Cultural Rights (ICESCR): CESCR has decided, in 2020, to introduce the simplified reporting procedure as the standard reporting procedure once the PRC is in place. The CESCR suggested that the change would be implemented no sooner than 2022, and once resources are available to do so.

10. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW): CEDAW adopted the simplified reporting procedure as the standard procedure in a formal decision, which was included in its annual report to the General Assembly.

11. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT): The simplified reporting procedure remains an optional reporting procedure within CAT, but many States parties have accepted the simplified reporting procedure as the standard procedure. It is the understanding of the Committee Against Torture that the simplified reporting procedure will become the default reporting procedure once the predictable schedule of reviews is implemented, and the corresponding resources allocated.

12. Convention on the Rights of the Child (CRC): The simplified reporting procedure will be the standard procedure within CRC from 1 January 2024 onwards, in line with the Committee on the Rights of the Child’s Decision No. 17 on simplified reporting procedure for initial reports under the two Optional Protocols and Decision No. 18 on implementation of the simplified reporting procedure for reports to the Committee.

13. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW): The Committee on Migrant Workers adopted the simplified reporting procedure as the standard procedure in a formal decision, which was included in its annual report to the General Assembly.

14. Convention on the Rights of Persons with Disabilities (CRPD): The simplified reporting procedure only applies to periodic reports and not to initial reports. CRPD’s initial reports still cover around 70 per cent of the Committee’s work. The Committee relies on para. 1 and 2 of General Assembly resolution 68/268 to operationalize the simplified reporting procedure. Rule 48 of the Committee’s Rules of Procedure addresses the simplified reporting procedure and continues to consider it as an opt-in procedure.

15. International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED): CED does not have the simplified reporting procedure because there is no periodicity of reports.

 III. Reporting compliance by States parties as of 30 April 2023

 A. List of States parties without overdue reports

16. As of 30 April 2023, 37 of the total of 197 States parties had no overdue reports under the relevant international human rights treaties and protocols. That is equivalent to 18.7 per cent of States parties.

 Table 2
States parties that had no overdue reports as of 30 April 2023

| *State Party* | *Number of ratification or accession of human rights treaties and optional protocols that have reporting procedures* |
| --- | --- |
|  |  |
| Andorra | 8 |
| Armenia | 10 |
| Azerbaijan | 10 |
| Bahrain | 9 |
| Belarus | 9 |
| Belgium | 10 |
| Benin | 11 |
| Bulgaria | 9 |
| Chile | 11 |
| Denmark | 10 |
| El Salvador | 10 |
| Finland | 9 |
| France | 10 |
| Germany | 10 |
| Honduras | 11 |
| Iceland | 9 |
| Iraq | 10 |
| Italy | 10 |
| Kazakhstan | 10 |
| Kiribati | 6 |
| Kuwait | 9 |
| Lithuania | 10 |
| Luxembourg | 9 |
| Netherlands | 10 |
| Norway | 10 |
| Philippines | 10 |
| Qatar | 9 |
| Russian Federation | 9 |
| Singapore | 5 |
| Sweden | 9 |
| Switzerland | 10 |
| Tajikistan | 9 |
| Turkmenistan | 9 |
| Ukraine | 10 |
| United States of America | 5 |
| Uzbekistan | 9 |
| European Union | 1 |
| Total | 37 |

B. States parties with overdue reports

17. Overdue reports are initial, periodic or, in the case of CED, reports on additional information, that are due, but have not been received within the deadline by the respective Committees. As of 30 April 2023, 160 of 197 States parties (81 per cent) were overdue in submitting initial or periodic reports. The number of overdue reports per State party ranged from one to eight. There was a total of 600 reports overdue.

18. The data in the following tables are based on original due dates and was retrieved from the treaty body database as of 30 April 2023. However, discrepancies may arise for those States parties that have accepted or opted in to use the simplified reporting procedure and have been assigned new due dates and for those States that had been considered in the absence of a report.

 Table 3
States parties with overdue initial reports as of 30 April 2023

| *Number of overdue reports* | *States parties* |
| --- | --- |
|  |  |
| 1 | *(29 States parties had initial reports due to 1Committee, which is 29 reports due)* Algeria, Barbados, Cambodia, Cameroon, Croatia, Cyprus, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Gabon, Ghana, Guinea, Haiti, Kenya, Lao People’s Democratic Republic, Lebanon, Madagascar, Maldives, Malta, Mauritania, Monaco, Niger, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Togo, United Republic of Tanzania, Vanuatu, Yemen |
| 2 | *(22 States parties had initial reports due to 2 Committees, which is 44 reports due)* Angola, Antigua and Barbuda, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burundi, Djibouti, Indonesia, Malawi, Mauritius, Micronesia (Federated States of), Mozambique, Myanmar, Namibia, Nauru, Papua New Guinea, Saint Kitts and Nevis, Samoa, Somalia, South Sudan, State of Palestine, Zimbabwe |
| 3 | *(15 States parties had initial reports due to 3 Committees, which is 45 reports due)* Cabo Verde, Chad, Dominican Republic, Gambia, Guyana, Jamaica, Liberia, Libya, Malaysia, Mali, Marshall Islands, Nigeria, Oman, Suriname, Timor-Leste |
| 4 | *(7 States parties had initial reports due to 4 Committees, which is 28 reports due)* Bahamas, Central African Republic, Comoros, Congo, Equatorial Guinea, Eswatini, Saint Lucia |
| 5 | *(4 States parties had initial reports due to 5 Committees, which is 20 reports due)* Côte d’Ivoire, Eritrea, San Marino, Seychelles |
| 6 | *(6 States parties had initial reports due to 6 Committees, which is 36 reports due)* Dominica, Fiji, Grenada, Lesotho, Saint Vincent and the Grenadines, Sao Tome and Principe |
| 7 | Belize has 7 overdue initial reports |
| 8 | Guinea-Bissau has 8 overdue initial reports |
|  **Total: 85 States parties had initial reports due for a total of 217 reports** |

19. As at 30 April 2023, 85 States parties were overdue in their submission of initial reports.

 Table 4

 States parties with overdue periodic reports as of 30 April 2023

| *Number of overdue periodic reports* | *States parties* |
| --- | --- |
|  |  |
| 1 | *(41 States parties had periodic reports due to 1 Committee, which is 41 reports due)* Albania, Bhutan, Botswana, Brazil, Bosnia and Herzegovina, Cambodia, China (Hong Kong), Colombia, Côte d’Ivoire, Dominica, Ecuador, Greece, Grenada, Israel, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Maldives, Marshall Islands, Mexico, Micronesia (Federated States of), Mongolia, New Zealand, Niger, Niue, Oman, Palau, Poland, Portugal, Republic of Korea, Romania, Senegal, Slovakia, Somalia, State of Palestine, Tonga, Tuvalu, United Kingdom of Great Britain and Northern Ireland, United Kingdom of Great Britain and Northern Ireland (Crown Dependencies), United Kingdom of Great Britain and Northern Ireland (Overseas Territory), Uruguay  |
| 2 | *(43 States parties had periodic reports due to 2 Committees, which is 86 reports due)* Argentina, Austria, Brunei Darussalam, Cabo Verde, Cameroon, China (Macau), Comoros, Cook Islands, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Equatorial Guinea, Eswatini, Georgia, Guatemala, Guinea-Bissau, Hungary, Indonesia, Ireland, Lebanon, Liberia, Liechtenstein, Malawi, Mauritania, Morocco, Myanmar, Nauru, Nicaragua, Pakistan, Saint Lucia, Samoa, Saudi Arabia, Serbia, Slovenia, South Africa, Sudan, Timor-Leste, Türkiye, Vanuatu, Zimbabwe |
| 3 | *(41 States parties had periodic reports due to 3 Committees, which is 123 reports due)* Afghanistan, Australia, Bahamas, Belize, Central African Republic, China, Djibouti, Dominican Republic, Egypt, Ethiopia, Fiji, Gambia, Guyana, Haiti, Holy See, Iran (Islamic Republic of), Jamaica, Japan, Kenya, Lesotho, Mali, Monaco, Montenegro, Mozambique, Panama, Papua New Guinea, Republic of Moldova, Rwanda, Saint Vincent and the Grenadines, San Marino, Seychelles, Solomon Islands, Spain, Suriname, Tunisia, Togo, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam, Zambia |
| 4 | *(25 States parties had periodic reports due to 4 Committees, which is 100 reports due)* Angola, Antigua and Barbuda, Barbados, Burkina Faso, Burundi, Canada, Chad, Congo, Democratic People’s Republic of Korea, Ghana, Guinea, India, Jordan, Madagascar, Malta, Nigeria, North Macedonia, Peru, Sierra Leone, Sri Lanka, Syrian Arab Republic, Thailand, Trinidad and Tobago, United Republic of Tanzania, Yemen,  |
| 5 | *(3 States parties had periodic reports due to 5 Committees, which is 15 reports due)* Libya, Nepal, Paraguay |
| 6 | *(3 States parties had periodic reports due to 6 Committees, which is 18 reports due)* Algeria, Bangladesh, Gabon |
|  **Total: 156 States parties had periodic reports due for a total of 383 reports** |

20. As of 30 April 2023, 156 States parties were overdue in their submission of periodic reports. This includes additional information in the case of CED to be received from Bosnia and Herzegovina, Cuba, Paraguay, Senegal and Tunisia.

 IV. Reporting status, by treaty, as of 30 April 2023

21. As of 30 April 2023, there were 600 reports (217 initial reports and 383 periodic reports) from 160 States parties that were overdue.

22. 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:

• The International Convention on the Elimination of All Forms of Racial Discrimination (14 reports)

• The International Covenant on Civil and Political Rights (6 reports)

• The International Covenant on Economic, Social and Cultural Rights (25 reports)

• The Convention on the Elimination of All Forms of Discrimination Against Women (2 reports)

• The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (27 reports)

• The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (38 reports)

• Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (50 reports)

• The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (8 reports)

• The Convention on the Rights of Persons with Disabilities (37 reports)

• The International Convention for the Protection of All Persons from Enforced Disappearance (10 reports)

23. There were no pending initial reports on the Convention on the Rights of the Child.

24. The treaties with the highest number of overdue periodic reports were:

• The Convention on the Elimination of All Forms of Discrimination Against Women (74);

* the International Convention on the Elimination of All Forms of Racial Discrimination (71) (see table 5).

Table 5

Overdue reports, by treaty, as of 30 April 2023

| *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)* |
| CERD | 182 | 14 | 8% | 71 | 39% | 85 (47%) |
| CCPR | 173 | 6 | 3% | 26 | 15% | 32 (18%) |
| CESCR | 171 | 25 | 15% | 60 | 35% | 85 (50%) |
| CEDAW | 189 | 2 | 1% | 74 | 39% | 76 (40%) |
| CAT | 173 | 27 | 16% | 48 | 28% | 75 (43%) |
| CRC | 196 | 0 | 0% | 68 | 35% | 68 (35%) |
| CRC-OP-AC | 173 | 38 | 22% | 0 | 0% | 38 (22%) |
| CRC-OP-SC | 178 | 50 | 28% | 0 | 0% | 50 (28%) |
| CMW | 58 | 8 | 14% | 15 | 26% | 23 (40%) |
| CRPD | 186 | 37 | 20% | 16 | 9% | 53 (29%) |
| CED | 71 | 10 | 14% | 5 | 7% | 15 (21%) |
| **Total** | **1750**  | **217** | **12%** | **383** | **22%** | **600 (34.2%)** |

 Chart 1

Table 6

 Comparison of reporting compliance by States parties 2015-2022

| *Comparative Table States parties without overdue reports (2015 to 2022)* |
| --- |
| **Years** | **SP without overdue reports**  | **Percentage %** |
| 2015 | 29 | 15 |
| 2016 | 25 | 13 |
| 2017 | 36 | 18 |
| 2018 | 34 | 17 |
| 2019 | 37 | 19 |
| 2020 | 36 | 18 |
| 2021 | 30 | 15 |
| 2022 | 37 | 18 |

 Chart 2

1. https://tbinternet.ohchr.org/\_layouts/15/TreatyBodyExternal/LateReporting.aspx [↑](#footnote-ref-2)
2. These figures have been retrieved from the human rights treaty body data base for the annual report of OHCHR for 2022. [↑](#footnote-ref-3)
3. CESCR decided to introduce the predictable review cycle (PRC) for the review of States parties reports. The Committee would thus review all States over an eight-year cycle once resources are available to do so. [↑](#footnote-ref-4)