



**International
Human Rights
Instruments**

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**HARMONIZED GUIDELINES ON REPORTING UNDER THE INTERNATIONAL
HUMAN RIGHTS TREATIES, INCLUDING GUIDELINES ON A CORE
DOCUMENT AND TREATY-SPECIFIC DOCUMENTS***

Purpose of guidelines

* Contained in document HRI/MC/2006/3, issued on 10 May 2006.

Chapter I

HARMONIZED GUIDELINES ON REPORTING UNDER THE INTERNATIONAL HUMAN RIGHTS TREATIES, INCLUDING GUIDELINES ON A CORE DOCUMENT AND TREATY-SPECIFIC DOCUMENTS*

Purpose of guidelines

1. These guidelines are intended to guide States parties in fulfilling their reporting obligations under:

- Article 40 of the International Covenant on Civil and Political Rights, reporting to the Human Rights Committee (CCPR)

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2. States parties to each of these human rights treaties undertake, in accordance with the provisions (reproduced in Appendix 1), to submit to the relevant treaty body initial and periodic reports on the measures, including legislative, judicial, administrative or other measures, which they have adopted in order to achieve the enjoyment of the rights recognized in the treaty.

3. Reports presented in accordance with the present harmonized guidelines will enable each treaty body and State party to obtain a complete picture of the implementation of the relevant treaties, set within the wider context of the State's international human rights obligations, and provide a uniform framework within which each committee, in collaboration with the other treaty bodies, can work.

4. The harmonized guidelines aim at strengthening the capacity of States to fulfil their reporting obligations in a timely and effective manner, including the avoidance of unnecessary duplication of information. They also aim at improving the effectiveness of the treaty monitoring system by:

(a) Facilitating a consistent approach by all committees in considering the reports presented to them;

(b) Helping each committee to consider the situation regarding human rights in every State party on an equal basis; and

(c) Reducing the need for a committee to request supplementary information before considering a report.

* Contained in document HRI/MC/2006/3, issued on 10 May 2006.

5. Where considered appropriate, and in accordance with the provisions of their respective treaties, each treaty body may request additional information from States parties for the purpose of fulfilling its mandate to review the implementation of the treaty.

6. The harmonized guidelines are divided into three sections. Sections I and II apply to all reports being prepared for submission to any of the treaty bodies, and offer general guidance on the recommended approach to the reporting process and the recommended form of reports, respectively. Section III provides guidance to States parties on the contents of reports, i.e. the common core document to be submitted to all treaty bodies and the treaty-specific document to be submitted to each treaty body.

I. THE REPORTING PROCESS

Purpose of reporting

7. The reporting system as described in these guidelines is intended to provide a coherent framework within which States can meet their reporting obligations under all of the international human rights treaties to which they are a party through a coordinated and streamlined process.

Commitment to treaties

8. The reporting process constitutes an essential element in the continuing commitment of a State to respect, protect and fulfil the rights set out in the treaties to which it is party. This commitment should be viewed within the wider context of the obligation of all States to promote respect for the rights and freedoms, set out in the Universal Declaration of Human Rights and international human rights instruments, by measures, national and international, to secure their universal and effective recognition and observance.

Review of the implementation of human rights at the national level

9. States parties should see the process of preparing their reports for the treaty bodies not only as an aspect of the fulfilment of their international obligations, but also as an opportunity to take stock of the state of human rights protection within their jurisdiction for the purpose of policy planning and implementation. The report preparation process thus offers an occasion for each State party to:

(a) Conduct a comprehensive review of the measures it has taken to harmonize national law and policy with the provisions of the relevant international human rights treaties to which it is a party;

(b) Monitor progress made in promoting the enjoyment of the rights set forth in the treaties in the context of the promotion of human rights in general;

(c) Identify problems and shortcomings in its approach to the implementation of the treaties; and

(d) Plan and develop appropriate policies to achieve these goals.

10. The reporting process should encourage and facilitate, at the national level, public scrutiny of government policies and constructive engagement with relevant actors of civil society conducted in a spirit of cooperation and mutual respect, with the aim of advancing the enjoyment by all of the rights protected by the relevant convention.

Basis for constructive dialogue at the international level

11. At the international level, the reporting process creates a basis for constructive dialogue between States and the treaty bodies. The treaty bodies, in providing these guidelines, wish to emphasize their supportive role in fostering effective national implementation of the international human rights instruments.

Collection of data and drafting of reports

12. All States are parties to at least one of the main international human rights treaties the implementation of which is monitored by independent treaty bodies (see paragraph 1), and more than seventy-five per cent are party to four or more. As a consequence, all States have reporting obligations to fulfil and should benefit from adopting a coordinated approach to their reporting for each respective treaty body.

13. States should consider setting up an appropriate institutional framework for the preparation of their reports. These institutional structures-which could include an inter-ministerial drafting committee and/or focal points on reporting within each relevant government department-could support all of the State's reporting obligations under the international human rights instruments and, as appropriate, related international treaties (for example, Conventions of the International Labour Organization and the United Nations Educational, Scientific and Cultural Organization), and could provide an effective mechanism to coordinate follow-up to the concluding observations of the treaty bodies. Such structures should allow for the involvement of sub-national levels of governance where these exist and could be established on a permanent basis.

14. Institutional structures of this nature could also support States in meeting other reporting commitments, for example to follow up on international conferences and summits, monitor implementation of the Millennium Development Goals, etc. Much of the information collected and collated for such reports may be useful in the preparation of States' reports to the treaty bodies.

15. These institutional structures should develop an efficient system for the collection (from the relevant ministries and government statistical offices) of all statistical and other data relevant to the implementation of human rights, in a comprehensive and continuous manner. States can benefit from technical assistance from the Office of the United Nations High Commissioner for Human Rights (OHCHR) in collaboration with the Division for the Advancement of Women (DAW), and from relevant United Nations agencies.

Periodicity

16. In accordance with the terms of the relevant treaty, each State party undertakes to submit an initial report on the measures in place or taken to give effect to that treaty's provisions within a specified period after the treaty's entry into force for the reporting State. Thereafter, States parties are required to submit further reports periodically, in accordance with the provisions of each treaty, on the progress made during the reporting period. The periodicity of reports varies from treaty to treaty.

17. Reports under the revised reporting system will consist of two parts: the common core document and the treaty-specific document. In accordance with the different periodicity requirements of treaties, submission of these reports under different treaties may not be due at the same time. However, States could coordinate the preparation of their reports in consultation with the relevant treaty bodies with a view to submitting their reports not only in a timely manner, but with as little time lag between the different reports as possible. This will ensure that States receive the full benefit of submitting information required by several treaty bodies in a common core document.

18. States should keep their common core documents current. States should endeavour to update the common core document whenever they submit a treaty-specific document. If no update is considered necessary, this should be stated in the treaty-specific document.

II. THE FORM OF REPORTS

19. Information which a State considers relevant to assisting the treaty bodies in understanding the situation in the country should be presented in a concise and structured way. Although it is understood that some States have complex constitutional arrangements which need to be reflected in their reports, reports should not be of excessive length. If possible, common core documents should not exceed 60-80 pages, initial treaty-specific documents should not exceed 60 pages, and subsequent periodic documents should be limited to 40 pages. Pages should be formatted for A4-size paper, with 1.5 line spacing, and text set in 12 point Times New Roman type. Reports should be submitted in electronic form (on diskette, CD-ROM or by electronic mail), accompanied by a printed paper copy.

20. States may wish to submit separately copies of the principal legislative, judicial, administrative and other texts referred to in the reports, where these are available in a working language of the relevant committee. These texts will not be reproduced for general distribution, but will be made available to the relevant committee for consultation.

21. Reports should contain a full explanation of all abbreviations used in the text, especially when referring to national institutions, organizations, laws, etc., that are not likely to be readily understood outside of the State party.

22. Reports must be submitted in one of the official languages of the United Nations (Arabic, Chinese, English, French, Russian or Spanish).

23. Reports should be comprehensible and accurate when submitted to the Secretary-General. In the interests of efficiency, reports submitted by States whose official language is one of the official languages of the United Nations will not necessarily be edited by the Secretariat. Reports submitted by States whose official language is not one of the official languages of the United Nations may be edited by the Secretariat. Reports which, upon receipt, are found to be manifestly incomplete or require significant editing may be returned to the State for modification before being officially accepted by the Secretary-General.

III. THE CONTENT OF REPORTS

General

24. Both the common core document and the treaty-specific document form an integral part of each State's reports. Reports should contain information sufficient to provide each respective treaty body with a comprehensive understanding of the implementation of the relevant treaty by the State.

25. Reports should elaborate both the *de jure* and the *de facto* situation with regard to the implementation of the provisions of the treaties to which States are a party. Reports should not be confined to lists or descriptions of legal instruments adopted in the country concerned in recent years, but should indicate how those legal instruments are reflected in the actual political, economic, social and cultural realities and general conditions existing in the country.

26. Reports should provide relevant statistical data, disaggregated by sex, age,¹ and population groups, which may be presented together in tables annexed to the report. Such information should allow comparison over time and should indicate data sources. States should endeavour to analyze this information insofar as it is relevant to the implementation of treaty obligations.

27. The common core document should contain information of a general and factual nature relating to the implementation of the treaties to which the reporting State is party and which may be of relevance to all or several treaty bodies. A treaty body may request that the common core document be updated if it considers that the information it contains is out of date. Updates may be submitted in the form of an addendum to the existing common core document or a new revised version, depending on the extent of the changes which need to be incorporated.

28. States preparing a common core document for the first time and which have already submitted reports to any of the treaty bodies may wish to integrate into the common core document information contained in those reports, insofar as it remains current.

29. The treaty-specific document should contain information relating to the implementation of the treaty which the relevant committee monitors. In particular, recent developments in law and practice affecting the enjoyment of rights under that treaty should be included, as well as -

¹ Including with respect to children (persons under the age of 18 years).

except for initial treaty-specific documents - a response to issues raised by the committee in its concluding observations or its general comments.

30. Each document may be submitted separately - though States are referred to consider paragraph 17 - the procedure for reporting will be as follows:

(a) The State party submits the common core document to the Secretary-General which is then transmitted to each of the treaty bodies monitoring the implementation of the treaties to which the State is party;

(b) The State party submits treaty-specific documents to the Secretary-General which are then transmitted to the specific treaty bodies concerned;

(c) Each treaty body considers the State party's report on the treaty the implementation of which it monitors, consisting of the common core document and the treaty-specific document, according to its own procedures.

FIRST PART OF REPORTS: THE COMMON CORE DOCUMENT

31. For convenience, the common core document should be structured using the headings contained in sections 1-3 in accordance with the guidelines. The common core document should include the following information.

1. General information about the reporting State

32. This section should present general factual and statistical information relevant to assisting the committees in understanding the political, legal, social, economic and cultural context in which human rights are implemented in the State concerned.

A. Demographic, economic, social and cultural characteristics of the State

33. States may provide background information on the national characteristics of the country. States should refrain from providing detailed historical narratives; it is sufficient to provide a concise account of key historical facts where these are necessary to assist the treaty bodies in understanding the context of the State's implementation of the treaties.

34. States should provide accurate information about the main demographic and ethnic characteristics of the country and its population, taking into account the list of indicators contained in the section "Demographic indicators" in Appendix 3.

35. States should provide accurate information on the standard of living of the different segments of the population, taking into account the list of indicators contained in the section "Social, Economic and Cultural Indicators" in Appendix 3.

B. Constitutional, political and legal structure of the State

36. States should provide a description of the constitutional structure and the political and legal framework of the State, including the type of government, the electoral system, and the

organization of the executive, legislative and judicial organs. States are also encouraged to provide information about any systems of customary or religious law that may exist in the State.

37. States should provide information on the principal system through which non-governmental organizations are recognized as such, including through registration where registration laws and procedures are in place, granting of non-profit status for tax purposes, or other comparable means.

38. States should provide information on the administration of justice. They should include accurate information on crime figures, including inter alia, information indicating the profile of perpetrators and victims of crime and sentences passed and carried out.

39. Information submitted in respect of paragraphs 36 to 38 should take into account the list of indicators contained in the section “Indicators on the Political System” and “Indicators on Crime and the Administration of Justice” in Appendix 3.

2. General framework for the protection and promotion of human rights

C. Acceptance of international human rights norms

40. States should provide information on the status of all of the main international human rights treaties. Information may be organized in the form of a chart or table. It should include information on:

(a) *Ratification of main international human rights instruments.* Information on the status of ratification of the main international human rights treaties and optional protocols listed in Appendix 2, Section A, indicating if and when the State envisages acceding to those instruments to which it is not yet a party or which it has signed but has not yet ratified.

- (i) Information on the acceptance of treaty amendments;
- (ii) Information on the acceptance of optional procedures.

(b) *Reservations and declarations.* Where a State has entered reservations to any of the treaties to which it is a party, the common core document should provide information on:

- (i) The nature and scope of such reservations;
- (ii) The reason why such reservations were considered to be necessary and have been maintained;
- (iii) The precise effect of each reservation in terms of national law and policy;
- (iv) In the spirit of the World Conference on Human Rights and other similar conferences which encouraged States to consider reviewing any reservation with a view to withdrawing it,² any plans to limit the effect of reservations and ultimately withdraw them within a specific time frame.

(c) *Derogations, restrictions, or limitations.* Where States have restricted, limited or derogated from the provisions of any of the treaties to which they are a party, the common core document should include information explaining the scope of such derogations, restrictions or limitations; the circumstances justifying them; and the timeframe envisaged for their withdrawal.

41. States may wish to include information relating to their acceptance of other international norms related to human rights, especially where this information is directly relevant to each State's implementation of the provisions of the main international human rights treaties. In particular, the attention of States is drawn to the following relevant sources of information:

- (a) *Ratification of other United Nations human rights and related treaties.* States may indicate whether they are party to any of the other United Nations conventions related to human rights listed in Appendix 2, Section B;
- (b) *Ratification of other relevant international conventions.* States are encouraged to indicate whether they are party to the international conventions relevant to human rights protection and humanitarian law listed in Appendix 2, Sections C to F;
- (c) *Ratification of regional human rights conventions.* States may indicate whether they are party to any regional human rights conventions.

D. Legal framework for the protection of human rights at the national level

42. States should set out the specific legal context for the protection of human rights in the country. In particular, information should be provided on:

² See A/CONF.157/23, Part II, paras. 5 and 46.

- (a) Whether, and if so, which of the rights referred to in the various human rights instruments are protected either in the constitution, a bill of rights, a basic law, or other national legislation and, if so, what provisions are made for derogations, restrictions or limitations and in what circumstances;
- (b) Whether human rights treaties have been incorporated into the national legal system;
- (c) Which judicial, administrative or other authorities have competence affecting human rights matters and the extent of such competence;
- (d) Whether the provisions of the various human rights instruments can be, and have been, invoked before, or directly enforced by, the courts, other tribunals or administrative authorities;
- (e) What remedies are available to an individual who claims that any of his or her rights have been violated, and whether any systems of reparation, compensation and rehabilitation exist for victims;
- (f) Whether any institutions or national machinery exist with responsibility for overseeing the implementation of human rights, including machinery for the advancement of women or intended to address the particular situations of children, the elderly, persons with disabilities, those belonging to minorities, indigenous peoples, refugees and internally-displaced persons, migrant workers, non-authorized aliens, non-citizens or others, the mandate of such institutions, the human and financial resources available to them, and whether policies and mechanisms for gender mainstreaming and corrective measures exist;
- (g) Whether the State accepts the jurisdiction of any regional human rights court or other mechanism and, if so, the nature and progress of any recent or pending cases.

E. Framework within which human rights are promoted at the national level

43. States should set out the efforts made to promote respect for all human rights in the State. Such promotion may encompass actions by government officials, legislatures, local assemblies, national human rights institutions, etc, together with the role played by the relevant actors in civil society. States may offer information on measures such as dissemination of information, education and training, publicity, and allocation of budgetary resources. In describing these in the common core document, attention should be paid to the accessibility of promotional materials and human rights instruments, including their availability in all relevant national, local, minority or indigenous languages. In particular, States should provide information on:

- (a) *National and regional parliaments and assemblies.* The role and activities of the national parliament and sub-national, regional, provincial or municipal assemblies or authorities in promoting and protecting human rights, including those contained in international human rights treaties;

(b) *National human rights institutions.* Any institutions created for the protection and promotion of human rights at the national level, including those with specific responsibilities with regard to gender equality for all, race relations and children's rights, their precise mandate, composition, financial resources and activities, and whether such institutions are independent;³

(c) *Dissemination of human rights instruments.* The extent to which each of the international human rights instruments to which the State is party have been translated, published and disseminated within the country;

(d) *Raising human rights awareness among public officials and other professionals.* Any measures taken to ensure adequate education and training in human rights for those with responsibilities for the implementation of the law, such as Government officials, police, immigration officers, prosecutors, judges, lawyers, prison officers, members of the armed forces, border guards, as well as teachers, medical doctors, health workers and social workers;

(e) *Promotion of human rights awareness through educational programmes and Government-sponsored public information.* Any measures taken to promote respect for human rights through education and training, including Government-sponsored public information campaigns. Details should be provided on the extent of human rights education within schools, (public or private, secular or religious) at various levels;

(f) *Promotion of human rights awareness through the mass media.* The role of the mass information media, such as the press, radio, television and internet, in publicizing and disseminating information about human rights, including the international human rights instruments;

(g) *Role of civil society, including non-governmental organizations.* The extent of the participation of civil society, in particular non-governmental organizations, in the promotion and protection of human rights within the country, and the steps taken by the Government to encourage and promote the development of a civil society with a view to ensuring the promotion and protection of human rights;

(h) *Budget allocations and trends.* Where available, budget allocations and budgetary trends, as percentages of national or regional budgets and gross domestic product (GDP) and disaggregated by sex and age for the implementation of the State's human rights obligations and the results of any relevant budget impact assessments;

(i) *Development cooperation and assistance.* The extent to which the State benefits from development cooperation or other assistance which supports human rights promotion, including budgetary allocations. Information on the extent to which the State provides development cooperation or assistance to other States which supports the promotion of human rights in those countries.

³ See the "Principles relating to the status of national human rights institutions" (Paris Principles) E/1992/22 (A/RES/48/134).

44. The reporting State may indicate any factors or difficulties of a general nature affecting or impeding the implementation of international human rights obligations at the national level.

F. Reporting process at the national level

45. States should provide information on the process by which both parts of their reports (common core document and treaty-specific documents) are prepared, including on:

- (a) The existence of a national coordinating structure for reporting under the treaties;
- (b) Participation of departments, institutions and officials at national, regional and local levels of governance and, where appropriate, at federal and provincial levels;
- (c) Whether reports are made available to or examined by the national legislature prior to submission to the treaty monitoring bodies;
- (d) The nature of the participation of entities outside of government or relevant independent bodies at the various stages of the report preparation process or follow-up to it, including monitoring, public debate on draft reports, translation, dissemination or publication, or other activities explaining the report or concluding observations of the treaty bodies. Such participants may include human rights institutions (national or otherwise), non-governmental organizations, or other relevant actors of civil society, including those persons and groups most affected by the relevant provisions of the treaties;
- (e) Events, such as parliamentary debates and governmental conferences, workshops, seminars, radio or television broadcasts, and publications issued explaining the report, or any other similar events undertaken during the reporting period.

Follow-up to concluding observations of human rights treaty bodies

46. States should provide general information in the common core document on the measures and procedures adopted or foreseen, if any, to ensure effective follow-up to and wide dissemination of the concluding observations or recommendations issued by any of the treaty bodies after consideration of the State's reports, including any parliamentary hearing or media coverage.

G. Other related human rights information

47. States are invited to consider, where appropriate, the following additional sources of information for inclusion in their common core document.

Follow-up to international conferences

48. States may provide general information on follow-up to the declarations, recommendations, and commitments adopted at world conferences and subsequent reviews insofar as these have a bearing on the human rights situation in the country.

49. Where such conferences include reporting procedures (eg, the Millennium Summit), States may integrate the relevant information contained in those reports in the common core document.

3. Information on non-discrimination and equality and effective remedies

Non-discrimination and equality

50. States should provide in their common core document general information on the implementation of its obligations to guarantee equality before the law and equal protection of the law for everyone within their jurisdiction, in accordance with the relevant international human rights instruments, including information on the legal and institutional structures.

51. The common core document should include general factual information on measures taken to eliminate discrimination in all its forms and on all grounds, including multiple discrimination, in the enjoyment of civil, political, economic, social and cultural, rights, and on measures to promote formal and substantive equality for everyone within the jurisdiction of the State.

52. It should contain general information on whether the principle of non-discrimination is included as a general binding principle in a basic law, the constitution, a bill of rights or in any other domestic legislation and the definition of and legal grounds for prohibiting discrimination (if not already provided in para. 42(a)). Information should also be provided on whether the legal system allows for or mandates special measures to guarantee full and equal enjoyment of human rights.

53. Information should be provided on steps taken to ensure that discrimination in all its forms and on all grounds is prevented and combated in practice, including information on the manner and the extent to which the provisions of the existing penal laws, as applied by the courts, effectively implement the State parties' obligations under the principal human rights instruments.

54. States should provide general information regarding the human rights situation of persons belonging to specific vulnerable groups in the population.

55. States should provide information on specific measures adopted to reduce economic, social and geographical disparities, including between rural and urban areas, to prevent discrimination, as well as situations of multiple discrimination, against the persons belonging to the most disadvantaged groups.

56. States should provide general information on the measures, including educational programmes and public information campaigns, that have been taken to prevent and eliminate negative attitudes to, and prejudice against, individuals and groups which prevent them from fully enjoying their human rights.

57. States should provide general information on the implementation of their international obligations to guarantee equality before the law and equal protection of the law for everyone within their jurisdiction, in accordance with the international human rights instruments.

58. States should provide general information on the adoption of temporary special measures in specific circumstances to help accelerate progress towards equality. Where such measures have been adopted, States should indicate the expected timeframe for the attainment of the goal of equality of opportunity and treatment and the withdrawal of such measures.

Effective remedies

59. States should include general information in the common core document on the nature and scope of remedies provided in their domestic legislation against violations of human rights and whether victims have effective access to these remedies (if not already provided in para. 42(e)).

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