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Second inter-Committee meeting  
of the human rights treaty bodies  
Geneva, 18-20 June 2003

**METHODS OF WORK RELATING TO THE STATE REPORTING PROCESS**

**Background document prepared by the secretariat**

1. The second inter-Committee meeting of the human rights treaty bodies will be held from 18 to 20 June 2003.
2. The present document is an addendum to the background document for the inter-Committee meeting, which was prepared by the secretariat, on methods of work relating to the State reporting process. The present document contains additional information regarding the Committee against Torture, the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child.

**Committee against Torture**

1. In a letter to the High Commissioner dated 2 May 2003, the Chairperson of the Committee against Torture indicated that the Committee agreed that further harmonization and coordination among treaty bodies was necessary and that it was ready to continue discussions on the matter. The Committee suggested that the treaty bodies could consider establishing an appropriate mechanism, such as a standing committee on coordination. In view of the fact that States parties were required to submit information on each substantive provision of the Convention and that the periodicity of reporting, as well as the States parties themselves, varied from instrument to instrument, the Committee considered that the submission of a single report to all treaty bodies would be extremely difficult to implement in a manner that would satisfy all treaty bodies. However, the Committee was in favour of expanding the contents of the core document to cover issues common to all treaty bodies, provided that the core document was submitted by all States parties in respect of two or

more instruments and updated more regularly than was currently the case. The Committee also considered that the reports of States parties should be more focused; in order to assist States parties to determine the kind of information that would be more useful to the Committee and facilitate a more fruitful debate, as of November 2003, the Committee will prepare lists of issues that will be transmitted to States parties prior to the examination of their respective reports.

### **Committee on Economic, Social and Cultural Rights**

2. The position and recommendations of the Committee on Economic, Social and Cultural Rights were provided by its Chairperson to the High Commissioner on 23 May 2003. The Committee, which considered the Secretary-General's report and the background document on methods of work relating to the State reporting process (HRI/ICM/2003/3), agreed that the Secretary-General's proposal of a single consolidated report on all the human rights treaties would not be the appropriate way of addressing the problems faced at present by the treaty system and the States parties to the various human rights instruments. One reason for the Committee's view was that a single report could result in the absorption or marginalization of a number of treaty-specific issues, and that such a report would fail to provide the level of detail found in the reports currently being submitted; if it were to cover adequately all substantive issues under all human rights treaties, it would be unmanageable for treaty bodies and pose challenges to the secretariat, including with respect to processing and translation. It also considered that a single report might also give rise to legal difficulties relating to the individual treaties. However, the Committee took the view that were the United Nations to consider moving towards a single committee monitoring State compliance with respect to all human rights instruments, which would meet on a permanent basis, the idea of the single report would merit consideration in the long term. As an alternative proposal, the Committee suggested that the existing core document could be utilized in a more effective manner and be expanded beyond the current guidelines to include information that is required under most or all human rights treaties, such as information on the general human rights legal framework, the issue of non-discrimination and equality and the situation of specific groups, in particular, those who are vulnerable, marginalized or disadvantaged. The Committee considered that periodic reports should remain treaty specific in order to guard against the marginalization of treaty-specific issues and the loss of detail. However, the information in periodic reports should include the follow-up given to the previous concluding observations, supplementary information to be provided on the basis of lists of issues or at the specific request of the treaty body concerned, and new developments since the consideration of the State party's previous report. The Committee considered that there was an urgent need for treaty bodies to adopt a more coordinated approach to their activities and harmonize their working methods. It recalled and reaffirmed paragraphs 50, 52 and 69 of the report of the first inter-Committee meeting (HRI/ICM/2002/3) which recommend that treaty bodies should work together in a complementary way in order to underline the holistic nature of the human rights treaty framework; devise a framework to provide States parties whose reporting obligations under several human rights treaties are almost simultaneous with the option of staggering the dates of their appearance before the different treaty bodies; and develop procedures for follow-up on concluding observations/comments. Insofar as the last recommendation is concerned, the Committee indicated that it wishes to explore the existing follow-up procedures of other treaty bodies.

### **Committee on the Rights of the Child**

3. The Chairperson of the Committee on the Rights of the Child responded to the High Commissioner's letter on behalf of the Committee on 6 June 2003. Referring to the background note prepared by the secretariat (HRI/ICM/2003/3) and the report of the brainstorming meeting on reform of the human rights treaty body system held in Malbun, Liechtenstein, from 4 to 7 May 2003 (HRI/ICM/2003/4), the Committee on the Rights of the Child expressed serious doubts as to whether a single comprehensive report could result in better or more timely reporting by States parties. It also considered that there was a serious risk that a single report might marginalize the specific issues covered by the Convention and that the dynamic process of reporting, involving national non-governmental organizations and United Nations entities, in particular UNICEF, might be lost. In the Committee's view there were more feasible and effective ways of improving the existing system, including through the improvement of the core document which could be expanded to include information on implementation of the core human rights provisions common to the treaties. The improved core document, which would be updated regularly, would constitute a real core document on human rights. In addition, focused treaty-specific information would be provided in separate reports to the committees concerned. The Committee recommended revision and harmonization of the reporting of the human rights treaty bodies, which it suggested could be undertaken by OHCHR in consultation with a small working group of treaty body members. In addition, consideration should also be given to a more coherent and consistent system of adopting concluding observations, including through cross-referencing. Cooperation across treaty bodies should also be strengthened in other contexts, in particular with regard to general comments/recommendations, and the possibility of adopting joint general comments explored. The Committee on the Rights of the Child also suggested that serious consideration be given to the development of a computer software programme which would facilitate the creation of a database to assist in the collection of information on the implementation of the core human rights provisions of the treaties, as well as treaty specific provisions.

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