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

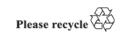
### Note by the Secretariat

### **Summary**

At their twenty-fifth meeting, the Chairs of the human rights treaty bodies decided to include the issue of reporting compliance by States parties to the treaty bodies as a standing item on the agenda of their annual meeting. The present note contains an overview of the reporting compliance by States parties as at 1 March 2017. Reporting is a dynamic process and the data included in the present note is regularly updated on the website of the Office of the United Nations High Commissioner for Human Rights (www.ohchr.org).

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<sup>\*</sup> Reissued for technical reasons on 16 May 2017.

<sup>\*\*</sup> The present document was submitted after the deadline in order to reflect the most recent information

## 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);
  - 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);
  - International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990);
  - 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). At their twenty-seventh meeting, in 2015, the Chairs requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to continue to make updated information on reporting compliance by States available on its website (see A/70/302, para. 93).
- 3. The present note contains an overview of the reporting compliance by States parties as at 1 March 2017. Reporting is a dynamic process; the data included in the note are regularly updated on the OHCHR website.

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

4. 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.<sup>1</sup>

ICERD International Convention on the Elimination of All Forms of Racial Discrimination

ICESCR International Covenant on Economic, Social and Cultural Rights

ICCPR International Covenant on Civil and Political Rights

<sup>&</sup>lt;sup>1</sup> In tables, the following abbreviations have been used:

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
ICCPR	1 year	3, 4, 5, 6 or 7 years <sup>a</sup>
CEDAW	1 year	4 years
CAT	1 year	4 years
CRC	2 years	5 years
ICRMW	1 year	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
CRPD	2 years	4 years
ICPPED	2 years	As requested by the Committee on Enforced Disappearances (art. 29 (4))

<sup>a</sup> At its 114th session (2015), the Human Rights Committee decided, when determining the periodicity for future reports, that States submitting reports under the simplified reporting procedure would be given an extra year to do so compared to those submitting reports under the standard reporting procedure, with a view to ensuring fairness between States parties using the different procedures. Accordingly, the Committee may now ask States parties submitting reports under the simplified reporting procedure to submit their periodic reports at intervals of no more than seven years (i.e., the maximum six years allowed under the standard reporting procedure plus an extra year).

5. No specific periodicity is envisaged in the International Covenant on Economic, Social and Cultural Rights nor the International Covenant on Civil and Political Rights. Article 40 of the International Covenant on Civil and Political Rights, however, gives the Human Rights Committee discretion to decide when periodic reports shall be submitted.

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CRC	Convention on the Rights of the Child
OP-CRC-SC	Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
OP-CRC-AC	Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

The Committee requests that periodic reports be submitted every three to six years following consideration of the State party's last report, depending on the situation. Article 17 of the International Covenant on Economic, Social and Cultural Rights gives the Economic and Social Council discretion to establish the reporting frequency. Pursuant to the International Convention on the Elimination of All Forms of Racial Discrimination, States parties must report every two years, but are allowed to merge two reports into one, which creates a de facto periodicity of four years. Although the International Convention for the Protection of All Persons from Enforced Disappearance does not provide for periodic reports, 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.

## III. Reporting compliance by States parties as at 1 March 2017

### A. Fully compliant States parties

6. As at 1 March 2017, 36 of the 196 States parties were fully compliant with their reporting obligations under the relevant international human rights treaties and protocols. That was equivalent to 18 per cent of States parties. Five of those States parties had ratified five or fewer human rights instruments (see table 2).

Table 2
States parties that were fully compliant as at 1 March 2017

State party	Number of international human rights treaties and optional protocols with reporting procedures ratified or acceded to	State party	Number of international human rights treaties and optional protocols with reporting procedures ratified or acceded to
Australia	9	Mongolia	10
Azerbaijan	10	Montenegro	10
Belarus	9	New Zealand	9
Bhutan	4	Niue	1
Bosnia and Herzegovina	11	Oman	6
Canada	9	Paraguay	11
China	8	Poland	9
Cook Islands	3	Republic of Moldova	9
Denmark	9	Russian Federation	9
Ecuador	11	Rwanda	10
France	10	Singapore	4
Holy See	5	Sweden	9
Honduras	11	Turkmenistan	9
Italy	10	Ukraine	10
Kuwait	9	United Kingdom of Great Britain and Northern Ireland	9
Kyrgyzstan	9	United States of America	5
Lithuania	10	Uruguay	11
Marshall Islands	3	Uzbekistan	8

### **B.** States parties with overdue reports

7. The number of overdue reports (initial and periodic) ranged from 1 to 10 per State party. One State party had 10 overdue reports; 4 States parties had 9 overdue reports; 6 States parties had 8 overdue reports; 15 States parties had 7 overdue reports; 12 States parties had 6 overdue reports; 9 States parties had 5 overdue reports; 27 States parties had 4 overdue reports; 22 States parties had 3 overdue reports; 29 States parties had 2 overdue reports; and 36 States parties had 1 overdue report (see table 3).

Table 3 **States parties with overdue reports as at 1 March 2017** 

Number of overdue reports	States parties
10	Nigeria (1 State party)
9	Belize, Cabo Verde, Lesotho, Mali (4 States parties)
8	Côte d'Ivoire, Libya, Saint Vincent and the Grenadines, San Marino, Swaziland, State of Palestine (6 States parties)
7	Afghanistan, Bolivia (Plurinational State of), Botswana, Brazil, Chad, Dominica, Equatorial Guinea, Grenada, Guinea-Bissau, Guyana, Mozambique, Panama, Syrian Arab Republic, Zambia, Zimbabwe (15 States parties)
6	Algeria, Bahrain, Congo, Egypt, Eritrea, Indonesia, Jamaica, Lao People's Democratic Republic, Nicaragua, Papua New Guinea, Seychelles, Togo (12 States parties)
5	Bahamas, Cambodia, Democratic Republic of the Congo, Djibouti, Maldives, Malta, Mauritius, Senegal, Uganda (9 States parties)
4	Antigua and Barbuda, Bangladesh, Barbados, Benin, Burundi, Central African Republic, Comoros, Dominican Republic, Ethiopia, Gabon, Ghana, Guinea, Hungary, Israel, Liberia, Liechtenstein, Malawi, Malaysia, Mexico, Morocco, Niger, Romania, Saint Lucia, Somalia, Trinidad and Tobago, Tunisia, Yemen (27 States parties)
3	Chile, Costa Rica, Croatia, Democratic People's Republic of Korea, Gambia, Georgia, India, Iran (Islamic Republic of), Japan, Kiribati, Latvia, Luxembourg, Madagascar, Namibia, Saint Kitts and Nevis, Samoa, Sierra Leone, South Africa, Tajikistan, Timor-Leste, United Republic of Tanzania, Viet Nam (22 States parties)
2	Albania, Andorra, Argentina, Austria, Cameroon, Cuba, El Salvador, Estonia, Haiti, Iceland, Kenya, Mauritania, Micronesia (Federated States of), Monaco, Myanmar, Nauru, Nepal, Pakistan, Peru, Philippines, Republic of Korea, Saudi Arabia, Solomon Islands, Sudan, Suriname, Switzerland, Tonga, Turkey, Vanuatu (29 States parties)
1	Armenia, Belarus, Brunei Darussalam, Bulgaria, Burkina Faso, China, Colombia, Cook Islands, Cyprus, Czechia, Ecuador, Fiji, Finland, Germany, Greece, Guatemala, Iraq, Ireland, Jordan, Kazakhstan, Lebanon, Netherlands, Norway, Palau, Portugal, Qatar, Sao Tome and Principe, Serbia, Slovakia, Slovenia, South Sudan, Sri Lanka, Thailand, Tuvalu, United Arab Emirates, Venezuela (Bolivarian Republic of) (36 States parties)

<sup>8.</sup> With regard to overdue initial reports, 1 State party had 8 reports pending; 1 State party had 7 reports pending; 10 States parties had 6 reports pending; 4 States parties had 5

reports pending; 6 States parties had 4 reports pending; 21 States parties had 3 reports pending; 26 States parties had 2 reports pending; and 48 States parties had 1 report pending (see table 4).

Table 4
States parties with overdue initial reports as at 1 March 2017

Number of overdue initial reports	States parties
8	State of Palestine (1 State party)
7	Cabo Verde (1 State party)
6	Belize, Dominica, Eritrea, Guinea-Bissau, Lesotho, Mali, Nigeria, Saint Vincent and the Grenadines, San Marino, Swaziland (10 States parties)
5	Bahrain, Côte d'Ivoire, Equatorial Guinea, Grenada (4 States parties)
4	Bolivia (Plurinational State of), Jamaica, Liberia, Malawi, Mozambique, Seychelles (6 States parties)
3	Afghanistan, Bangladesh, Botswana, Congo, Dominican Republic, Guyana, Indonesia, Lao People's Democratic Republic, Libya, Malaysia, Maldives, Namibia, Niger, Panama, Papua New Guinea, Romania, Saint Lucia, Somalia, Timor-Leste, Togo, Zimbabwe (21 States parties)
2	Algeria, Andorra, Antigua and Barbuda, Bahamas, Benin, Brazil, Burundi, Cambodia, Central African Republic, Chad, Comoros, Djibouti, Ghana, Guinea, Kiribati, Mauritania, Mauritius, Nauru, Pakistan, Samoa, Saudi Arabia, Senegal, Sierra Leone, Tajikistan, Vanuatu, Zambia (26 States parties)
1	Austria, Barbados, Brunei Darussalam, Burkina Faso, Cameroon, Chile, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Democratic Republic of the Congo, Egypt, Estonia, Finland, Gabon, Gambia, Haiti, Iran (Islamic Republic of), Israel, Japan, Kenya, Lebanon, Liechtenstein, Malta, Micronesia (Federated States of), Monaco, Morocco, Myanmar, Palau, Peru, Saint Kitts and Nevis, Sao Tome and Principe, Slovakia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tonga, Tunisia, Tuvalu, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen (48 States parties)

9. Regarding overdue periodic reports, 2 States parties had 6 reports pending; 6 States parties had 5 reports pending; 13 States parties had 4 reports pending; 28 States parties had 3 reports pending; 37 States parties had 2 reports pending; and 50 States parties had 1 report pending (see table 5).

Table 5 **States parties with overdue periodic reports as at 1 March 2017** 

Number of overdue periodic reports	States parties
6	Nicaragua, Syrian Arab Republic (2 States parties)
5	Brazil, Chad, Egypt, Libya, Uganda, Zambia (6 States parties)
4	Afghanistan, Algeria, Botswana, Democratic Republic of the Congo, Ethiopia, Guyana, Hungary, Malta, Mexico, Nigeria, Panama, Trinidad and Tobago, Zimbabwe (13 States parties)

Number of overdue periodic reports	States parties
3	Bahamas, Barbados, Belize, Bolivia (Plurinational State of), Cambodia, Congo, Côte d'Ivoire, Djibouti, Gabon, Georgia, India, Indonesia, Israel, Lao People's Democratic Republic, Latvia, Lesotho, Liechtenstein, Luxembourg, Madagascar, Mali, Mauritius, Morocco, Mozambique, Papua New Guinea, Senegal, Togo, Tunisia, Yemen (28 States parties)
2	Albania, Antigua and Barbuda, Argentina, Benin, Burundi, Cape Verde, Central African Republic, Chile, Comoros, Costa Rica, Croatia, Democratic People's Republic of Korea, El Salvador, Equatorial Guinea, Gambia, Ghana, Grenada, Guinea, Iceland, Iran (Islamic Republic of), Jamaica, Japan, Maldives, Nepal, Philippines, Republic of Korea, Saint Kitts and Nevis, Saint Vincent and the Grenadines, San Marino, Seychelles, Solomon Islands, South Africa, Swaziland, Switzerland, Turkey, United Republic of Tanzania, Viet Nam (37 States parties)
1	Armenia, Austria, Bahrain, Bangladesh, Belarus, Bulgaria, Cameroon, China, Colombia, Cook Islands, Cuba, Dominica, Dominican Republic, Ecuador, Estonia, Fiji, Germany, Greece, Guatemala, Guinea-Bissau, Haiti, Iraq, Ireland, Jordan, Kazakhstan, Kenya, Kiribati, Malaysia, Micronesia (Federated States of), Monaco, Myanmar, Netherlands, Niger, Norway, Peru, Portugal, Qatar, Romania, Saint Lucia, Samoa, Serbia, Sierra Leone, Slovenia, Somalia, Sudan, Suriname, Tajikistan, Thailand, Tonga, Venezuela (Bolivarian Republic of) (50 States parties)

## IV. Reporting status, by treaty, as at 1 March 2017

- 10. As at 1 March 2017, 574 reports (280 initial reports and 294 periodic reports) were overdue. That was equivalent to 34 per cent of all reports to be submitted to the treaty bodies. The treaties with the highest proportion of States parties that were not complying with their reporting obligations or that were not complying in a timely manner were the International Convention on the Elimination of All Forms of Racial Discrimination (54 per cent), the International Covenant on Economic, Social and Cultural Rights (41 per cent), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (40 per cent) and the International Covenant on Civil and Political Rights (36 per cent) (see table 6).
- 11. With regard to initial reports that States parties are required to submit within one or two years following the entry into force of the treaty for the State, such reports 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 (65), the Convention on the Rights of Persons with Disabilities (48), the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (46), the International Covenant on Economic, Social and Cultural Rights (30), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (27), the International Covenant on Civil and Political Rights (17), the International Convention for the Protection of All Persons from Enforced Disappearance (15), the International Convention on the Elimination of All Forms of Racial Discrimination (15), the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (10), the Convention on the Elimination of All Forms of Discrimination Against Women (5) and the Convention on the Rights of the Child (2) (see table 6).

- 12. The treaties with the highest proportion of non-reporting States parties (overdue initial reports) were the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (37 per cent), the Convention on the Rights of Persons with Disabilities (28 per cent), the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (28 per cent), and the International Convention for the Protection of All Persons from Enforced Disappearance (27 per cent) (see table 6).
- 13. The treaties with the highest number of overdue periodic reports were the International Convention on the Elimination of All Forms of Racial Discrimination (82), the Convention on the Elimination of All Forms of Discrimination against Women (46), the International Covenant on Civil and Political Rights (43), the Convention on the Rights of the Child (40), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (38) and the International Covenant on Economic, Social and Cultural Rights (38) (see table 6).
- 14. The treaties with the highest proportion of overdue reports (initial and periodic) were the International Convention on the Elimination of All Forms of Racial Discrimination (46 per cent), the International Covenant on Civil and Political Rights (25 per cent), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (24 per cent) and the Convention on the Elimination of All Forms of Discrimination against Women (24 per cent) (see table 6).

Table 6

Overdue reports, by treaty, as at 1 March 2017

		Overdue initial reports		Overdue periodic reports		
Treaty	Number of States parties (a)	Number (b)	Percentage $(b) \div (a)$	Number (c)	Percentage (c)÷(a)	Total number of overdue reports (percentage)
ICCPR	169	17	10%	43	25%	60 (36%)
ICESCR	165	30	18%	38	23%	68 (41%)
ICERD	178	15	8%	82	46%	97 (54%)
CAT	161	27	17%	38	24%	65 (40%)
CEDAW	189	5	3%	46	24%	51 (27%)
CRC	196	2	1%	40	20%	42 (21%)
OP-CRC-SC <sup>a</sup>	173	65	38%	0	0%	65 (38%)
OP-CRC-AC <sup>a</sup>	166	46	28%	0	0%	46 (28%)
ICRMW	50	10	20%	7	14%	17 (34%)
CRPD	172	48	28%	0	0%	48 (28%)
$ICPPED^b$	56	15	27%	0	0%	15 (27%)
Total		280	17%	294	18%	574 (34%)

*Note:* The data in the table are based on original due dates. However, States parties that have opted to use the simplified reporting procedure have been assigned new due dates.

<sup>&</sup>lt;sup>a</sup> Pursuant to article 12 (2) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and article 8 (2) of the Optional Protocol to the convention on the Rights of the Child on the involvement of children in armed conflict, following the submission of the comprehensive initial report, each State party shall include in the periodic reports submitted to the Committee on the Rights of the Child in accordance with article 44 of the Convention on the Rights of the Child any further information regarding the implementation of the respective protocol.

<sup>&</sup>lt;sup>b</sup> Although the International Convention for the Protection of All Persons from Enforced Disappearance does not provide for periodic reports, pursuant to article 29 (4) of the Convention, the Committee on Enforced Disappearances may request States parties to provide additional information on its implementation.

15. Of the 280 overdue initial reports, 114 (41per cent) were less than 5 years overdue, 56 reports (20 per cent) were between 5 and 10 years overdue and 110 reports (39 per cent) were more than 10 years overdue. Under the following treaties, more than 50 per cent of the overdue initial reports were more than 10 years overdue: the Convention on the Elimination of All Forms of Discrimination against Women (80 per cent), the International Covenant on Economic, Social and Cultural Rights (73 per cent), the International Convention on the Elimination of All Forms of Racial Discrimination (67 per cent), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (59 per cent), the International Covenant on Civil and Political Rights (59 per cent) and the Convention on the Rights of the Child (50 per cent) (see table 7).

Table 7

Overdue initial reports, by length of time and treaty, as at 1 March 2017

		Length of time			
Treaty	Number of overdue initial reports	Number of reports less than 5 years overdue (percentage)	Number of reports between 5 and 10 years overdue (percentage)	Number of reports more than 10 years overdue (percentage)	
ICCPR	17	1 (6%)	6 (35%)	10 (59%)	
ICESCR	30	3 (10%)	5 (17%)	22 (73%)	
ICERD	15	2 (13%)	3 (20%)	10 (67%)	
CAT	27	10 (37%)	1 (4%)	16 (59%)	
CEDAW	5	1 (20%)	0	4 (80%)	
CRC	2	1 (50%)	0	1 (50%)	
OP-CRC-SC	65	27 (42%)	13 (20%)	25 (38%)	
OP-CRC-AC	46	21 (46%)	6 (13%)	19 (41%)	
ICRMW	10	3 (30%)	4 (40%)	3 (30%)	
CRPD	48	35 (72%)	13 (27%)	0	
ICPPED	15	10 (67%)	5 (33%)	0	
Total	280	114 (41%)	56 (20%)	110 (39%)	

16. Of the 294 overdue periodic reports, 155 (53 per cent) were less than 5 years overdue, 69 (23 per cent) were between 5 and 10 years overdue and 70 (24 per cent) were more than 10 years overdue. The International Covenant on Civil and Political Rights had the highest percentage of periodic reports overdue for more than 10 years (42 per cent), followed by the International Convention on the Elimination of All Forms of Racial Discrimination (32 per cent) (see table 8).

 ${\bf Table~8} \\ {\bf Overdue~periodic~reports,~by~length~of~time~and~treaty,~as~at~1~March~2017}$ 

		Length of time				
Treaties	Number of overdue periodic reports	Number of reports less than 5 years overdue (percentage)	Number of reports between 5 and 10 years overdue (percentage)	Number of reports more than 10 years overdue (percentage)		
ICCPR	43	14 (33%)	11 (26%)	18 (42%)		
ICESCR	38	15 (39%)	13 (34%)	10 (26%)		
ICERD	82	34 (41%)	21 (25%)	27 (32%)		
CAT	38	27 (71%)	4 (11%)	7 (18%)		
CEDAW	46	38 (83%)	6 (13%)	2 (4%)		
CRC	40	22 (55%)	12 (30%)	6 (15%)		
OP-CRC-AC <sup>a</sup>	0	0	0	0		
OP-CRC-SC <sup>a</sup>	0	0	0	0		

		Length of time			
Treaties	Number of overdue periodic reports	Number of reports less than 5 years overdue (percentage)	Number of reports between 5 and 10 years overdue (percentage)	Number of reports more than 10 years overdue (percentage)	
ICRMW	7	5 (71%)	2 (29%)	0	
CRPD	0	5 0	0	0	
$ICPPED^b$	0	0	0	0	
Total	294	155 (53%)	69 (23%)	70 (24%)	

<sup>&</sup>lt;sup>a</sup> Pursuant to article 12 (2) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and article 8 (2) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, following the submission of the comprehensive initial report, each State party shall include in the periodic reports submitted to the Committee on the Rights of the Child in accordance with article 44 of the Convention on the Rights of the Child any further information regarding the implementation of the respective protocol.

<sup>&</sup>lt;sup>b</sup> Although the International Convention for the Protection of All Persons from Enforced Disappearance does not provide for periodic reports, pursuant to article 29 (4) of the Convention, the Committee on Enforced Disappearances may request States parties to provide additional information on its implementation.