CESCR note on the procedure for follow-up to concluding observations[[1]](#footnote-2)\*

1. At its twenty-first session (December, 1999), the Committee adopted procedures for follow-up action. It decided that “where appropriate, the Committee may, in its concluding observations, make a specific request to a State party to provide more information or statistical data at a time prior to the date that the next periodic report is due to be submitted” and/or “where appropriate, the Committee may, in its concluding observations ask the State party to respond to any pressing specific issue identified with the concluding observations prior to the date that the next report is due to be submitted”[[2]](#footnote-3).
2. The Committee views the follow-up action as an integral part of the review process aimed at further enhancing the enjoyment of economic, social and cultural rights, and enabling civil society, NGOs, and human rights defenders in this regard. The present Note aims to elaborate on updated procedures for follow-up action, to be initiated from the 61st Session (29 May - 23 June 2017), on a pilot basis.

Rapporteur for follow-up to concluding observations

1. The Committee appoints a Rapporteur on follow-up to concluding observations, in charge of the procedure, for a one-year term.

Number of selected recommendations, criteria for selection, and reply by the State party

1. Taking into account the views expressed by the State party during the dialogue and based on its own assessment, the Committee selects up to three recommendations from its concluding observations that will be included in the follow-up procedure. The criteria for this selection are that the selected recommendations require urgent action, and that should be attainable within a period of 24 months. The State party is required to respond to the selected recommendations within 24 months. Its replies will constitute the follow-up report and will be made public on the webpage of the Committee.

Guidance on the drafting of follow-up reports by States parties

* The follow-up report shall be concise, focused, and not exceed a maximum length of 3500 words;
* It shall include information on the concrete measures taken by the State party in response to the selected recommendations;
* It shall be submitted in one of the official languages of the United Nations, with an electronic version in Word sent to the following email address: cescr@ohchr.org.

Guidance on the submission of information related to the follow-up by National Human Rights Institutions, NGOs, and other organizations

* National Human Rights Institutions, NGOs and other civil society organizations can submit information on the follow-up, as they do for the reporting procedure. The information should be presented in a concise manner, with a maximum length of 3500 words, and sent in electronic version in Word to [cescr@ohchr.org](mailto:cescr@ohchr.org). This information should be sent within 24 months after the adoption of the concluding observations or, at the latest, one month after the State party’s follow-up report is made public. These submissions shall be made public.

Action taken in response to States parties replies

1. The Rapporteur on follow-up to concluding observations, working in close cooperation with the country rapporteur and the pre-sessional Working Group, when possible, will assess whether the information provided by the State party in the follow-up report responds to the Committee’s concerns and recommendations, and report on that to the Committee.
2. The Committee will discuss in private meeting the progress made by the State party in response to the follow-up recommendations.
3. The Chair will transmit the Committee’s assessment to the State party concerned within three weeks after the closure of the session during which the follow-up of the State party has been discussed, and the assessment will thereafter be made public on the Committee’s website.
4. States parties that were subject to this procedure will be indicated in the Committee’s annual report to ECOSOC.

Assessment of the States parties follow-up reports by the Committee:

* “Sufficient progress” when the State party has taken significant action in response to the recommendation made by the Committee; this will be acknowledged by the follow-up Rapporteur;
* “Insufficient progress” when the State party has taken some steps in response to the recommendation but needs to take further actions; in this case, the follow-up Rapporteur requests additional information in the next periodic report;
* “Lack of sufficient information to make an assessment”; in this case, the follow-up Rapporteur requests information on the measures taken by the State party in the next periodic report;
* “No response” if the State party does not provide any information in response to the Committee’s follow-up recommendations. In this case, the selected recommendations will be considered as a priority during the next dialogue.

Subsequent periodic report

1. Once the next periodic report of a State party is considered by the Committee, a new cycle for the follow-up procedure will commence. The information regarding follow-up from the previous reporting round shall be systematically integrated in the reporting process.

Assessment of the follow-up procedure

1. The Committee will assess the follow-up procedure after four years.

1. \* Adopted by the Committee on Economic, Social and Cultural Rights at its 61st session (29 May – 23 June 2017), and revised at its 64th session (24 September – 12 October 2018) to reflect the change in the deadline for the submission of follow-up reports from 18 to 24 months. [↑](#footnote-ref-2)
2. See para 38 of the Committee’s Report on the Twentieth and Twenty-First Sessions, (26 April-14 May 1999, 15 November-3 December 1999), [E/2000/22, E/C.12/1999/11](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2f2000%2f22&Lang=en) [↑](#footnote-ref-3)