|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | |
|  |  | |  |

**Thirty-first meeting of Chairs  
of the human rights treaty bodies**New York, 24–28 June 2019

Item 4 of the provisional agenda

**Reporting compliance by States parties**

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 31 December 2018. 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). |
|  |

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);
* 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);
* 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 31 December 2018. Reporting is a dynamic process; the data included in the note are regularly updated on the OHCHR website.[[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. Although, all efforts are made to reflect the most updated information, any inaccuracies, should be brought to the attention of the Secretariat.

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.[[2]](#footnote-3)

# 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, as requested by the Committee*a* |
| 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)) |

*a* 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 (see A/71/40, para. 75). 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 one extra year).

5. No specific periodicity is envisaged in the International Covenant on Economic, Social and Cultural Rights or 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. The Committee requests that periodic reports be submitted every three to six years following consideration of the State party’s previous 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. The International Convention for the Protection of All Persons from Enforced Disappearance does not provide for periodic reports; however, 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 31 December 2018

A. List of States parties without overdue reports

6. As at 31 December 2018, 37 of the 197 States parties had no overdue reports under the relevant international human rights treaties and protocols. That was equivalent to 18.7 per cent of States parties.

# Table 2 **States parties that had no overdue reports as at 31 December 2018**

| *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* |
| --- | --- | --- | --- |
|  |  |  |  |
| Angola | 7 | Oman | 6 |
| Argentina | 11 | Palau | 2 |
| Australia | 9 | Portugal | 10 |
| Azerbaijan | 10 | Qatar | 9 |
| Belarus | 7 | Republic of Korea | 9 |
| Bhutan | 4 | Russian Federation | 9 |
| Bulgaria | 9 | Saudi Arabia | 7 |
| Chile | 11 | Singapore | 5 |
| Cook Islands | 3 | Slovakia | 10 |
| Denmark | 9 | Spain | 10 |
| Ecuador | 11 | Sweden | 9 |
| Guatemala | 10 | Switzerland | 10 |
| Honduras | 11 | Tajikistan | 9 |
| Italy | 10 | Turkmenistan | 9 |
| Lithuania | 10 | Tuvalu | 3 |
| Mexico | 11 | United Arab Emirates | 5 |
| Mongolia | 10 | United Kingdom of Great Britain and Northern Ireland | 9 |
| Montenegro | 10 |  |  |
| New Zealand | 9 |  |  |
| Norway | 9 |  |  |
| **Total: 37 States parties** | | | |

B. States parties with overdue reports

7. Overdue reports are initial or periodic reports that are expected but not received. As at 31 December 2018, 162 of 197 States parties (82 per cent) were overdue in submitting initial or periodic reports. The number of overdue reports per State party ranged from one to seven.

8. The data in the following tables are based on original due dates. However, discrepancies may arise for those States parties that have opted to use the simplified reporting procedure and have been assigned new due dates and for those States considered in the absence of a report.

# Table 3 **States parties with overdue initial or periodic reports as at 31 December 2018**

| *Number of overdue reports* | *States parties* |
| --- | --- |
|  |  |
| 10 | Belize, Nigeria (2 States parties) |
| 9 | Lesotho (1 State party) |
| 8 | Egypt, Grenada, Guinea-Bissau, Libya, Mali, San Marino (6 States parties) |
| 7 | Afghanistan, Brazil, Burundi, Chad, Djibouti, Equatorial Guinea, Eswatini, Guyana, Saint Vincent and the Grenadines, Sao Tome and Principe (10 State parties) |
| 6 | Bahamas, Congo, Côte d'Ivoire, Dominica, Eritrea, Indonesia, Malta, Mozambique, Nicaragua, Papua New Guinea, Sierra Leone, Syrian Arab Republic, Togo, Zambia, Zimbabwe (15 States parties) |
| 5 | Algeria, Cabo Verde, Central African Republic, Comoros, Gabon, Gambia, Guinea, Jamaica, Liberia, Madagascar, Morocco, Panama, Seychelles, Somalia, Uganda, Yemen, State of Palestine (17 States parties) |
| 4 | Albania, Bahrain, Barbados, Cambodia, Croatia, Democratic Republic of the Congo, Dominican Republic, Ethiopia, Finland, Ghana, Iran (Islamic Republic of), Malawi, Malaysia, Namibia, Romania, Saint Lucia, Trinidad and Tobago, United Republic of Tanzania, Venezuela (Bolivarian Republic of) (19 States parties) |
| 3 | Andorra, Antigua and Barbuda, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burkina Faso, Cameroon, Costa Rica, Democratic People's Republic of Korea, Georgia, Haiti, Holy See, Hungary, Iceland, India, Japan, Kiribati, Lao People's Democratic Republic, Liechtenstein, Luxembourg, Maldives, Mauritania, Micronesia (Federated States of), Niger, Peru, Philippines, Saint Kitts and Nevis, Samoa, Solomon Islands, Sri Lanka, Thailand, Timor-Leste, Turkey, South Sudan (34 States parties) |
| 2 | Bangladesh, Belgium, Benin, China (Hong Kong), China (Macau), Estonia, Fiji, Germany, Greece, Kyrgyzstan, Latvia, Mauritius, Monaco, Myanmar, Nauru, Nepal, Pakistan, Paraguay, Senegal, Slovenia, South Africa, Suriname, The Republic of North Macedonia, Tunisia, Ukraine,United States of America, Uzbekistan, Vanuatu (28 States parties) |
| 1 | Armenia, Austria, Bosnia and Herzegovina, Canada, China, Colombia, Cuba, Cyprus, Czech Republic, El Salvador, France, Iraq, Ireland, Israel, Jordan, Kazakhstan, Kenya, Kuwait, Lebanon, Marshall Islands, Netherlands, Niue, Poland, Republic of Moldova, Rwanda, Serbia, Sudan, Tonga, Uruguay, Viet Nam (30 States parties) |
| **Total: 162 States parties** | |

9. As at 31 December 2018, 106 States parties were overdue in their submission of initial reports.

# Table 4

# **States parties with overdue initial reports as at 31 December 2018**

| *Number of overdue initial reports* | *States parties* |
| --- | --- |
|  |  |
| 7 | Guinea-Bissau, Belize (2 States parties) |
| 6 | Eritrea, Sao Tome and Principe, Grenada, San Marino, Lesotho, Nigeria (6 States parties) |
| 5 | State of Palestine, Côte d'Ivoire, Dominica, Equatorial Guinea, Saint Vincent and the Grenadines, Eswatini, Mali (7 States parties) |
| 4 | Cabo Verde, Liberia, Seychelles, Somalia, Bahamas, Congo (6 States parties) |
| 3 | Botswana, Micronesia (Federated States of), Samoa, Timor-Leste, South Sudan, Bahrain, Dominican Republic, Malawi, Malaysia, Namibia, Romania, Saint Lucia, Central African Republic, Comoros, Mozambique, Papua New Guinea, Zimbabwe, Afghanistan, Burundi, Guyana (20 States parties) |
| 2 | Mauritius, Nauru, Pakistan, Vanuatu, Antigua and Barbuda, Brunei Darussalam, Kiribati, Lao People's Democratic Republic, Mauritania, Niger, Sri Lanka, Cambodia, Finland, Gambia, Guinea, Jamaica, Panama, Bolivia (Plurinational State of), Indonesia, Malta, Sierra Leone, Togo, Zambia, Brazil, Chad, Djibouti, Libya (27 States parties) |
| 1 | Cyprus, Ireland, Kenya, Lebanon, Marshall Islands, Uruguay, Bangladesh, Benin, Fiji, Greece, Monaco, Myanmar, South Africa, Suriname, Tunisia, Ukraine, Andorra, Cameroon, Costa Rica, Democratic People's Republic of Korea, Haiti, Liechtenstein, Maldives, Saint Kitts and Nevis, Barbados, Croatia, Democratic Republic of the Congo, Ghana, Iran (Islamic Republic of), Trinidad and Tobago, United Republic of Tanzania, Algeria, Gabon, Madagascar, Morocco, Yemen, Syrian Arab Republic, Egypt (38 States parties) |
| **Total: 106 States parties** | |

# 10. As at 31 December 2018, 145 States parties had overdue periodic reports.

# Table 5 **States parties with overdue periodic reports as at 31 December 2018**

| *Number of overdue periodic reports* | *States parties* |
| --- | --- |
|  |  |
| 7 | Egypt (1 State party) |
| 6 | Libya, Nicaragua (2 States parties) |
| 5 | Brazil, Chad, Djibouti, Syrian Arab Republic, Uganda (5 States parties) |
| 4 | Afghanistan, Albania, Algeria, Burundi, Ethiopia, Gabon, Guyana, Indonesia, Madagascar, Malta, Morocco, Nigeria, Sierra Leone, Togo, Venezuela (Bolivarian Republic of), Yemen, Zambia (17 States parties) |
| 3 | Barbados, Belize, Burkina Faso, Croatia, Democratic Republic of the Congo, Gambia, Georgia, Ghana, Guinea, Holy See, Hungary, Iceland, India, Iran (Islamic Republic of), Jamaica, Japan, Lesotho, Luxembourg, Mali, Mozambique, Panama, Papua New Guinea, Peru, Philippines, Solomon Islands, Thailand, Trinidad and Tobago, Turkey, United Republic of Tanzania, Zimbabwe (30 States parties) |
| 2 | Andorra, Bahamas, Belgium, Cambodia, Cameroon, Central African Republic, Comoros, Congo, Costa Rica, Democratic People's Republic of Korea, Equatorial Guinea, Estonia, Finland, Germany, Grenada, Haiti, Kyrgyzstan, Latvia, Liechtenstein, Maldives, Nepal, Paraguay, Saint Kitts and Nevis, Saint Vincent and the Grenadines, San Marino, Senegal, Slovenia, Eswatini, The Republic of North Macedonia, United States of America, Uzbekistan, China (Hong Kong), China (Macau) (33 States parties) |
| 1 | Antigua and Barbuda, Armenia, Austria, Bahrain, Bangladesh, Benin, Bolivia (Plurinational State of),Bosnia and Herzegovina, Brunei Darussalam, Canada, Cabo Verde, China, Colombia, Côte d'Ivoire, Cuba, Czech Republic, Dominica, Dominican Republic, El Salvador, Fiji, France, Greece, Guinea-Bissau, Iraq, Israel, Jordan, Kazakhstan, Kiribati, Kuwait, Lao People's, Democratic Republic, Liberia, Malawi, Malaysia, Mauritania, Monaco, Myanmar, Namibia, Netherlands, Niger, Niue, Poland, Republic of Moldova, Romania, Rwanda, Saint Lucia, Sao Tome and Principe, Serbia, Seychelles, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Tonga, Tunisia, Ukraine, Viet Nam, (57 States parties) |
| **Total: 145 States parties** | |

IV. Reporting status, by treaty, as at 31 December 2018

11. As at 31 December 2018, 586 reports (261 initial reports and 325 periodic reports) from 160 States parties were overdue.

12. 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;

* Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (58 reports)
* the Convention on the Rights of Persons with Disabilities (51 reports)
* the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (42 reports)
* the International Covenant on Economic, Social and Cultural Rights (26 reports)
* the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (25 reports)
* the International Convention for the Protection of All Persons from Enforced Disappearance (19 reports)
* the International Covenant on Civil and Political Rights (15 reports)
* the International Convention on the Elimination of All Forms of Racial Discrimination (14 reports)
* the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (5 reports)
* the Convention on the Elimination of All Forms of Discrimination Against Women (4 reports)
* the Convention on the Rights of the Child (2 reports)

13. The treaties with the highest number of overdue periodic reports were;

* the International Convention on the Elimination of All Forms of Racial Discrimination (73), the International Covenant on Civil and Political Rights (51)
* the Convention on the Rights of the Child (50) (see table 6).

# Table 6 **Overdue reports, by treaty, as at 31 December 2018**

| *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)* |
| ICCPR | 172 | 15 | 8% | 56 | 33% | 71 (41%) |
| ICESCR | 169 | 26 | 15% | 46 | 27% | 72 (43%) |
| ICERD | 179 | 14 | 8% | 80 | 45% | 94 (53%) |
| CAT | 165 | 25 | 15% | 41 | 25% | 66 (40%) |
| CEDAW | 189 | 4 | 2% | 48 | 25% | 52 (28%) |
| CRC | 196 | 2 | 1% | 50 | 26% | 52 (27%) |
| OP-CRC-SC*a* | 175 | 58 | 33% | N/A | N/A | 58 (35%) |
| OP-CRC-AC*a* | 168 | 42 | 25% | N/A | N/A | 42 (25%) |
| ICRMW | 54 | 5 | 9% | 4 | 7% | 9 (17%) |
| CRPD | 177 | 51 | 29% | 0 | 0 | 51 (29%) |
| ICPPED*b* | 59 | 19 | 32% | N/A | N/A | 19 (32%) |
| **Total** | **1703** | **261** | **15%** | **325** | **19%** | **586(34%)** |

1. http://tbinternet.ohchr.org/\_layouts/TreatyBodyExternal/LateReporting.aspx. [↑](#footnote-ref-2)
2. In tables, the following abbreviations have been used:

   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

   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. [↑](#footnote-ref-3)