

THE STATE OF THE UN HUMAN RIGHTS TREATY BODY SYSTEM

2007

an NGO perspective

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Executive Summary

The UN Human Rights Treaty Body system has experienced both positive and negative developments over the last 12 months. Of continuing concern from an NGO perspective is the general lack of visibility and general awareness of the treaty system's recommendations and decisions, and the lack of implementation by states. While most treaty bodies are facilitating more transparency and deeper NGO involvement in their proceedings, the trend toward emphasis on a list of issues and state response instead of the original state report means that the relevance of NGO input is slipping. Several recommendations are offered at the end of this report (pages 6-7) to help address these concerns.

The growth trends in number of ratifying states, numbers of reports and individual complaints, and the development of a new universal periodic mechanism under the Human Rights Council, makes it imperative for the treaty body system to manage and plan for workloads and growth trends, in order to effectively respond to greater awareness and use of its mechanisms.

Please note that a glossary of terms used in this document is included in the final appendix.

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1. INTRODUCTION

This is a summary report highlighting changes in the UN human rights treaty body system during the last 12 months (since mid-2006), with emphasis on issues of importance to NGOs, NHRIs and other human rights advocates and defenders. The statistics used in this report should be considered indicative only, helpful in identifying trends and resource needs but not statistically authoritative. The information has been gathered from public data sources including the online treaty body database, but these sources sometimes are not current or are corrected or modified after the data is first issued.

2. ACCOMPLISHMENTS

Since mid-2006 there are two new treaty instruments opened for signature (Disabilities and Disappearances Conventions), one new treaty body (SPT), and 63 new country ratifications of the core human rights treaties. Several states that were chronically late on their submission of reports have filed and will presented their reports during 2007. More treaty bodies have stabilized or improved their state

report backlogs. Greater inter-committee cooperation is occurring. More information is consistently being made available to NGOs and human rights advocates on each of the treaty body websites. Useful efforts to harmonize and rationalize procedures and reporting requirements between treaty bodies are continuing. The details of the universal periodic review function of the Human Rights Council are coming into focus and should soon be a useful interrelationship to the treaty body system.

3. CONCERNS

However, among the concerns of 2007 are the continuing backlog of individual complaints, the lack of general publicity and awareness of the results and recommendations of the treaty body system, and the continuing challenges to promote meaningful implementation of recommendations in the field.

There is also a worrisome trend associated with the responses to the list of issues in the state reporting cycle. While both the development of the list of issues structure and the submission of an increasing number of replies by states are both welcome trends, the unfortunate consequence is to shift the most relevant exchange of substantive views away from the domain where NGO input is now most emphasized. Thus the trend over the last 10 years in all of the treaty bodies, of opening up its process more and more to NGO input, is in danger of being undermined by the shifting of the relevant sequence of steps in the reporting cycle. As discussed below, there is no easy answer to this problem. We recommend in the last section of this report that the phenomenon be studied and effective solutions sought.

4. TREATY BODY EXPERTS

There are now 125 experts serving in the eight operating treaty bodies, coming from 71 different countries. Of these, 38 countries have a single expert in the system; 33 countries have 2 or more experts in the system. Of these experts, 49 are women and 76 are men (39.2%). However, if you remove CEDAW from these figures (where 22 of 23 are women), the percentage of women goes down to 26.5% (27 women, 75 men).

| Treaty body | Number of experts |
|--------------------------------|-------------------|
| Human Rights Committee (ICCPR) | 18 |
| CESC | 18 |
| CEDAW | 23 |
| САТ | 10 |
| OPCAT | 10 |
| CERD | 18 |
| CRC | 18 |
| CMW | 10 |
| TOTAL | 125 |

To my knowledge there is one member of an indigenous community currently serving as a treaty body expert. There is no member of a disabled group or community serving as an expert to my knowledge.

5. INCREASE IN RATIFICATIONS & ACCESSIONS

All human rights instruments have experienced an increase in ratifications since last year, with the most significant gains occurring in the OPCAT and the two optional protocols to the Convention on the Rights of the Child.

| Instrument | Mid-2006 | Mid-2007 |
|-------------------------------|----------|----------|
| ICCPR | 155 | 160 |
| CESC | 152 | 156 |
| CEDAW | 180 | 185 |
| CAT | 141 | 144 |
| OPCAT | 20 | 34 |
| CERD | 170 | 173 |
| CRC | 192 | 193 |
| CRC Opt Prot Sale of Children | 103 | 119 |
| CRC Opt Prot Armed Conflict | 104 | 114 |
| CMW | 34 | 36 |
| Disappearances (CED) | 0 | 0 |
| Disabilities (CPD) | 0 | 1 |
| TOTAL | 1251 | 1314 |
| Percentage increase | | 5% |

6. OVERDUE REPORTS BY TREATY INSTRUMENT

Statistics on the number of overdue reports are periodically updated in the online treaty body database of the Office of High Commissioner website. According to this database of the end of May 2007, the following reports were overdue by treaty:

| ICCPR | 90 |
|-------------------------------|------|
| CESC | 213 |
| CEDAW | 247 |
| САТ | 170 |
| CERD | 483 |
| CRC | 103 |
| CRC Opt Prot Sale of Children | 72 |
| CRC Opt Prot Armed Conflict | 65 |
| CMW | 29 |
| TOTAL | 1472 |

Ratio of overdue reports to number of treaty ratifications

Is the number of overdue reports getting better or worse? In absolute terms, the number is increasing over time, but part of this is no doubt due to the growing size of the system. At least one way to evaluate the status of overdue reports is to compare these numbers to the base number of countries who are ratifying the treaties. Logically the number of overdue reports will go up simply when the number of countries who are required to submit reports is increasing. Thus comparing the total number of overdue reports to the total number of ratifying countries provides a rough indication of whether the phenomenon is getting better or worse. At least as measured during the last 2 years, this approach yields a fairly uniform ratio between overdue reports and number of ratifying states.

| | Mid-2005 | Mid-2006 | Mid-2007 |
|-------------------------|----------|----------|----------|
| Overdue reports | 1381 | 1420 | 1472 |
| Number of ratifications | 1213 | 1231 | 1279* |
| Ratio | 1.14 | 1.15 | 1.15 |

*The one ratification in 2007 of the Disabilities Convention is excluded since the Convention has not yet come into force. The ratifications of OPCAT in all 3 years are excluded since no reports are required under that optional protocol.

7. STATES BEING CONSIDERED IN ONE OR MORE TREATY BODY SESSIONS IN 2007

It is also suggested that one of the indicators of the burden or efficiency of the system as it grows is to consider how many states are appearing each year and how many states are experiencing multiple appearances. As the system grows these multiple appearances might themselves become a scheduling issue.

For 2007, these numbers appear as follows:

| Number of reports | 135* |
|---|------|
| Number of states | 90 |
| States with 2 treaty body appearances in 2007 | 26 |
| States with 3 treaty body appearances in 2007 | 6 |
| States with 4 treaty body appearances in 2007 | 0 |
| States with 5 treaty body appearances in 2007 | 1** |

*this figure includes 6 circumstances where no report has been submitted and the treaty body has scheduled consideration of the state's human rights situation in the absence of a report

**3 of the 5 treaty body appearances for this state (Costa Rica) are in the CRC where its periodic report and two optional reports are being considered together in one session

See Appendix a to this paper for a detailed list of states who are scheduled for one or more treaty body appearances during 2007.

8. AVERAGE LENGTH OF REPORTS SUBMITTED TO THE TREATY BODIES, 2005 VS. 2007

In 2005 I reviewed each of the reports that were considered by the treaty bodies in their 2005 sessions, including the average number of pages in the state reports filed under each treaty. I have done the same review in 2007 and can offer the following comparative analysis, which indicates the average number of pages per report has gone down 28% in these two years.

| | 2005 | 2007 | % change |
|------------------------|------------|------------|----------|
| ICCPR | 96.6 | 89 | -7.8% |
| CESC | 132 | 136 | +0.3% |
| CEDAW | 76.2 | 84 | +10.2% |
| САТ | 91.9 | 56 | -39.1% |
| CERD | 45.9 | 49 | +6.8% |
| CRC | 136.9 | 87.6 | -37.2% |
| CMW | no data | 86 | n/a |
| AVERAGE of all reports | 93.9 pages | 67.7 pages | -28% |

*For these purposes I have excluded the reports under the optional protocols to the CRC since those tend to be briefer and will eventually be included in the main reports submitted to the Committee. However, in 2007, these CRC optional protocol reports represented 600 of 1800 total report pages reviewed by the Committee (33%) and averaged 34 pages (OPSA) and 10.3 pages (OPAC) respectively. **In theory initial reports will be longer than periodic reports but in the 2007 reports the difference between the two types did not appear to be statistically significant. In my 2005 research I did not record whether there was a significant difference between the page length of these two types.

Note that the one report submitted to date which expressly follows the new harmonized reporting guidelines (the UNMIK report filed in 2006 under the CCPR) has a total of 128 pages, consisting of 49 pages for the core document and 79 pages for the periodic report. This 79 page periodic report segment would exceed the average report length of 67.7 pages indicated above for 2007, but it is less than the 89 page average for periodic reports submitted in 2007 under the CCPR to the Human Rights

Committee. However, since the core report would have to be updated from time to time, perhaps at the time of each new periodic report that is submitted, the total average report length filed may be something like 90-100 pages using this structure (in other words, 10-20 pages of additional core document pages filed for each periodic report).

Availability and average length of supplemental state party responses

As of 2007 most treaty bodies are now posting online some or all of the responses they receive from state parties to the Committee's list of issues. This has made it possible to begin to measure the impact of these responses on the system. For purposes of the following table I looked at the results of each of the last two sessions of each treaty body as posted online (except CMW where I used all 3 sessions they have held since inception). I recorded the number of state party replies posted and the number of pages of each response and compared it to the original report lengths.

| Committee | Session | Responses posted* | Page length of responses | Page length of orig repts |
|-----------|----------|-------------------|--|---------------------------|
| CCPR | Mar 2007 | 2 of 3 | 24 + 31 = 27.5 page average | 89 |
| | Oct 2006 | 2 of 4 | 38 + 58 = 45.5 page average | 89 |
| CESC | May 2007 | 3 of 3 | 74+69+46= 63 page average | 136 |
| | Nov 2006 | 5 of 5 | 59.2 page average | 136 |
| CERD | Feb 2007 | 4 of 7 | 19.5 page average | 49 |
| | Aug 2006 | 1 of 8 | 41 pages | 49 |
| CEDAW | May 2007 | 8 of 8 | 29.1 page average | 84 |
| | Jan 2007 | 15 of 15 | 30.6 page average | 84 |
| CAT | May 2007 | 5 of 7** | 61.8 page average | 56 |
| | Nov 2006 | 3 of 7 | 58+59+131=82.7 | 56 |
| CRC | May 2007 | 12 of 12 | Main rept71.8 page ave OPAC – 6.5 page ave OPSA – 23.5 page ave | 88 |
| | Jan 2007 | 10 of 12 | Main rept– 58.3 page ave OPAC – 4.5 page ave OPSA – 7.5 page ave | 88 |
| CMW | Apr 2007 | 1 of 1 | 26 pages | 86 |
| | Oct 2006 | 1 of 1 | 64 pages | 86 |
| | Apr 2006 | 1 of 1 | 16 pages | 86 |
| TOTALS | | 71 of 94 (75.5%) | 40 page average | 67.7 page average |

*The figures in bold font indicate a session where all state party responses were eventually posted online in one or more languages.

**In the May 2007 CAT session, one response is not posted. Another response is indicated as being available, but the link to the response does not work. Thus only 5 of 7 state party responses are actually available.

9. SUGGESTIONS FOR MAKING THE TREATY BODY SYSTEM MORE EFFECTIVE

The following are some suggestions for how the treaty body system could be improved, including to facilitate more effective participation by NGOs and National Human Rights Institutions, and to more effectively implement of results and recommendations

- 1. Written responses to lists of issues. Continue the trend of posting copies of state written replies to lists of issues as promptly as possible so that NGOs and other interested parties can access them before the relevant treaty body appearance. Harmonize the different Committee practices currently in effect.
- 2. NGO & NHRI input. Explore methods for ensuring effective NGO and NHRI input to the written replies of states to the Committee's list of issues. Perhaps establish an open ended work group to study this issue and report to the next Inter-Committee Meeting with recommendations.

- 3. **Trends in state reports.** Monitor and assess the impact of changes in state reporting guidelines, including on the quality of such reports, responsiveness to prior concluding observations, responsiveness to relevant new general comments, page length, and by soliciting feedback from states, NGOs and National Human Rights Institutions
- **4. Individual communications.** Methods for making information about the individual communication procedures more visible should be pursued, in addition to prompt information about the results of the decisions when made. A dialogue should be established between the treaty bodies who are reviewing individual communications and NGOs , NHRIs, and national and regional human rights courts and mechanisms, to evaluate whether the jurisprudence emerging from these decisions are clear and useable as precedents in the national court and complaint systems.
- 5. Scheduling regularity and transparency. Continue to improve regularity and transparency of scheduling information so that NGOs and NHRIs have prompt notice of coming state appearances, and have sufficient time to prepare and provide input to state report proceedings
- 6. **Disability access.** Take steps to ensure that all treaty body sessions and materials are accessible to disabled persons.
- 7. **Inter-treaty body management structure.** Create an inter-committee management structure that can address workload, backlogs, and other system management needs for the treaty body system. Perhaps establish an open ended work group to study this management function and how it could be structured.
- 8. **Publicity.** Develop a strategy for more effective publicizing of treaty body results, including predictable access to NGOs, media and other interested parties. The strategy should include timing issues, summarizing content to facilitate wider distribution and recognition, and uses of new technology to better distribute information about the treaty body system.
- 9. Treaty body reform transparency. Establish a more transparent forum for treaty body discussions so that NGOs can meaningfully participate, including better notice and opportunity to NGOs from the South to take advantage of any fellowship grants made available for their travel and participation at such meetings.
- 10. Publish reports on prior treaty body reform events. Encourage the OHCHR to publish the summary results of the Fall 2005 online treaty body reform discussion and the Summer 2006 Malbun II treaty body reform meeting.
- 11. **Annual statistical summary of the system.** Establish a practice of compiling an annual "State of the Treaty Body System" report that summarizes data that can meaningfully track the successes and problems of the system, and help to manage its future workload.
- **12. Treaty body composition.** To the extent not already being done, each treaty body should regularly assess its composition, including through NGO and NHRI input, identifying any important skill sets, gender, regional, or other backgrounds that are missing or under represented in its current composition, and recommend to the state parties who will be selecting the next members of the Committee to consider these matters when choosing the next experts.

APPENDIX A LIST OF STATES APPEARING IN ONE OR MORE TREATY BODY SESSIONS DURING 2007

| Algeria | HRC | 10/2007 | |
|--------------------------|----------------|--------------------|-----------|
| Antigua & Barbuda | CERD | 02/2007 | |
| Australia | CAT | 11/2007 | |
| Austria | CEDAW | 01/2007 | |
| Austria | HRC | 03/2007 | |
| Azerbaijan | CEDAW | 01/2007 | |
| Bangladesh | CRC | 05/2007 | |
| Barbados | HRC | 03/2007 | |
| Belgium | CESC | 11/2007 | |
| Belize Benin | CEDAW | 07/2007 | |
| | | 11/2007 | |
| Botswana | HRC | 10/2007 | |
| Brazil | CEDAW | 07/2007 | |
| Bulgaria | CRC CRC | 09/2007 | OPAC |
| Bulgaria Canada | | 09/2007 | OPSA |
| Chile | CERD CRC | 02/2007 | |
| | | 01/2007 03/2007 | |
| Chile Colombia | HRC | | |
| Cook Islands | CEDAW CEDAW | 01/2007 | |
| | | 07/2007 | |
| Costa Rica Costa Rica | CRC CRC | 01/2007 | OPAC |
| Costa Rica Costa Rica | CRC | 01/2007 | OPAC |
| Costa Rica | HRC | 03/2007 | UFSA |
| Costa Rica Costa Rica | CERD | 03/2007 | |
| Costa Rica | CERD | 11/2007 | |
| Croatia | CRC | 09/2007 | |
| Czech Republic | CERD | 02/2007 | |
| Czech Republic | HRC | 07/2007 | |
| Dem Rep Congo | CERD | 08/2007 | |
| Denmark | CAT | 05/2007 | Greenland |
| Ecuador | CMW | 11/2007 | Greenland |
| Egypt | CMW | 04/2007 | |
| Estonia | CEDAW | 07/2007 | |
| Estonia | CAT | 11/2007 | |
| Finland | CESC | 05/2007 | |
| France | CRC | 09/2007 | OPAC |
| France | CRC | 09/2007 | OPSA |
| France | CESC | 11/2007 | |
| Georgia | HRC | 10/2007 | |
| Greece | CEDAW | 01/2007 | |
| Grenada | HRC | 07/2007 | |
| Guatemala | CRC | 05/2007 | |
| Guatemala | CRC | 05/2007 | OPAC |
| Guatemala | CRC | 05/2007 | OPSA |
| Guinea | CEDAW | 07/2007 | |
| Honduras | CRC | 01/2007 | |
| Honduras | CEDAW | 07/2007 | |
| Hungary | CESC | 05/2007 | |
| Hungary | CEDAW | 07/2007 | |
| India | CEDAW | 01/2007 | |
| India | CERD | 02/2007 | |
| Indonesia | CEDAW | 07/2007 | |
| Indonesia | CERD | 08/2007 | |
| Israel | CERD | 02/2007 | |
| Italy | CAT | 05/2007 | |
| Japan | CAT | 05/2007 | |
| Jordan | CEDAW | 07/2007 | |
| Kazakhstan | CEDAW | 01/2007 | |
| Kazakhstan | CRC | 05/2007 | |
| Kenya | CRC | 01/2007 | |
| Kenya | CEDAW | 07/2007 | |
| Kyrgyzstan | CRC | 01/2007 | OPAC |
| Kyrgyzstan | CRC | 01/2007 | OPSA |
| Kyrgyzstan | CERD | 08/2007 | |
| Latvia | CESC | 05/2007 | |
| Latvia | CAT | 11/2007 | |
| Libya | HRC | 10/2007 | |
| | | - | |

 Libya
 HRC
 10/2007

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| Liechtenstein | CERD | 02/2007 | |
|---------------------------|--------------|--------------------|-------|
| Liechtenstein | CEDAW | 07/2007 | |
| Lithuania | CRC | 09/2007 | OPAC |
| Luxembourg | CAT | 05/2007 | |
| Luxembourg | CRC | 09/2007 | OPAC |
| Madagascar | HRC | 03/2007 | |
| Malawi | CERD | 08/2007 | |
| Malaysia | CRC | 01/2007 | |
| Maldives | CEDAW | 01/2007 | |
| Maldives | CRC | 05/2007 | |
| Mali Marshall Islands | CRC | 01/2007 | |
| | CRC CEDAW | 01/2007 | |
| Mauritania Monaco | CEDAW | 05/2007 05/2007 | OPAC |
| Mozambique | CEDAW | 05/2007 | OI AC |
| Mozambique | CERD | 08/2007 | |
| Namibia | CEDAW | 01/2007 | |
| Namibia | CERD | 08/2007 | |
| Nepal | CESC | 05/2007 | |
| Netherlands | CEDAW | 01/2007 | |
| Netherlands | CAT | 05/2007 | |
| Netherlands Antilles | CESC | 05/2007 | |
| New Zealand | CEDAW | 07/2007 | |
| New Zealand | CERD | 08/2007 | |
| Nicaragua | CEDAW | 01/2007 | |
| Nicaragua | CERD | 08/2007 | |
| Niger | CEDAW | 05/2007 | |
| Norway | CRC | 05/2007 | OPAC |
| Norway | CEDAW | 07/2007 | |
| Norway | CAT | 11/2007 | |
| Pakistan | CEDAW | 05/2007 | |
| Pakistan | CERD | 08/2007 | |
| Paraguay | CESC | 11/2007 | |
| Peru | CEDAW | 01/2007 | |
| Poland Poland | CEDAW CAT | 01/2007 05/2007 | |
| Portugal | CAT | 11/2007 | |
| Qatar | CRC | 09/2007 | OPAC |
| Rep of Korea | CEDAW | 07/2007 | OI AC |
| Rep of Korea | CERD | 08/2007 | |
| Rep of Moldova | CERD | 08/2007 | |
| Serbia & Montenegro | CEDAW | 05/2007 | |
| Sierra Leone | CEDAW | 05/2007 | |
| Sierra Leone | CRC | 09/2007 | |
| Singapore | CEDAW | 07/2007 | |
| Slovakia | CRC | 05/2007 | |
| Spain | CRC | 09/2007 | OPAC |
| Spain | CRC | 09/2007 | OPSA |
| Sudan | CRC | 05/2007 | OPSA |
| Sudan | HRC | 07/2007 | |
| Suriname | CRC | 01/2007 | |
| Suriname | CEDAW | 01/2007 | |
| Sweden | CRC | 05/2007 | OPAC |
| Syria | CEDAW | 05/2007 | |
| Syria | CRC | 09/2007 | OPAC |
| Tajikistan | CEDAW | 01/2007 | |
| TFRY Macedonia | CERD | 02/2007 | |
| TFYR Macedonia | HRC | 10/2007 | |
| Togo | CERD | 08/2007 | |
| Ukraine | CRC | 05/2007 | OPSA |
| <u>Ukraine</u> Ukraine | CAT CESC | 05/2007 11/2007 | |
| | CRC | 05/2007 | |
| Uruguay Uzbekistan | CAT | 11/2007 | |
| Vanuatu | CEDAW | 05/2007 | |
| Venezuela | CRC | 09/2007 | |
| Viet Nam | CEDAW | 01/2007 | |
| | | | |

APPENDIX B MEMBERS OF THE 2007-2008 HUMAN RIGHTS COUNCIL THAT HAVE ONE OR MORE TREATY BODY APPEARANCES IN 2007

The following table lists the members of the Human Rights Council including members recently elected in 2007, indicating which ones have treaty body appearances in 2007.

| | Country | Term expires June of |
|-----------------------------|---------------------------|----------------------|
| | Angola | 2010 |
| | Azerbaijan | 2009 |
| | Bangladesh | 2009 |
| | Bolivia | 2010 |
| | Bosnia & Herzegovina | 2010 |
| | Brazil | 2008 |
| , | Cameroon | 2009 |
| | Canada | 2009 |
| , | China | 2009 |
| | Cuba | 2009 |
| | Djibouti | 2009 |
| | Egypt | 2009 |
| 1 | France | 2008 |
| V | Gabon | 2008 |
| | | 2008 |
| | Germany Ghana | 2009 |
| 2 | Guatemala | 2008 |
| $\frac{}{}$ | India | 2008 |
| $\sqrt{\frac{1}{\sqrt{2}}}$ | | |
| $\sqrt{1}$ | Indonesia | 2010 |
| $\frac{1}{\sqrt{2}}$ | Italy | 2010 |
| $\overline{}$ | Japan Jordan | 2008 2009 |
| $\frac{1}{\sqrt{2}}$ | 5 | 2009 |
| $\frac{1}{\sqrt{2}}$ | Madagascar Malaysia | 2010 |
| √ | Malaysia | 2009 |
| V | Mauritius | 2008 |
| | Mauffuus | 2009 |
| | Netherlands | 2009 |
| 1 | Nicaragua | 2010 |
| v | Nigeria | 2010 |
| | Pakistan | 2009 |
| $\sqrt{1}$ | Pakistan | 2008 |
| v | Philippines | 2008 |
| | Qatar | 2010 |
| V | Republic of Korea | 2010 |
| N | Romania | 2008 |
| | Russian Federation | 2008 |
| | Saudi Arabia | 2009 |
| | Senegal | 2009 |
| | Slovenia | 2009 |
| | South Africa | 2010 |
| | South Africa Sri Lanka | 2010 |
| | Ukraine | 2008 |
| N | United Kingdom | |
| | 0 | 2008 |
| √ | Uruguay Zambia | 2009 |
| N | Zamuua | 2008 |

Total = 24 of 47 members

APPENDIX C UNIVERSAL RATIFICATION SCENARIOS

Impact of universal ratification on volume of state party reporting under the international human rights treaties last revised: 26 May 2007

| | No. of Sta | te parties | Reporting | Annual n | umber of repo | orts under diff | ferent reporting | y scenarios |
|------------------|------------|------------|-----------|----------|---------------|-----------------|------------------|-------------|
| | 2007 | 2017 | cycle | 2007 | 2017-40% | 2017-60% | 2017-70% | 2017-100% |
| | | | | | | | | |
| HRC | 160 | 195 | 5 yrs | 14 | 16 | 23 | 27 | 39 |
| CAT | 144 | 195 | 4 yrs | 14 | 20 | 30 | 34 | 49 |
| CEDAW | 185 | 195 | 4 yrs | 38 | 20 | 30 | 34 | 49 |
| CERD | 173 | 195 | 4 yrs | 20 | 20 | 30 | 34 | 49 |
| CESC | 156 | 195 | 5 yrs | 10 | 16 | 23 | 27 | 39 |
| CMW | 36 | 195 | 5 yrs | 2 | 16 | 23 | 27 | 39 |
| CRC | 193 | 195 | 5 yrs | 15 | 16 | 23 | 27 | 39 |
| CRC AC | 114 | 195 | 5 yrs | 14 | 0 | 0 | 0 | 0 |
| CRC SC | 119 | 195 | 5 yrs | 10 | 0 | 0 | 0 | 0 |
| Disappearances | 0 | 195 | 5 yrs | 0 | 16 | 23 | 27 | 39 |
| Disabilities | 1 | 195 | 5 yrs | 0 | 16 | 23 | 27 | 39 |
| TOTALS | 1281 | 2145 | | 137 | 156 | 228 | 264 | 381 |
| % change fr 2007 | | 67% | | | 14% | 66% | 93% | 178% |

Notes:

1. By 2017 the separate reports for the CRC optional protocols should instead be combined into the main report

2. The different scenarios in 2017 use reporting at today's levels (40%), & increases to 50%, 60% 70% and ideal (100%)

Impact of universal ratification in 10 years on volume of state party reporting under the international human rights treation [assuming a uniform 5 year reporting cycle under all human rights instruments, instead of the 4 year cycle currently under CEDAW & CERD]

last revised: 26 May 2007

| | No. of Sta | te parties | Reporting | Annual nu | mber of repo | orts under diff | ferent reporting | scenarios |
|-----------------------|------------|------------|-----------|-----------|--------------|-----------------|------------------|-----------|
| | 2007 | 2017 | cycle | in 2007 | - | 2017-60% | 2017-70% | 2017-100% |
| | | | | | | | | |
| HRC | 160 | 195 | 5 yrs | 14 | 16 | 23 | 27 | 39 |
| CAT | 144 | 195 | 5 yrs | 14 | 16 | 23 | 27 | 39 |
| CEDAW | 185 | 195 | 5 yrs | 38 | 16 | 23 | 27 | 39 |
| CERD | 173 | 195 | 5 yrs | 20 | 16 | 23 | 27 | 39 |
| CESC | 156 | 195 | 5 yrs | 10 | 16 | 23 | 27 | 39 |
| CMW | 36 | 195 | 5 yrs | 2 | 16 | 23 | 27 | 39 |
| CRC | 193 | 195 | 5 yrs | 15 | 16 | 23 | 27 | 39 |
| CRC AC | 114 | 195 | 5 yrs | 14 | 0 | 0 | 0 | 0 |
| CRC SC | 119 | 195 | 5 yrs | 10 | 0 | 0 | 0 | 0 |
| Disappearances | 0 | 195 | 5 yrs | 0 | 16 | 23 | 27 | 39 |
| Disabilities | 1 | 195 | 5 yrs | 0 | 16 | 23 | 27 | 39 |
| TOTALS | 1281 | 2145 | | 137 | 144 | 207 | 243 | 351 |
| % change fr 2007 | | 67% | | | 5% | 51% | 77% | 156% |
| compared to 4 year of | cycle | | | | 14% | 66% | 93% | 178% |

Notes:

1. By 2017 the separate reports for the CRC optional protocols should instead be combined into the main report

 2. The different scenarios in 2017 use reporting at today's levels (40%), & increases to 50%, 60% 70% and ideal (100%)
 3. The changing of the reporting cycle from 4 years to 5 years for CERD, CAT & CEDAW has a major impact on increasing volume scenar as the treaty body system approaches universal ratification -- reductions of

APPENDIX D INDIVIDUAL COMMUNICATIONS

This table summarizes the number of states who have now ratified each of the individual complaint mechanisms available in the human rights treaty system, and the population base represented by those countries so ratifying the mechanism.

Population statistics were collected from the Geohive population database at <u>www.geohive.com</u>

| Instrument | Ratifications | Population base represented |
|------------|---------------|-----------------------------------|
| CCPR | 109 | 1.79 billion people |
| | | (27% of world's population) |
| CEDAW | 87 | 1.98 billion people |
| | | (30% of the world's population) |
| CERD | 47 | 1.19 billion people |
| | | (18% of the world's population) |
| CAT | 61 | 1.4 billion people |
| | | (21.5% of the world's population) |

APPENDIX E GLOSSARY OF ACRONYMS AND TERMS

The following is a list of the acronyms and other special terms used in this paper, with a brief description or definition of each term.

| САТ | Convention against Torture and the Committee established under that treaty. |
|---------------------------|---|
| CCPR | Covenant on Civil & Political Rights (same as ICCPR). The Human Rights Committee is the |
| | expert body established to monitor compliance of the CCPR. |
| CED | Convention on Enforced Disappearances opened for signature December 2006. Not yet in |
| | force. |
| CEDAW | Convention on the Elimination of All Forms of Discrimination Against Women, and the |
| | Committee established under that treaty. |
| CERD | Convention on the Elimination of Racial Discrimination, and the Committee established |
| | under that treaty. |
| CESC | Covenant on Economic, Social & Cultural Rights and the Committee established by the UN |
| | to monitor compliance under this Covenant. |
| CMW | Convention on Migrant Workers and the Committee established under that treaty. |
| Concluding observations | This is the term used to describe the public statements each treaty body issues after |
| 8 | considering a state report. Usually there are comments about progress and recommendations |
| | for improving compliance by the state. |
| CPD | Convention to protect Persons with Disabilities opened for signature in December 2006. |
| | Not yet in force. |
| CRC | Convention on the Rights of the Child and the Committee established under that treaty. |
| General comments | This is the term used (sometimes also, general recommendations) to describe the interpretive |
| | comments a treaty body will issue from time to time, clarifying the meaning of certain |
| | articles of the treaty, or providing other guidance to states on how best to implement the |
| | treaty's obligations. |
| HRC | Human Rights Committee |
| Human Rights Council | The new body replacing as of 2006 the prior Commission on Human Rights. The Council |
| C C | consists of 47 members elected by the General Assembly. The Council like the Commission |
| | is a political body, with elections held every year to replace one third of its membership. |
| | Among the new mechanisms that the Council will establish is the UPR. |
| ICCPR | See CCPR |
| Inter-Committee Meeting | The annual meeting of treaty body representatives, held in June each year, to discuss |
| | common and best practices, and propose various reforms and initiatives. |
| List of issues | This is the term used to describe the list of questions and other comments which a treaty |
| | body submits to a Government before that Government's report is to be considered by the |
| | treaty body in a public hearing. The Government is then asked to respond to those |
| | questions before the treaty body session, and to be prepared to discuss these issues and |
| | others at the coming session. |
| Malbun II treaty body | The informal name given to the informal brainstorming session held in July 2006 at the |
| reform meeting | invitation of the Government of Liechtenstein, to discuss various treaty body reform |
| | proposals. |
| NGO | Non governmental organization. |
| NHRI | National Human Rights Institution (e.g., such as a Human Rights Commission or |
| | Ombudsman at the national level) |
| OHCHR | Office of the High Commissioner for Human Rights |
| OPAC | Optional Protocol to the Convention on the Rights of the Child concerning children in |
| | armed conflict (i.e., child soldiers) |
| OPCAT | Optional Protocol to the Convention against Torture, which established the expert body |
| | known as SPT |
| OPSA | Optional Protocol to the Convention on the Rights of the Child concerning the sale of |
| 0.0HT | children, prostitution, and trafficking |
| SPT | Subcommittee on Prevention of Torture (the expert body created by the OPCAT) |
| TFYR Macedonia | The Former Yugoslav Republic of Macedonia |
| Universal periodic review | The new country review mechanism under the procedures of the Human Rights Council. |
| (UPR) | Every country in the world will be reviewed under the mechanism every four years. |
| | |
| UNMIK | UN Mission in Kosovo. They filed a report to the Human Rights Committee in 2006 on human rights compliance to the ICCPR. |