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## Message from the Director of the Human Rights Treaties Division

**Strengthening the treaty body system:  
Last sprint for a comprehensive agreement?**



*Meeting with Co-facilitators and Committee on Enforced Disappearances (CED) held on 19 April 2013 in Geneva, HE Mr. Desra Percaya, Permanent Representative of Indonesia and HE Ms. Gunnarsdóttir Gréta, Permanent Representative of Iceland to the United Nations in New York © OHCHR/ Danielle Kirby*

Since the launch in 2009 by the High Commissioner for Human rights, Ms. Navy Pillay, of the treaty body strengthening process all actors of the system have engaged in an open and demanding marathon. The current intergovernmental process - that builds on the High Commissioner's initial one - could well end in the next few weeks. Negotiations among States are in full drive right now in New York and at the time we write some options are still clearly open. Diverging views exist on some points but they still can well be reconciled during the final sprint. The main direction, however, remains clear and undisputed: strengthening the treaty body system for the benefit of rights holders.

After initial challenges, we are very happy that finally treaty bodies and their experts have been associated to the maximum extent to the intergovernmental treaty body strengthening process. They are the best placed to provide advice on the functioning of the system, its achievements and challenges, and therefore their voice had to be heard clearly in the New York context. Their involvement has been welcomed by all and made possible through the ongoing efforts of the co-facilitators of the process, Ambassador Ms. Greta Gunnarsdottir (Iceland)



*A mural painting by Massimo Campiglli, representing some builders at work during the construction of the Palais des Nations - Room XII is also called the Italian room. © OHCHR/ Danielle Kirby*

and Ambassador Mr. Desra Pecaya (Indonesia).

A number of Treaty body members participated in New York to each of the informals, at their own cost, as the GA process had not foreseen any funding for the participation of treaty bodies. The co-facilitators also travelled two-days to Geneva during April 2013 and met with in session committees CED, CMW and CRPD and also with a few members from CEDAW (3) and CAT (1). They also further engaged with CAT, CESCR and CRC during their sessions through video-conference. In addition, the co-facilitators suggested earlier this year that the Annual Meeting of Treaty Bodies Chairpersons be moved to New York to facilitate their involvement in the process. This was materialized during the third week of May and resulted in a very productive and useful week for all treaty body Chairs as well as for Member States.

In their final report, the ten Chairpersons adopted five key principles suggested to Member States in finalizing the outcome of the treaty body strengthening process:

1. The outcome of the intergovernmental process should strengthen the human rights protection that the treaty body system offers and intensify the scrutiny of implementation of obligations as provided by the treaty body system;

2. The independence of treaty body members is the source of the credibility and integrity of the system and guarantees the impartial treatment of States Parties. The Addis Ababa Guidelines agreed on and endorsed at the 24<sup>th</sup> meeting of Chairpersons of human rights treaty

bodies in 2012 enshrines and operationalizes these principles;

3. The outcome of the intergovernmental process should address the challenges faced by the treaty body system in a comprehensive and sustainable manner;

4. All cost-saving and other measures to improve the efficiency of treaty bodies must be reinvested in the treaty body system and, through additional resources, treaty bodies should be equipped with the proper material and human resources from the regular budget to adequately carry out their responsibilities under the respective treaties;

5. The work of the treaty bodies should be modernized by fully benefitting from the opportunities created by technological development, while at the same time making it universally accessible for persons with disabilities, and honor the principle of reasonable accommodation.

These five principles are in our view crucial for the success of the intergovernmental process. In the final sprint, we trust that States will embrace these principles to ensure that the outcome of the General Assembly process will truly reinforce the treaty body system and ultimately the protection of human rights in the daily life of all people worldwide. ■



***On the occasion of the coming into force of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, HRTD Newsletter interviewed Bruce Porter, Director of the Social Rights Advocacy Centre in Canada***

**O**n the occasion of the coming into force of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, HRTD Newsletter interviewed Bruce Porter, Director of the Social Rights Advocacy Centre in Canada, an organisation which is part of the NGO coalition for the Optional Protocol to the Covenant on Economic, Social and Cultural Rights and of the ESCR-Net Working Group on Adjudication, in order to obtain impressions of practitioners and civil society.

**Can you kindly elaborate on your involvement and that of your organisation in the process leading up to the adoption of the Optional Protocol?**

My involvement in the Coalition started from my grassroots work on poverty and housing issues in Canada. It is on the level of human rights practice that the contradiction of rights without remedies is most keenly felt. It doesn't seem much of a right if you tell people they have a right to housing but that there is nowhere to go to claim it. With growing numbers of people who are homeless and hungry in one of the most affluent societies, I experienced during the 1990's first-hand the effects of denying access to adjudication and remedies for social rights. The NGO Coalition for an OP-ICESCR was formed around the year 2000 and joined with others who had been working on this issue for many years at the then Commission on Human Rights. We tried to ensure that advocates engaged in local struggles could engage in lobby efforts at the Commission and later at the Human Rights Council. Finally an Open Ended Working Group was struck in 2004. Mandated but mandated only to consider the option of such a protocol.

The first meeting of the Working Group was a memorable experience. Listening to the many reservations and suggestions to curb the scope of such an instrument (for instance to restrict only to negative

***It is on the level of human rights practice that the contradiction of rights without remedies is most keenly felt.***



**Bruce Porter, Director of the Social Rights Advocacy Centre in Canada** © OHCHR/ Christine Wambaa

rights, or to the most egregious violations) I feared for a while that instead of a comprehensive protocol affirming that all ESC rights must have effective remedies, we might get an instrument that seriously compromised this principle. However, the process turned out to be remarkable and the quality of discussions improved over time as the reluctance ebbed away and misconceptions were dispelled. I personally believe that the end product is a very good optional protocol and that the inevitable compromises are reasonable. The last critical issue in the negotiations in the Working Group was on the standard of review and on what kind of deference should be accorded governments. I believe the final compromise reached is good. Drawing on the reasonableness standard developed by the South African Constitutional Court, article 8(4) of the OP recognizes that the State may choose from a range of options that may be in compliance with the Covenant

but that the final assessment of whether a measure is reasonable in terms of complying with the obligation to fulfill Covenant rights rests with the Committee. The integrity of the adjudicative process is thus preserved without deferring to one party or the other on the issue of what measures constitute compliance with the Covenant.

**In terms of strategizing how the OP will be used, do you think it is best to bring forward relatively simple cases first?**

I believe we need to be cautious so as not to over strategize. As practitioners we emphasise that ultimately these rights belong to rights-holders and it is they who will bring the claims forward. Our role is



*Recent entry into force OP-CESCR (from right to left, Mr. Zdzisław Kedzia Chairperson of ICESCR, HE Ms. Graça Andersen Guimarães, Ambassador of Portugal, Ms. Heisoo Shin, Mr. Aslan Khuseinovich Abashidze, members of CESCR, HE Fedor Rosocha, Ambassador of Slovakia and HE Alberto P. D'Alotto Permanent Representative of Argentina.*

© OHCHR/ Danielle Kirby

therefore to support important cases to ensure that the best arguments are advanced and that the Committee receives the information it needs. Some would prefer the Committee's first case to be something relatively familiar with lots of existing jurisprudence, such as forced evictions. There would be other advantages, however, if the Committee were to consider a more novel systemic issue early on, such as an allegation of failures to take reasonable measures to address homelessness or hunger. The Committee would have the opportunity to demonstrate its competence in assessing whether reasonable measures have been taken, with due regard to any limitations states may face in terms of resources. The Committee might, in such cases, at least recommend as a remedy that the State party design and put in place a reasonable strategy with timelines and monitoring mechanisms, with follow-up procedures to ensure that the remedy is properly implemented.

**The Coalition for the Optional Protocol developed a paper with recommendations for the rules of procedure and I understand that ESCR-Net will be publishing a Commentary on the OP. What were some of the issues of concern there?**

In the NGO Coalition's submission on the rules of procedure our main focus was to encourage the Committee to adopt rules that reflect the purpose and nature of the OP. The OP-ICESCR was drafted so as to encourage the Committee to access evidence and documentation from a variety of sources. Our focus was to encourage the Committee to have the benefit of full evidence and documentation from a variety of sources. This is beneficial and reassuring to all parties involved, including States parties.

Yes, ESCR-Net is in the process of producing a publication with expert commentaries in order to share national and regional experience, provide research into relevant international human right jurisprudence and consider the drafting history of the OP. We hope that it will be of considerable use to practitioners and stakeholder groups as well to States and to the Committee itself in meeting the exciting challenges and opportunities of the new OP. It should be published within a few months.

**In your view, what difference will the Optional Protocol make for the advancement of ESC rights?**

Like all human rights, ESC rights can't be properly understood or valued without hearing from victims of violations. Hearing about violations from those affected is important to figuring out what needs to be changed, to convince decision-makers to comply with ESC rights and to encouraging States to promote compliance. Putting a face to the issues dispels the impression that ESC rights are only about a United Nations body telling a State party to do more social and economic problems described in statistics. It is the most marginalized groups who suffer most from violations of ESC rights – those living in poverty, especially women and girls, people with disabilities, etc. ESC rights should be given new life and vibrancy under the OP and this will give international human rights more relevance for these groups.

Policy makers and program administrators can get things wrong even when they have the best intentions. ESC rights claims provide a corrective mechanism that leads to better programs and policies. We've seen this in the context of development programs and the recognition of the value of a rights-based approach.





**OP-ICESCR - HE Ms. Graça Andressen Guimarães, Permanent Representative of Portugal and Mr. Zdzisław Kedzia, Chairperson of CESCR © OHCHR/ Danielle Kirby**

### **In your view, why should states ratify the Optional Protocol?**

I think States from a wide range of domestic legal systems will benefit from ensuring that victims have access to adjudication and remedies in relation to right under the ICESCR. Ensuring access to remedies is part of what States Parties have committed to. In the ratification campaign we emphasise that ratification should not proceed along regional lines or be linked to specific domestic provisions. Personally, I am keenly awaiting the first ratification by a traditional common law country such as the United Kingdom, Canada or South Africa.

I do not think we should try to sell the Optional Protocol to potential States Parties as bringing about only small changes without much impact. Admittedly, it will likely involve only a few cases with modest impact in any particular State, but I think States should ratify it because it is so critically important to ensuring the integrity and effectiveness of the UN human rights system to giving equal status to ESC rights once the Optional Protocol is up and running, States will see the benefit in terms of protecting the rights of these groups and this will encourage ratifications.

### **How will you be working at the national level to support the functioning of the Optional Protocol?**

The quality of adjudication often depends on the quality of the claims so we will try to ensure that compelling cases are brought before the Committee, that claimants are provided with good support and that the Committee is provided with relevant information and perspectives. The Adjudication Working Group will assist potential rights claimants and practitioners in countries that have already ratified the OP to ensure that it is used effectively there. We will also work in countries that have not ratified the OP-ICESCR to assist bringing cases under other human rights treaties which engage ESCR. For instance, access to health care is part of the right to life as has been recognised by the Human Rights Committee. Understanding the convergence and interdependence of ESCR with other human rights will ensure that the OP-ICESCR provides guidance to courts and other treaty bodies in developing their own competence. Other treaty bodies should not retreat from engaging with ESC components of rights that fall within their mandate. The Convention on the Rights of Persons with Disabilities will be particularly important. I think we will see converging standards of reasonableness across a range of human rights treaty bodies and these can be applied in a wide range of domestic legal contexts.

### **In your view, how has economic and financial crises impacted on the realisation of economic, social and cultural rights?**

People are becoming more aware that the measures taken in response to the economic and financial crisis need to be situated within a human rights framework. The repercussions on human rights can be grave. If austerity measures are necessary, governments have the obligation to implement them in line with international human rights obligations.

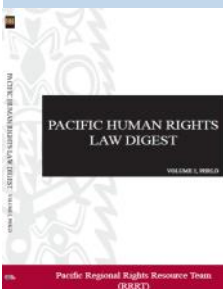
The risk is that the crises may be used both as a justification for retrogressive measures and for inaction in relation to emerging issues. The obligation to progressively realize ESC rights is not irrelevant in times of austerity. If anything, it is more important because of the increased vulnerability of marginalized groups. This is a critically important time for ESC rights. ■

## **New publications**

### **PACIFIC HUMAN RIGHTS LAW DIGEST, VOLUME 2, PHRLD**

An extremely useful publication on how international human rights instruments have been applied (or not) recently in domestic courts in the Countries of the Pacific region, publication by the *Pacific Regional Rights Resource Team (RRRT)*

[http://www.rrrt.org/images/hr\\_law\\_digest\\_ii.pdf](http://www.rrrt.org/images/hr_law_digest_ii.pdf)



## ***The 25<sup>th</sup> Annual Meeting of the Chairpersons of the United Nations Human Rights Treaty Bodies – New York (20-24 May 2013)***

### ***The Chairpersons' involvement in the intergovernmental Treaty Body Strengthening process***



*Informal consultation of Chairpersons with member States in New York, 21 May 2013 © OHCHR*

**A**t the request of the Co-facilitators of the inter-governmental process on treaty body strengthening (the Permanent Representatives of Iceland and Indonesia to the UN in New York) and in order to allow for maximum synergy between the Chairpersons and the inter-governmental process, the treaty body Chairpersons held their annual meeting in New York from 20 to 24 May 2013.

On Monday 20 May, Mr. Claudio Grossman, Chairperson of the Committee against Torture, and Mr. Malcolm Evans, Chairperson of the Sub-Committee for the Prevention of Torture, were elected as Chair and Vice-Chair of the human rights treaty bodies for one year.

The Chairpersons first reported on the follow-up given by their respective Committees to the recommendations contained in the High Commissioner's report on the strengthening of the treaty body system. They then met the Co-facilitators of the intergovernmental process on treaty body strengthening, who sought the views of the Chairpersons on the proposals

contained in the "Way Forward" document prepared by the co-facilitators following a series of informal consultations with Member States, treaty bodies and civil society organizations between January and May 2013.

On 21 May, the Chairpersons held informal consultations with member States and groups of States. In the statement delivered on behalf of all Chairpersons, Mr. Grossman emphasized that any structured calendar of reporting and consideration should meet the following criteria: (1) any structural solution should eliminate the

unequal treatment of States parties by operating on the basis of universal compliance with reporting obligations; (2) any structured system put in place should be regular and predictable, leading to efficient utilization of resources and facilitating advance planning for all parties concerned; (3) any scheduling of reports should follow as closely as possible the periodicity in the treaties, so as not to prejudice the legal reporting obligations of States parties; (4) non-reporting should be an exception and not the norm - any structured calendar should not be permissive as regards non-reporting; and (5) eliminate backlogs and ad hoc requests for meeting time to the General Assembly. In their dialogue with Member States, the Chairpersons further asserted the independence and impartiality of treaty body members and, in this context, referred to the Addis Ababa Guidelines.

The Chairpersons also held an informal consultation with civil society organizations and representatives of national human rights institutions on the treaty body strengthening process.

In accordance with the mandate of the annual meeting, the Chairpersons also considered the harmoni-





United Nations Headquarters in New York © UN Photo/Yutaka Nagata

to legal obligations of States under human rights treaties. In this context, they recalled that building the capacity of States to discharge their conventional obligations, including their reporting obligations, is a prerequisite both to achieve the Post-2015 development agenda as well as the implementation of human rights norms.

On the last day of the meeting, the Chairpersons adopted decisions and recommendations in the following areas: the intergovernmental process on treaty body strengthening, the independence and impartiality of treaty body members, the harmonization of working methods, the consideration by treaty bodies of the recommendations contained in the High Commissioner's report on treaty body strengthening, non-reporting by States Parties, and the Post-2015 development agenda. A press conference was held at the end of the meeting.

In addition to the agenda, the meeting had before it the following documents: working methods

of the treaty bodies (HRI/MC/2013/2 and HRI/MC/2013/3) and implementation by treaty bodies of the recommendations contained in the High Commissioner's report on strengthening the treaty body system (HRI/MC/2013/4).■

zation of working methods. In particular, each Chairperson presented the modalities of the interactive dialogue with States Parties within her or his Committee.

During the second part of the annual meeting, the Chairpersons discussed the role of treaty bodies with respect to the Post-2015 agenda for development and adopted a joint statement after consultation with stakeholders. In the joint statement they adopted, the Chairpersons underlined the critical link between development and the full range of human rights, including the right to development, and called for the use of indicators in order to measure compliance, while at the same time noting that the realization of human rights goals goes beyond quantified targets. The Chairpersons also called on the international community to adopt a Post-2015 agenda that engages treaty bodies and special procedures as accountability mechanisms by linking development goals

of the treaty bodies (HRI/MC/2013/2 and HRI/MC/2013/3) and implementation by treaty bodies of the recommendations contained in the High Commissioner's report on strengthening the treaty body system (HRI/MC/2013/4).■

*To read more about the Meeting of Chairpersons, log on to:*

<http://www.ohchr.org/EN/HRBodies/AnnualMeeting/Pages/MeetingChairpersons.aspx>

*To access all the documentation related to the 25<sup>th</sup> meeting:*

[http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/SessionDetails1.aspx?SessionID=787&Lang=en](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/SessionDetails1.aspx?SessionID=787&Lang=en)



*Ms. Navi Pillay, High Commissioner for Human Rights and Mr. Claudio Grossman, Chairperson of the Committee against Torture (CAT) during the 50<sup>th</sup> session held in Geneva in May 2013 © OHCHR/ Danielle Kirby*

### **Interview of Mr. Claudio Grossman**

#### **1. Can you kindly explain why this year the Meeting of Chairpersons of the human rights treaty bodies was held in New York?**

It was possible that the co-facilitators, the ambassadors of Iceland and Indonesia to the UN, for the inter-governmental process relating to the treaty body strengthening process initiated by the UN General Assembly, would be finalizing their report. In that context, being in New York, the presence of the treaty bodies in New York created an opportunity to present the expert views of the committees concerning new proposals, reiterating our opinions on other issues identified in the process, and engaging state parties.

#### **2. In your view, what were the most noteworthy issues discussed and what do you [think] were the highlights of the meeting?**

Noteworthy issues included the independence and impartiality of the members of human rights treaty bodies. These are very important principles with serious implications. An expression of these principles is the recognized authority of the treaty bodies to adopt, administer and reform their own rules of procedure and working methods, attributes that are essential to the performance of their functions. During the 24<sup>th</sup> annual meeting of chairpersons in 2012 the committee chairs had already adopted the "Addis Ababa Guidelines" and

the majority of committees had also incorporated them into their rules of procedure while the remaining committees were in the process of considering their adoption. We were pleased to perceive the overwhelming support and recognition for the initiative of the committee chairs as well as confirmation of the value of the underlying principle, namely, that the authority on these matters of the collective organs made up of independent experts should be respected.

Other issues discussed included the harmonization of working methods such as a common format for concluding observations, the possible alignment of the methodology for interactive dialogue with state parties, the utilization of modern technologies (e.g., web casting, accessibility for persons with disabilities), and improving the efficiency of treaty bodies. We had the opportunity to present the opinions of the treaty bodies to the co-facilitators and the state parties as well on different matters:

- (a) overview and non-reporting by state parties: we expressed deep concern about late and non-reporting which have a serious impact on the legitimacy of the rule of law;
- (b) the structural lack of resources for treaty bodies to perform their functions. In fact, if there would be full state party compliance with reporting duties, the treaty bodies would not, under the current allocation of resources, be able to examine the



country reports in a timely manner. Equally, there is a backlog with regard to reviewing communications due to a lack of resources.

- (c) capacity building, which is essential to be able to receive proper reports and comments and contributions by state parties and civil society. We fully promote capacity building and the allocation of additional resources to make that possible.
- (d) encouraging the submission of information to the treaty bodies. Our experiences show how beneficial it is to have information that allows the committees to provide their expertise to the state parties, enabling the state parties to analyze, respond, and provide additional information that will help the committees and society at large better understand in an objective manner the issues at stake. Related to this matter is the legal requirement of zero tolerance for reprisals against individuals and organizations that provide information to the committees, and the affirmation of this requirement was, not surprising, well received in the meeting with state parties.
- (e) we reiterated the value we give to the leadership of the High Commissioner for Human Rights and that we welcome her report on treaty body strengthening including her proposal for a comprehensive reporting calendar, which was positively received and endorsed in principle by the 25<sup>th</sup> meeting and reiterated in the meeting with state parties.

During the meeting, we also presented the principles that needed to be taken into account during the inter-governmental process. These principles were the result of years of international experience by the independent experts and are the yardstick by which the results of this process should be measured. These principles should be the pillars of the treaty body strengthening process:

- 1. The outcome of the intergovernmental process should strengthen the human rights protection that the treaty body system offers and intensify the scrutiny of implementation of obligations as provided by the treaty body system;
- 2. The independence of treaty body members is the source of the credibility and integrity of the system and guarantees the impartial treatment of States Parties. The Addis Ababa Guidelines agreed on and endorsed at the 24<sup>th</sup> meeting of Chairpersons of human rights treaty bodies in 2012 enshrines and operationalizes these principles;
- 3. The outcome of the intergovernmental process should address the challenges faced by the treaty body system in a comprehensive and sustainable manner;

- 4. All cost-saving and other measures to improve the efficiency of treaty bodies must be reinvested in the treaty body system and, through additional resources, treaty bodies should be equipped with the proper material and human resources from the regular budget to adequately carry out their responsibilities under the respective treaties;
- 5. The work of the treaty bodies should be modernized by fully benefitting from the opportunities created by technological development, while at the same time making it universally accessible for persons with disabilities, and honor the principle of reasonable accommodation.

**3. As the newly appointed Chair of the Meeting of the Chairpersons, can you comment on the role played by treaty body members in the treaty body strengthening process?**

The experience and knowledge of the treaty body members is an important intellectual and practical asset for the United Nations as a whole. Accordingly,



*Mr. Claudio Grossman, Chairperson of the Committee against Torture (CAT), during the celebration of the CAT's 25<sup>th</sup> Anniversary in Palais des Nations, Geneva, May 2013 © OHCHR/ Danielle Kirby*

presentation of this experience and knowledge as they relate to the strengthening process and the topics under discussion contributes to shaping and influencing the exchanges among member states. In addition, the informal dialogue we hosted with all member states as well as the meetings we hosted with different groups of states provide further lines of communication that, in my opinion, are very valuable for an ongoing communication on matters of common interest such as the strengthening of the treaty bodies of the United Nations.



*A mural painting by Massimo Campiglli, representing some builders at work during the construction of the Palais des Nations - Room XII is also called the Italian room © OHCHR/ Danielle Kirby*

#### 4. Do you wish to share any views on how you intend to fulfill your mandate in the coming year?

In my view it would be important that the chairs of the treaty bodies do not see their role just to interact on an ad hoc basis, but instead see their role as an important part of their task in representing their committees to be regularly in touch to exchange information, best practices, and challenges in the performance of our functions. In making this possible, resources pose limitations that we cannot ignore. I will be raising with the High Commissioner for Human Rights some alternative ideas for the chairs to be in touch using modern technology. From the point of view of substance, a priority for us this year will continue to be the treaty body strengthening process and what we ourselves can do to contribute to that goal. For example, all of the committees are well advanced on matters of independence and impartiality and adopting the "Addis Ababa Guidelines." That process needs to be completed, as well as the process to ensure joint action in cases of reprisals. Additionally, different treaty bodies have taken different measures to harmonize working methods. All of

us need to develop that even further, learning from each other in the process and contributing to the full realization of protecting and promoting human rights efficiently and effectively.

#### 5. Any reflections regarding the future role of the annual meeting of Chairpersons?

The annual meeting of Chairpersons plays very important functions that in my view could be further expanded. Let me mention some. The first is that it serves as a clearinghouse, receiving and distributing information on the activities, challenges, and best practices of the treaty bodies to comply with their convention obligations. Second, it is a place for the exchange of ideas among individuals who, representing their committees, have extensive knowledge and experience in the protection and promotion of human rights. Connected with this is networking and personal relations which open opportunities for further collaboration. The chairs also provide a point of contact for state parties and civil society to reach out and get informed about developments within treaty bodies, challenges faced by treaty bodies, as well as consensus among experts on matters of relevance involving the performance of their functions. It is very important to stress in this matter that the committee chairs do not operate in a vacuum. They represent 10 committees and 172 independent experts. At the same time, they bring to those committees and independent experts initiatives and experience that, if validated by the committees, will contribute even further to the full realization of the conventions with the added legitimacy of being a common practice undertaken by the treaty bodies as a whole. ■





## ***Elections of five new members of the Committee on Enforced Disappearances (CED)***



*The Committee on Enforced Disappearances with Co-facilitators and Ms. Nicole Ameline, Chairperson of CEDAW, 18 April 2013 in Geneva © OHCHR/ Danielle Kirby*

Her Excellency María Cristina Perceval, Permanent Representative of Argentina, made opening remarks.

Statements were made by Ms. Estela de Carlotto, Abuelas de Plaza de Mayo; Ms. Lita Boitano, Familiares de Desaparecidos y Detenidos por Razones Políticas; Ms. Fatou Bensouda, Prosecutor, International Criminal Court; Ms. Marta Vázquez, Madres de Plaza de Mayo, Línea Fundadora; Mr. José Luis Díaz, Amnesty International; Ms. Taty Almeida, Madres de Plaza de Mayo, Línea Fundadora; and Mr. Ibrahim Salama, Office of the High Commissioner for Human Rights, who also delivered a statement on behalf of Mr. Emmanuel Decaux, Chairperson of the Committee on Enforced Disappearances.

**O**n the 28 May 2013, the Second Meeting of States Parties to the CED was held in New York. The meeting was opened by the Representative of the Secretary-General, Mr. Ibrahim Salama, Office of the United Nations High Commissioner for Human Rights, who made a statement.

Her Excellency María Cristina Perceval, Permanent Representative of Argentina, made a statement.

His Excellency Martin Briens, Deputy Permanent Representative of France, was elected as Chair of the meeting by acclamation.

In accordance with article 26, paragraph 4, of the International Convention for the Protection of All Persons from Enforced Disappearances, the meeting proceed to elect five members Committee on Enforced Disappearances to replace those whose terms are due to expire on 30 June 2013.

**The following candidates were elected after the first ballot as members of the Committee on Enforced Disappearances to serve from 1 July 2013 to 30 June 2017: Mr. Mohammed al-Obaidi (Iraq); Mr. Santiago Corcuera Cabezut (Mexico); Mr. Luciano Hazan (Argentina); Mr. Juan José López Ortega (Spain); and Mr. Kimio Yakushiji (Japan).**

Delegates also engaged in a panel discussion on implementation of the Convention.

The representatives of Armenia, Cape Verde, Costa Rica, El Salvador, Japan, Mali, Morocco, Switzerland and Uruguay, and the representative of the International Committee of the Red Cross, made statements and posed questions to the panel members. ■

*To read more about the Second Meeting of States Parties to the CED and results of elections:*

<http://www.ohchr.org/EN/HRBodies/CED/Pages/Elections2012.aspx>

## ***Elections of new members of the Committee on the Elimination of Racial in Discrimination (CERD)***



*The Committee on the Elimination of Racial Discrimination during the 82<sup>nd</sup> session in Geneva considering the report of New Zealand (22 February 2013) © OHCHR/ Danielle Kirby*

**T**he 25<sup>th</sup> Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination was held in Conference Room 3 (CB) in New York on 3 June 2013 from 10:15am to 12:45pm. Having obtained the required majority the following eight members were elected:

Mr. Noureddine AMIR (Algeria), Mr. Marc Bossuyt (Belgium), Ms. Anastasia Crickley (Ireland), Ms. Afiwa-Kindena Hohoueto (Togo), Mr. Anwar Kemal (Pakistan), Mr. Gün Kut (Turkey), Mr. José Augusto Lindgren Alves (Brazil), and Mr. Yeung Kam John Yeung Sik Yuen (Mauritius).

A second ballot was organized to decide which of the top two runners-up should take the remaining seat. As a result, Mr. Melhem KHALAF was duly elected.

Under agenda item 6, "Other matters", the representative of Liechtenstein made a statement

suggesting that meetings of states parties should include on their agenda an item to allow for a substantive exchange of views on matters falling under the competence of States Parties.

In accordance with OHCHR's gender policy, and in line with the last CERD resolution in the GA, the Chair's script drew attention for the first time to the gender balance within the Committee and the candidates. The result of the election will increase the number of women on the Committee from three to four from 2014.

We would also like to draw your attention to the election of members of TBs guide developed by our colleagues in New York for UN delegates based in New York:

<http://www.ohchr.org/EN/NewYork/Pages/Resources.aspx> ■

*To read more about the 25<sup>th</sup> Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination log on to:*  
<http://www2.ohchr.org/english/bodies/cerd/elections25.htm>



***Seminar organized jointly by OHCHR WARO and Amnesty International Senegal to advocate for the ratification of the OP-ICESCR and the second OP-ICCPR***



**50 parliamentarians, representatives of Ministries and members of the Economic, Social and Environmental Council participated in a Seminar organized jointly by OHCHR WARO and Amnesty International Senegal on the ratification of the OP-ICESCR and the second OP-ICCPR, 21-22 May 2013 © OHCHR**

From 21 to 22 May 2013, around 50 parliamentarians, representatives of Ministries and members of the Economic, Social and Environmental Council participated in a seminar to lobby for the ratification of the OP-ICESCR and the second OP-ICCPR. The seminar was organized jointly by OHCHR-West Africa Regional Office (WARO) and Amnesty International Senegal, and aimed at promoting ownership of stakeholders and encouraging the ratification by Senegal of the two abovementioned optional protocols.

The seminar received considerable press coverage, especially concerning the second optional protocol to the ICCPR. Indeed, the death penalty has been abolished in Senegal since 2004, however, the OP has not been ratified up until now. The seminar provided a forum to raise awareness among parliamentarians, state authorities and civil society on the need to formalize

the abolition of the death penalty on an international level through the ratification of the OP. The importance of this step has been underlined recently by propositions made by certain parliamentarians to reintroduce the death penalty in Senegal.

Senegal has already signed the OP-ICESCR in September 2009 and the recent entry into force of the OP creates a momentum for its ratification. This seminar, which is part of the extensive lobbying activities undertaken by OHCHR's West Africa regional office in Senegal for the ratification of the OP, allowed parliamentarians to familiarize with the contents of the OP-ICESCR and to understand the importance of its ratification.

In the final declaration of the seminar, participants committed to undertake all necessary actions for the ratification of both optional protocols. ■

## Social Media and the Human Rights Treaty Bodies

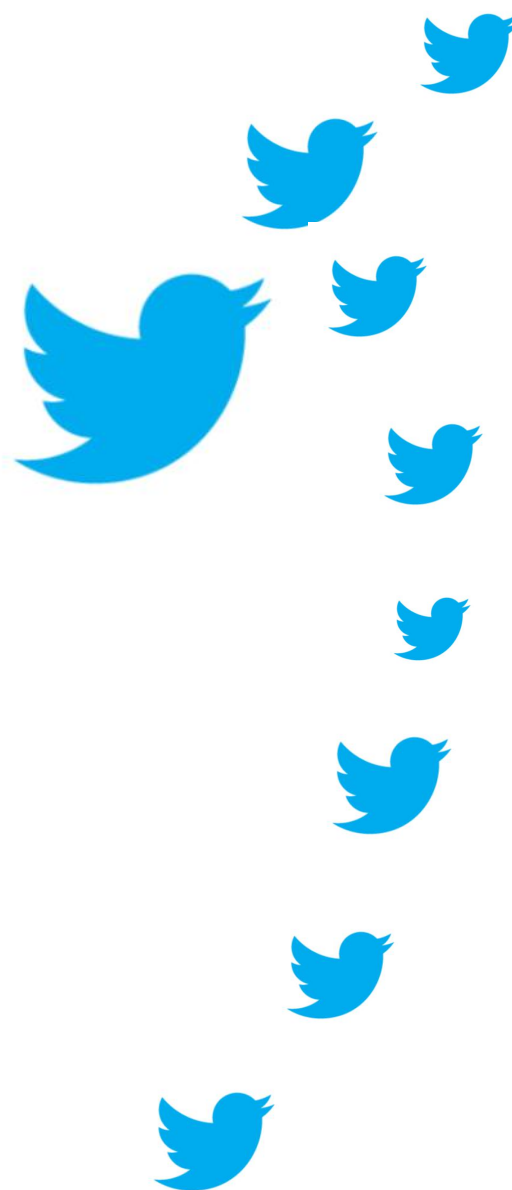
**T**hrough OHCHR's accounts on Facebook and Twitter, as well other social media platforms, OHCHR strives to give the treaty bodies increased visibility, to create greater awareness of their expert findings, and to involve a greater number of stakeholders.

On Facebook, OHCHR posts, together with a related photo, a short summary of the discussion of each State party's report, including the link to the discussion summary on the OHCHR website and to the committee's page where the full reports can be found. Also posted is the link to the concluding observations at the end of each treaty body's session, as is also done for thematic discussions or the examination of individual complaints. Moreover, users are also often asked to do a search in the Human Rights Index on how their country is doing in order to promote the Index.

On Twitter, OHCHR tweets about the examination of each country's report, including the link to the discussion summary on the OHCHR website and the committee's page with the full reports. Also tweeted is the link to the concluding observations at the end of each treaty body's session, as we do for thematic discussions or the examination of individual complaints.

Online monitoring tools enable us to analyse our social media activity and study the audience. Impressions measure the number of times a specific tweet appears in Twitter feeds to determine the "virality" of a specific tweet which can be used to benchmark impact.

In 2012, by way of example, for the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of All Forms of Discrimination Against Women, and for the Human Rights Committee, a total of 1,184,624 potential users were reached.■



### Treaty bodies on social media

#### 2- Sample posts

**UN Human Rights** @UNHrights 29 Aug  
 #HateSpeech: Read and share the convention on the elimination of racial discrimination: [bit.ly/GOmX](http://bit.ly/GOmX) #FightRacism  
 Collapse • Reply • Delete • Favorite

18 RETWEETS 5 FAVORITES

**UN Human Rights** @UNHrights 23 March 2013  
 Share UN Human Rights Committee's recommendations on Lithuania & Maldives: [bit.ly/1h](http://bit.ly/1h)  
 Collapse • Reply • Delete • Favorite

21 RETWEETS 1 FAVORITE

**Tweet 1: Convention on the elimination of racial discrimination: 18 Retweets, 5 Favorites**

**Tweet 2: UN Human Rights Committee recommendations on Lithuania and Maldives: 21 Retweets, 1 Favorite**  
**Post: CRC Albania: 43 Shares, 101 likes**



## Social Media and the Human Rights Treaty Bodies

### Treaty bodies on social media

#### 1- Reach

- Overview of the impressions reached through social media during three treaty body sessions in 2012.

	Facebook	Twitter	Total
CERD	74,648	576,215	650,863
CEDAW	70,415	151,799	222,214
HR Committee	44,602	266,945	311,547
Total	189,665	994,959	1,184,624

25 March 2013



For further reference, below are the relevant links for the social media platforms OHCHR uses to promote the human rights treaty bodies:

Twitter: [twitter.com/unrightswire](https://twitter.com/unrightswire)  
 Facebook: [facebook.com/unitednationshumanrights](https://facebook.com/unitednationshumanrights)  
 Google+: [gplus.to/unitednationshumanrights](https://gplus.to/unitednationshumanrights)  
 Storify: [storify.com/UNrightswire](https://storify.com/UNrightswire)  
 Flickr: [flickr.com/photos/unhumanrights](https://flickr.com/photos/unhumanrights)  
 YouTube: [youtube.com/UNOHCHR](https://youtube.com/UNOHCHR)  
 Tumblr: [united-nations-human-rights.tumblr.com/](https://united-nations-human-rights.tumblr.com/)



## ***CEDAW adopts new General Recommendation on the Economic consequences of marriage, family relations and their dissolution***

The Committee on Elimination of Discrimination against Women has adopted General Recommendation No. 29 on article 16 - Economic consequences of marriage, family relations and their dissolution, during its 54<sup>th</sup> session. It builds on the nineteen-year old General Recommendation No. 21 on Equality in Marriage and Family Relations and the Committee's increasingly specific recommendations to States parties on eliminating discriminatory family laws. The Committee started with the premise that "Inequality in the family underlies all other aspects of discrimination against women."

The General Recommendation acknowledges the various forms of contemporary family relationships that give rise to property rights, including registered partnerships, same-sex relationships, and de facto unions. It notes the many forms of property that should be subject to distribution (or post-dissolution balancing payments), from pensions and social security to "human capital" to use rights in communally held land, indicating that women's equal rights to property must be globally recognized regardless of its form, and in all world regions and legal systems. It also addresses the discriminatory nature of multiple family legal systems within a State, concluding that all family laws, regardless of their origin, must adhere to the equality norms of the Convention.

The General Recommendation reaffirms the requirement stated in General Recommendation No. 21 that polygamy be "discouraged and prohibited," noting also that the economic rights of those women who are currently in polygamous marriage must be protected.

Ms. Ruth Halperin-Kaddari, the CEDAW expert who chaired the Working Group that produced the General Recommendation, summed up the purpose and tenor of the document: "This General Recommendation brings the Committee's approach to equality in the family into the twenty-first century. It addresses a root cause for the universal phenomenon of feminization of poverty. It indicates that States parties must fully acknowledge the many forms of women's contribution to the economic well-being of their families and see to it that this contribution is fully recognized when the relationship ends."

Ms. Halperin-Kaddari extended thanks for

support in the drafting of and discussions about the General Recommendation, to the Working Group as well as other members of the Committee. She also thanked Dr. Marsha A. Freeman, Director of the [International Women's Rights Action Watch](http://www2.ohchr.org/english/bodies/cedaw/comments.htm) at the University of Minnesota, for her inestimable help in drafting as well as background research.■



**Ms. Ruth Halperin-Kaddari, CEDAW member during the CEDAW 54<sup>th</sup> session in February 2013 © OHCHR/ Danielle Kirby**

The text of General Recommendation No. 29 can be found at:

<http://www2.ohchr.org/english/bodies/cedaw/comments.htm>



***During its 62<sup>nd</sup> session, the Committee on the Rights of the Child adopted four General Comments.***



Secretary-General Ban Ki-moon (right) is interviewed on "Logo", a children's program by German network ZDF, in Berlin, Germany. 04 February 2011 - Berlin, Germany © UN Photo/Mark Garten

***General Comment No. 14 -  
The right of the child to have his/her best  
interests taken as a primary consideration  
(Article 3, paragraph 1)***

**A**rticle 3(1) of the Convention on the Rights of the Child gives the child the right to have his or her best interests assessed and taken into account as a primary consideration in all actions or decisions that concern him or her, both in the public and private sphere. Moreover, the Committee has identified article 3(1) as one of the four general principles of the CRC for interpretation and implementation of all the rights of the child. This General Comment seeks to ensure the application of and respect for the child's best interests by the States parties to the Convention, in defining the requirements for due consideration especially in all

judicial and administrative decisions and other actions concerning the child as an individual and at all stages of the adoption of laws, policies, strategies, programmes, plans, budgets, legislative and budgetary initiatives and guidelines concerning children in general or as a specific group. The Committee expects that this General Comment will guide decisions by all those concerned with children, including parents and caregivers.

The '*best interests of the child*' is a dynamic concept, referring to issues which are continuously evolving. The present General Comment provides a framework for assessing and determining the child's best interests rather than attempting to prescribe what is best for the child in any given situation at any point in time. Therefore, this General Comment has as its main objective to strengthen the understanding and application of the right of children to have their best interests assessed and taken as a primary consideration. ■

**General Comment No. 15 - The right of the child to the enjoyment  
of the highest attainable standard of health (Article. 24)**

**T**he General Comment on article 24 of the CRC clarifies (a) the normative content of the right of the child and adolescent to enjoyment of the highest attainable standard of health, and facilities for the treatment of illness and rehabilitation in relation to health care services and (b) the legally binding obligations contained in article

24. The Committee also provides guidance on concrete measures and actions required by States parties to fulfil these obligations as well as 'Principles and premises for realising children's right to health.'



*Mother and Child at Disease Research Centre in Dhaka*

*A woman and her infant child at the International Centre for Diarrhoeal Disease Research in Dhaka, Bangladesh. The Centre was visited by Secretary-General Ban Ki-moon as part of his three-nation Southeast Asian tour of maternal and child health facilities. 14 November 2011 © UN Photo/Mark Garten*

The Committee has taken a comprehensive perspective to the obligations contained in article 24 and includes a life cycle, gender and primary health care approach to child and adolescent health as well as the underlying determinants of health. It recalls the urgency of reducing maternal, infant, child and adolescent mortality and morbidity. It also includes the issues of drug and substance abuse as well as unhealthy life styles by adolescents and it identifies the responsibilities of all members of society, state and non-state actors, in the implementation of article 24. Furthermore, the General Comment outlines a child rights-based accountability framework for the implementation of article 24, based on the notions of planning and implementing, monitoring, review and remedy.

**General Comment No. 16 - State Obligations regarding the Impact  
of the Business Sector on Children's Rights**

**T**his General Comment is a pronouncement of the Committee's interpretation of the framework required by States parties for implementation of the Convention as a whole with regard to the business sector. It provides guidance to States on the measures of implementation they are required to take to: prevent and remedy violations of child rights by business actors; to ensure business enterprises carry out their responsibilities in the realisation of the rights of the child; and to encourage business to contribute positively to the realisation of these rights.

This General Comment benefited from public calls for submissions on an annotated outline of the General Comment and on a subsequent first draft in June 2012. The Committee also conducted multi-stakeholder consultations in Argentina, India and Kenya. With the support of Save the Children International, consultations on the first draft of the General Comment were also held with children in Argentina, Bangladesh, Costa Rica, Kenya, Paraguay, Sudan and United Republic of Tanzania. In addition, the Committee also held a *webinar* with the business sector to seek their views and inputs on the General Comment. The Committee's General Comment Number 16 is the first time a United Nations Human Rights Treaty Body has developed a comprehensive set of standards for States to follow in the context of the business sector.■





**Palestinian Children Break World Record for Kite Flying**—A Palestinian child flies a kite on the beach of the northern Gaza Strip during a summer camp organized by the United Nations Relief and Works Agency (UNRWA). More than 1,200 children participated in the event to break a world record for kite flying. An international observer confirmed that the Palestinian children broke a world record in flying the largest number of kites. This comes after they broke three world records in the past several weeks -- the highest number flying parachutes from the ground, the largest number of people dribbling footballs and creating the largest ever hand painting. 28/07/2011. Gaza. © UN Photo/Shareef Sarhan

### **General Comment No. 17 - The right of the child to rest, leisure, play, recreational activities, cultural life and the arts (Article 31)**

**T**he Convention on the Rights of the Child explicitly recognises of the right of the child to rest, leisure, play, recreational activities and their free and full participation in cultural and artistic life in article 31. The realization of this right is central to the life and development of every child. It is also fundamental to the quality of childhood and to the realisation of other rights. However, for too many children across the world, this right remains elusive due to considerable obstacles to its realisation. The poor recognition by the States of the significance of this right in the lives of children results in lack of investment, weak or non-existent protective legislation and invisibility of children in national and local level planning.

This General Comment has been developed to raise awareness and understanding among States parties as to the significance of the right of the child to rest, leisure, play, recreational activities. It clarifies the obligation of the States to respect, protect and fulfil the rights embodied in Article 31 and ensure that they are

realised for every child without discrimination and, as with all other rights, including through specific interventions for children who face multiple barriers in the exercise of these rights. It also elaborates the role and responsibilities of the private sector, including companies working in the areas of recreation, cultural and artistic activities as well as civil society organizations and all individuals working for and with children. In addition, it elaborates the context for the realization of this article and certain conditions that need to be assured for the realization of article 31 in accordance with children's evolving capacities, including, 'an environment secure from social harm or violence', 'freedom from stress', 'availability of rest appropriate for their age and development,' 'availability of leisure time which is free from other demands, 'freedom from social exclusion, prejudice or discrimination,' and for the 'opportunities to explore and understand the cultural and artistic heritage of one's community, to participate within it, and to create and shape it. ■

The text of the General Comments can be found at:  
<http://www2.ohchr.org/english/bodies/crc/comments.htm>

## ***Holding dialogue with States parties through video conference: The pilot experience of the Committee on the Rights of the Child***



**Mr. Jean Zermatten, Chairperson of the Committee on the Rights of the Child, 62<sup>nd</sup> Session (22 January 2013), dialogue with the delegation of Niue through Video Conference © Child Rights Connect/Roisin Fegan**

Coming to Geneva to present periodic reports to treaty bodies may be very problematic for a few States for a variety of reasons including remoteness. To overcome those difficulties, the Committee on the Rights of the Child (CRC) took the decision to hold its dialogue with Niue through video conference. This pilot experience took place during the 62<sup>nd</sup> session of the CRC.

On 22 January 2013 in the morning, the 18 experts of the Committee moved to room XXV of Palais des Nations to hold a constructive dialogue with the State party delegation of Niue on its initial report under the Convention on the Rights of the Child through video conferencing. The delegation of Niue travelled to Fiji, where the video conference was hosted by UNICEF Regional Office for the Pacific in Suva. It was the first time that a Treaty Body used video conference to hold a dialogue with a State party. This dialogue was also

broadcasted as per usual practice of the Committee.

While taking its decision, the Committee on the Rights of the Child considered the many constraints faced by Niue: Niue is one of the smallest States in terms of population (1,311 (July 2011) source: [https://cia.gov/library/publications/the\\_world\\_facebook/geos/me.html](https://cia.gov/library/publications/the_world_facebook/geos/me.html) (CIA, USA). It is located in the middle of the Pacific Ocean, and is connected with the outside of the world by a weekly flight. Coming to Geneva would have taken the delegation more than two weeks, including over 60-hour flights, apart from the financial resources involved and would have led to the absence of senior officials within the Ministry of Foreign Affairs for over two weeks. Without this experimental use of such a technology, the consideration of Niue would have simply not been possible.

Due to the time difference with Niue (12 hours), the format of the dialogue had to be adapted to make proper use of the shorter time allocated (3 hours instead of 6) for the consideration of the report and to maintain the same quality of dialogue as with any other State. The Committee members disciplined themselves, posed concise questions and were therefore able to cover the entire scope of the Convention.

The effort made by the CRC to reach out to States parties who encounter serious difficulties in meeting their reporting obligations was greatly appreciated by Niue. Indeed, the experience was unanimously considered as positive by the Committee members who expressed the hope it could encourage State parties to make stronger commitment to implementing their obligations under the Convention.

Based on this very first positive experience making use of this technology and intended to give greater opportunities to national civil society actors to engage with treaty bodies, the Committee held a Skype dialogue with its main UN partner during the Pre-sessional Working Group which just followed the 62<sup>nd</sup> session. It also took the decision to allow non-governmental organizations presenting reports to the Committee to benefit from the same kind of arrangements. The Committee is also considering using videoconference with Nauru and Tonga, the last two States parties which have not presented their initial reports. ■



## Germany : a case of racial hatred : CERD Opinion regarding communication No. 48/2010, TBB-Turkish Union in Berlin/Brandenburg v. Germany



Mural in Berlin, East Side Gallery  
© Danielle KIRBY

During its eighty second session, on 26 February 2013, the Committee on the Elimination of All Forms of Racial Discrimination (CERD) considered communication No. 48/2010 (TBB-Turkish Union in Berlin/Brandenburg v. Germany). The communication was submitted by the Turkish Union in Berlin/Brandenburg alleging that the statements made in an interview by Mr. Thilo Sarrazin, the former Finance Senator of the Berlin Senate (from 2002 to April 2009, Social Democratic Party) and member of the Board of Directors of the German Central Bank (from May 2009) published in the German cultural journal "Lettre International" amounted to incitement to racial hatred, as the Turkish population was presented as inferior and denied the existence in German society. In essence, Mr. Sarrazin stated that a large proportion of the Turkish population does not have any productive function, that they are neither able nor willing to integrate into German society and encourage a collective mentality that is aggressive and ancestral, that they are conquering Germany just like the Kosovars conquered Kosovo: through a higher birth rate and that he would not mind if they were East European Jews with about a 15% higher IQ than the one of Germans, that he does not have to accept anybody who lives off the state and rejects this very state, who doesn't make any effort to reasonably educate their children and constantly produces new little headscarf girls, that influx of migrants should generally be prohibited, except for highly qualified individuals and that social welfare for immigrants should be not be provided.

With one dissenting Opinion, the Committee considered that it was competent to deal with the complaint as not only individuals but also "groups of individuals", including associations representing those groups, were entitled to complain before CERD. This was the first communication, in which an association alone submitted a communication. In previous communications submitted to CERD, individual members of the association had submitted the communication together with the association. The Committee considered however that it was not prevented from considering the complaint as the nature of the petitioner's activities and its aims and the group of individuals it represents satisfied the notion of "victim" under the Convention on the Elimination of All Forms of Racial Discrimination.

On the merits of the case, the Committee considered that Mr. Sarrazin's statements contained

ideas of racial superiority, denying respect as human beings and depicting generalized negative characteristics of the Turkish population, as well as incitement to racial discrimination in order to deny them access to social welfare and speaking about a general prohibition of immigration influx except for highly qualified individuals. It therefore considered Mr. Sarrazin's statements as impugned speech and observed that, while freedom of expression is important, Mr. Sarrazin's statements amounted to dissemination of ideas based on racial superiority or hatred and contained elements of incitement to racial discrimination. The Committee also considered that the State party had failed in its duty to carry out an effective investigation whether or not Mr. Sarrazin's statements amounted to dissemination of ideas based upon racial superiority or hatred. The Committee recommended that the State party review its policy and procedures concerning the prosecution in cases of alleged racial discrimination consisting of dissemination of ideas of superiority over other ethnic groups and of incitement to discrimination on such grounds.



Keith Haring's mural in East Side Gallery, Berlin,  
© Danielle Kirby

One Committee member, Mr. Carlos Vasquez disagreed with the Committee's Opinion on the ground that while Mr. Sarrazin's statements were offensive and bigoted, they nevertheless did not constitute incitement to racial discrimination. As for the notion of "dissemination of ideas based on racial superiority or hatred" as mentioned in article 4 of the Convention, it has to be exercised with caution given the broad formulation of article 4 which refers to the penalization of speech without an express link to the possibility that such speech will incite hatred or violence or discrimination. This might have an impact on the fundamental principle of freedom of expression. Mr. Vasquez considers that the State party should have discretion to prosecute those statements and other ways of preventing dissemination of racist ideas might be more appropriate to avoid reoccurrence. ■

CERD Opinion and the individual opinion by Mr. Carlos Vasquez can be found at:

<http://www2.ohchr.org/english/bodies/cerd/jurisprudence.htm>

**LATEST SIGNATURES - RATIFICATIONS - ACCESSIONS****January - June 2013**

<b><u>CERD</u></b>	<i>Convention the Elimination of Racial Discrimination (CERD)</i>
*	Ratification by <b>Grenada</b> (10 May 2013)
<b><u>OP-ICESCR</u></b>	<i>Optional Protocol to the International Covenant on Economic, Social and Cultural Rights</i>
*	Ratification by <b>Portugal</b> (28 January 2013)
*	Ratification by <b>Uruguay</b> (5 February 2013)
<b><u>OP-CAT</u></b>	<i>Optional Protocol to the Convention against Torture and Other cruel, Inhuman or Degrading Treatment and Punishment</i>
*	Ratification by <b>Portugal</b> (15 January 2013)
*	Accession by <b>Nauru</b> (24 January 2013)
*	Ratification by <b>Italy</b> (3 April 2013)
<b><u>CRC-OPSC</u></b>	<i>Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography</i>
*	Ratification by <b>Liechtenstein</b> (30 January 2013)
<b><u>CRC-OPAC</u></b>	<i>Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in armed Conflict</i>
*	Ratification by <b>Cameroon</b> (4 February 2013)
<b><u>CRC-OPIC</u></b>	<i>Optional Protocol to the Convention on the Rights to the Child on a communication procedure</i>
*	Ratification by <b>Germany</b> (28 February 2013)
*	Accession by <b>Bolivia</b> (2 April 2013)
*	Signature by <b>Ecuador</b> (24 April 2013)
*	Ratification by <b>Albania</b> (29 May 2013)
*	Ratification by <b>Spain</b> (3 June 2013)
<b><u>CRPD</u></b>	<i>Convention on the Rights of Persons with Disabilities</i>
*	Accession by <b>Iraq</b> (20 March 2013)
*	Ratification by <b>Norway</b> (3 June 2013)
*	Ratification by <b>Palau</b> (11 June 2013)
<b><u>OP-CRPD</u></b>	<i>Optional Protocol to the Convention on the Rights of Persons with Disabilities</i>
*	Ratification by <b>Albania</b> (11 February 2013)
*	Ratification by <b>Barbados</b> (27 February 2013)
*	Accession by <b>Iraq</b> (20 March 2013)
*	Ratification by <b>Palau</b> (11 June 2013)
<b><u>CED</u></b>	<i>Convention for the Protection of All Persons from Enforced Disappearances</i>
*	Ratification by <b>Morocco</b> (14 May 2013)

**For information on the status of ratification and signature of UN member states of UN human rights treaties and other international treaties, as well as reservations and declarations, please see:** <http://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>

**An overview of the ratification status by UN member states is accessible on:**

<http://www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx>



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## LATEST STATE PARTY REPORTS RECEIVED JANUARY – JUNE 2013



### AFRICA



BURUNDI

[ICESCR](#)

Initial report E/C.12/BDI/1 (16 January 2013)



CAMEROON

[CCD\\*](#)

HRI/CORE/CMR/2013 (22 May 2013)



CÔTE D'IVOIRE

[ICCPR](#)

Initial report CCPR/C/CIV/1 (25 March 2013)



GABON

[CRC](#)

2<sup>nd</sup> periodic report CRC/C/GAB/2 (15 March 2013)



KENYA

[CRC](#)

3<sup>th</sup>-5<sup>th</sup> periodic report CRC/C/KEN/3-5 (19 March 2013)



DEMOCRATIC  
REPUBLIC  
OF CONGO

[CCD\\*](#)

HRI/CORE/COD/2013 (28 January 2013)



MALDIVES

[CRC](#)

4<sup>th</sup>-5<sup>th</sup> periodic report CRC/C/MDV/4-5 (21 February 2013)



SENEGAL

[CRC](#)

3<sup>rd</sup>-5<sup>th</sup> periodic report CRC/C/SEN/3-5 (29 April 2013)



SIERRA LEONE

[CAT](#)

Initial report CAT/C/SLE/1 (7 February 2013)



SUDAN

[CERD](#)

12<sup>th</sup>-15<sup>th</sup> periodic report CERD/C/SDN/12-15 (18 March 2013)



UGANDA

[CRPD](#)

Initial report CRPD/C/UGA/1 (22 January 2013)







\* CCD Common Core Document

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## LATEST STATE PARTY REPORTS RECEIVED JANUARY – JUNE 2013



### NORTH AFRICA AND MIDDLE EAST

	<b>BRUNEI DARUSSALAM</b>	<a href="#"><u>CEDAW</u></a>	Initial to 2 <sup>nd</sup> periodic report CEDAW/C/BRN/1-2 (1 May 2013)
	<b>IRAQ</b>	<a href="#"><u>ICESCR</u></a>	4 <sup>th</sup> periodic report E/C.12/IRQ/4 (22 May 2013)
	<b>IRAN</b>	<a href="#"><u>CRC</u></a>	3 <sup>rd</sup> periodic report CRC/C/IRN/3 (16 April 2013)
	<b>MOROCCO</b>	<a href="#"><u>ICESCR</u></a>	4 <sup>th</sup> periodic report E/C.12/MAR/4 (24 January 2013)
	<b>OMAN</b>	<a href="#"><u>CCD*</u></a>	HRI/CORE/OMN/2013 (11 April 2013)
	<b>UNITED ARAB EMIRATES</b>	<a href="#"><u>CRPD</u></a>	Initial report CRPD/C/ARE/1 (24 January 2013)

\* CCD Common Core Document



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## LATEST STATE PARTY REPORTS RECEIVED JANUARY - JUNE 2013



### EUROPE, NORTH AMERICA AND CENTRAL ASIA

	AUSTRIA	<a href="#">CCPR</a>	5 <sup>th</sup> periodic report CCPR/C/AUT/5 (28 May 2013)
	ARMENIA	<a href="#">CRPD</a>	Initial report CRPD/C/ARM/1 (22 January 2013)
	AZERBAIJAN	<a href="#">CEDAW</a>	5 <sup>th</sup> periodic report CEDAW/C/AZE/5 (11 March 2013)
	CANADA	<a href="#">CCD*</a>	HRI/CORE/CAN/2013 (28 January 2013)
		<a href="#">ICCPR</a>	6 <sup>th</sup> periodic report CCPR/C/CAN/6 (9 April 2013)
	ESTONIA	<a href="#">CERD</a>	10 <sup>th</sup> - 11 <sup>th</sup> periodic report CERD/C/EST/10-11 (9 January 2013)
	FRANCE	<a href="#">CERD</a>	20 <sup>th</sup> - 21 <sup>st</sup> periodic report CERD/C/FRA/20-21 (23 May 2013)
		<a href="#">ICESCR</a>	4 <sup>th</sup> periodic report E/C.12/FRA/4 (23 May 2013)
	GERMANY	<a href="#">CERD</a>	19 <sup>th</sup> - 22 <sup>th</sup> periodic report CERD/C/DEU/19-22 (8 April 2013)
		<a href="#">CRC-OPSC</a>	Initial report CRC/C/OPSC/DEU/1 (23 April 2013)
	ITALY	<a href="#">CRPD</a>	Initial report CRPD/C/ITA/1 (22 January 2013)








\* CCD Common Core Document

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## LATEST STATE PARTY REPORTS RECEIVED JANUARY - JUNE 2013



### EUROPE, NORTH AMERICA AND CENTRAL ASIA

	KYRGYZSTAN	<a href="#">CEDAW</a>	4 <sup>th</sup> periodic report CEDAW/C/KGZ/4 (18 January 2013)
	LATVIA	<a href="#">CRC-OPSC</a>	Initial report CRC/C/OPSC/LVA/1 (1 March 2013)
	THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA	<a href="#">CCD</a> <a href="#">ICCPR</a>	HRI/CORE/MKD/2013 (5 April 2013) 3 <sup>rd</sup> periodic report CCPR/C//MKD/3 (16 May 2013)
	REPUBLIC OF MOLDOVA	<a href="#">CRPD</a>	Initial report CRPD/C/MDA/1 (21 January 2013)
	SWEDEN	<a href="#">CAT</a>	6 <sup>th</sup> - 7 <sup>th</sup> periodic report CAT/C/SWE/2013 (11 March 2013)
	UKRAINE	<a href="#">CAT</a>	6 <sup>th</sup> periodic report CAT/C/UKR/6 (6 March 2013)
	UZBEKISTAN	<a href="#">ICCPR</a>	4 <sup>th</sup> periodic report CCPR/C/UZB/4 (8 April 2013)








\* CCD Common Core Document

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## LATEST STATE PARTY REPORTS RECEIVED JANUARY - JUNE 2013






### LATIN AMERICA AND THE CARIBBEAN

	GUATEMALA	<a href="#">CERD</a>	14 <sup>th</sup> -15 <sup>th</sup> periodic report CERD/C/GTM/14-15 (12 April 2013)
	HONDURAS	<a href="#">CERD</a>	Initial report CERD/C/HND/1 (4 January 2013)
	PERU	<a href="#">CERD</a>	18 <sup>th</sup> - 20 <sup>th</sup> periodic report CERD/C/PER/18-20 (23 April 2013)
	EL SALVADOR	<a href="#">CERD</a>	16 <sup>th</sup> -17 <sup>th</sup> periodic report CERD/C/SLV/16-17 (22 January 2013)
	SOLOMON ISLANDS	<a href="#">CEDAW</a>	Initial to 3 <sup>rd</sup> report CEDAW/C/SLB/1-3 (31 January 2013)
	SAO TOME AND PRINCIPE	<a href="#">CRC</a>	5 <sup>th</sup> periodic report CRC/C/STP/5 (4 April 2013)
	URUGUAY	<a href="#">CMW</a>	Initial report CMW/C/URY/1 (26 April 2013)



### ASIA AND THE PACIFIC

	JAPAN	<a href="#">CERD</a>	7 <sup>th</sup> - 9 <sup>th</sup> periodic report CERD/C/JPN/7-9 (14 January 2013)
	THAILAND	<a href="#">CAT</a>	Initial report CAT/C/THA/1 (27 February 2013)
	VIETNAM	<a href="#">CEDAW</a>	7 <sup>th</sup> - 8 <sup>th</sup> periodic report CEDAW/C/VNM/7-8 (30 January 2013)



## YOU CAN BE OF CRUCIAL ASSISTANCE TO TREATY BODIES ENGAGE WITH THE HUMAN RIGHTS TREATIES DIVISION !

- By *raising* awareness with country-based constituencies about upcoming considerations of reports by treaty body
- By *encouraging* relevant partners to provide information to relevant treaty bodies
- By *facilitating* and encouraging implementation of treaty body recommendations

Committee	Committee's Secretary
Committee on the Elimination of Racial Discrimination (CERD) <a href="mailto:cerd@ohchr.org">cerd@ohchr.org</a>	Ms. Gabriella Habtom <a href="mailto:ghabtom@ohchr.org">ghabtom@ohchr.org</a>
Committee on Economic, Social and Cultural Rights (CESCR) <a href="mailto:cescr@ohchr.org">cescr@ohchr.org</a>	Ms. Maja Andrijasevic-Boko <a href="mailto:mandrijasevic-boko@ohchr.org">mandrijasevic-boko@ohchr.org</a>
Human Rights Committee (HRCttee) <a href="mailto:ccpr@ohchr.org">ccpr@ohchr.org</a>	Ms. Kate Fox <a href="mailto:kfox@ohchr.org">kfox@ohchr.org</a>
Committee on the Elimination of Discrimination Against Women (CEDAW) <a href="mailto:cedaw@ohchr.org">cedaw@ohchr.org</a>	Mr. Jakob Schneider <a href="mailto:jschneider@ohchr.org">jschneider@ohchr.org</a>
Committee against Torture (CAT) <a href="mailto:cat@ohchr.org">cat@ohchr.org</a>	Mr. Joao Nataf <a href="mailto:jnataf@ohchr.org">jnataf@ohchr.org</a>
Subcommittee on Prevention of Torture (SPT) <a href="mailto:opcat@ohchr.org">opcat@ohchr.org</a>	Mr. Patrice Gillibert <a href="mailto:pgillibert@ohchr.org">pgillibert@ohchr.org</a>
Committee on the Rights of the Child (CRC) <a href="mailto:crc@ohchr.org">crc@ohchr.org</a>	Ms. Allegra Franchetti <a href="mailto:afranchetti@ohchr.org">afranchetti@ohchr.org</a>
Committee on Migrant Workers (CMW) <a href="mailto:cmw@ohchr.org">cmw@ohchr.org</a>	Mr. Bradford Smith <a href="mailto:bsmith@ohchr.org">bsmith@ohchr.org</a>
Committee on the Rights of Persons with Disabilities (CRPD) <a href="mailto:crpd@ohchr.org">crpd@ohchr.org</a>	Mr. Jorge Araya <a href="mailto:jaraya@ohchr.org">jaraya@ohchr.org</a>
Committee on Enforced Disappearances (CED) <a href="mailto:ced@ohchr.org">ced@ohchr.org</a>	Ms. Maria Giovanna Bianchi <a href="mailto:mgbianchi@ohchr.org">mgbianchi@ohchr.org</a>
Annual meeting of the Treaty Bodies Chairpersons <a href="mailto:mc.icm@ohchr.org">mc.icm@ohchr.org</a>	Ms. Birgit Van Hout <a href="mailto:bvanhout@ohchr.org">bvanhout@ohchr.org</a>

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## HRTD NEWSLETTER

- ... Is issued on a quarterly basis since 2008 with a view to provide more in-depth and specific information on the work of the treaty bodies, including interviews, analysis of decisions, activities and reports from OHCHR field presences, etc.
- ... Is available at the treaty bodies' webpage on OHCHR website:  
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- ... Can be accessed by OHCHR staff on OHCHR Intranet, together with more information on the work of the Human Rights Treaties Division, at:  
<http://intranet.ohchr.org/Offices/Geneva/HumanRightsTreatiesDivision/Pages/HRCTDpage.aspx>
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## USEFUL TOOLS AND LINKS

- ... Webpage on the Treaty bodies strengthening process:  
<http://www2.ohchr.org/English/bodies/HRTD/index.htm>
- ... Universal Human Rights Index: A user-friendly search engine with access to all recommendations of treaty bodies, special procedures and the Universal Periodic Review (UPR): <http://uhri.ohchr.org/>
- ... Civil Society Section mailing-list: subscribe to email updates about [human rights treaty bodies](#) and other UN human rights activities:  
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### CONTACT US !

Your comments are important:  
[HRTD-newsletter@ohchr.org](mailto:HRTD-newsletter@ohchr.org)

