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The UN human rights treaties system suffers from a serious lack of resources: the system has grown much faster than the budgets available for meetings of experts, and the time experts can dedicate to the examination of each State report has been limited as a result. Another major problem the system of State reporting faces is that States are very late in the submission of their reports; in some cases, States have not submitted even their initial report to the committee tasked with supervising the treaty they have ratified. To a certain extent, these problems cancel themselves out: if all States were suddenly to comply with their reporting requirements, the human rights treaty bodies would be overwhelmed and it would be impossible for them to cope with the supplementary workload this would entail.

Which solutions could be explored to address these challenges? Human rights treaty bodies have not remained indifferent to the problem of delays of governments in reporting. They have sought to increase pressure on States to deliver reports by announcing that they would address the situation of a country even in the absence of a State report: this was the announcement (/c4x/LouvainX/Louv2.01x/asset/_Materials__State_Reporting_Challenges_Final_.pdf) made, for instance, by the Human Rights Committee in 2002. This is now what is provided in the 2006 Convention on the Rights of Persons with Disabilities. Article 36 of this convention reads in its relevant part:

1. Each report shall be considered by the Committee, which shall make such suggestions and general recommendations on the report as it may consider appropriate and shall forward these to the State Party concerned. The State Party may respond with any information it chooses to the Committee. The Committee may request further information from States Parties relevant to the implementation of the present Convention.
2. If a State Party is significantly overdue in the submission of a report, the Committee may notify the State Party concerned of the need to examine the implementation of the present Convention in that State Party, on the basis of reliable information available to the Committee, if the relevant report is not submitted within three months following the notification. The Committee shall invite the State Party concerned to participate in such examination. Should the State Party respond by submitting the relevant report, the provisions of paragraph 1 of this article will apply.

It is clear however that no structural solution to delays will be found unless improvements are made also at the domestic level of the States concerned, as noted in this excerpt (/c4x/LouvainX/Louv2.01x/asset/_Materials__State_Reporting_Delays_Final_.pdf) of the Compilation of Guidelines on the Form and Content of Reports to be submitted by States Parties to the International Human Rights Treaties, published in 2009.



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