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Help

UN human rights treaty bodies have regularly insisted that States should organize a debate, preferably in parliament, on the measures to be taken to implement the recommendations contained in the Concluding Observations. The reasons for this are obvious: adequate implementation of the Concluding Observations adopted by the UN human rights treaty bodies will only occur if not only the parliamentarians, but also civil society organizations and the media have full knowledge of the content of these observations, and thus are able to put pressure on the public authorities, including both the Government and Parliament, to take them into account.

And indeed, the *Optional Protocol to the CEDAW* includes a provision under which

‘Each State Party undertakes to make widely known and to give publicity to the Convention and the present Protocol and to facilitate access to information about the views and recommendations of the Committee, in particular, on matters involving the State Party’

Article 36(4) of the *Convention on the Rights of Persons with Disabilities* provides that

‘States Parties shall make their reports widely available to the public in their own countries and facilitate access to the suggestions and general recommendations relating to these reports.’

In addition, the treaty bodies suggest that States set up an inter-departmental taskforce to prepare the State report, and that this structure, if established on a permanent basis, ‘should provide an effective mechanism to coordinate follow-up to the concluding observations of the treaty bodies’ (Harmonized Guidelines on Reporting under the International Human Rights Treaties, including Guidelines on a Common Core Document and treaty-specific targeted documents (HRI/MC/2006/3, 10 May 2006), para. 13).

In order to improve the follow-up to their Concluding Observations adopted on the basis of States’ reports, the human rights treaty bodies have developed **‘follow-up activities’**, which seek to create incentives for States to co-operate in the implementation of the recommendations:

- *One approach* has been to identify certain priority actions that should be taken by the State concerned, ensuring an improved targeting of the recommendations. Thus, Rule 71, para. 5 of the Rules of Procedure of the Human Rights Committee (as amended in 2012, see UN doc. CCPR/C/3/Rev.10) provides that:

‘The Committee may request the State party to give priority to such aspects of its concluding observations as it may specify.’ Rule 72 in turn states that where the Committee has thus specified that priority should be given to certain aspects of its Concluding Observations on a State party’s report, ‘it shall establish a procedure for

considering replies by the State party on those aspects and deciding what consequent action, including the date set for the next periodic report, may be appropriate'.

- *Another approach* has been for human rights treaty bodies to be more proactive in the follow-up to their Concluding Observations, by the establishment of posts of Rapporteur for follow-up to conclusions and recommendations. Thus for instance, since 2006, under Article 65 of the Rules of Procedure of the Committee for the Elimination of Racial Discrimination, the Committee may appoint a '**follow-up coordinator**', for a period of two years, charged with following up on the requests of the Committee for further reports or information from the State party.



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