



# Engaging with UN Human Rights Monitoring Mechanisms

A GUIDE FOR NORTHERN IRELAND CIVIL SOCIETY



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## Recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world



**T**his opening sentence from the Universal Declaration of Human Rights set the foundation for our modern United Nations Human Rights Treaty system. A system that aims to ensure that our inherent dignity and equal and inalienable rights are recognised by setting core international human rights standards which individual states have a duty to uphold. The Human Rights Consortium is an alliance of groups working to ensure a human rights based society which includes a strong and inclusive Bill of Rights for Northern Ireland. This means that both we and our members regularly reference and draw upon the various international human rights treaties that have been established at the United Nations (UN).

The core UN human rights treaties outlined in this guide set the international barometer for good human rights laws domestically. Key to full implementation and compliance with the UN treaty system is effective monitoring and reporting by an active and well informed civil society.

Our local performance in protecting human rights in Northern Ireland needs to be constantly checked against these international

standards and our government held to account for its performance in their delivery. The UN relies on NGOs and civil society organisations to give them a full picture of the actual human rights circumstances on the ground in each country. The Treaty Review System also provides invaluable periodic guidance for political leaders in Northern Ireland, who ultimately have a primary responsibility for the protection of rights in our society.

The Consortium was conscious that while a number of distinct information sources and guides exist on individual elements of UN Human Rights treaty system that there was no core guide that pulled all of this together in an accessible format while also taking account of specific Northern Ireland considerations.

This document aims to fill that gap and provide a local guide to accessing information on the UN Human Rights Treaties and how civil society groups in Northern Ireland can get involved in the Treaty Monitoring process.

We hope you find this guide helpful in your work.

Fiona McCausland  
*Chairperson*  
*Human Rights Consortium*



## Acknowledgements

This guide was developed in collaboration with a number of civil society organisations from Northern Ireland with extensive experience in the field of human rights across a range of sectors and issues. We have cited examples of their work in our case studies, attached their contact

details in the appropriate chapters and we would like to thank them for their help and expertise. We would also like to thank Conor Kerr who carried out the bulk of the research and drafting for this guide



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## Glossary of Terms

**Accession:** The accession to, or ratification of international human rights treaties is the act whereby a state party commits to the provisions enshrined in that treaty.

**Accreditation:** Official approval which must be gained in order to attend Committee meetings and sessions. In order to do this, a registration form must be completed in advance of the session and returned to receive a ground pass.

**Alternative/Shadow Report:** An alternative report (also commonly known as a shadow report) is a report outlining the human rights situation of a given country submitted alongside the state report of a government, usually by NGOs operating within the state.

**Attending sessions:** It is possible to attend the sessions of the Committee. To receive a ground pass, attendees are required to be duly accredited by completing a registration form.

**CAT:** This is an abbreviation for the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment 1984 which is overseen by the Committee against Torture.

**CEDAW:** This is an abbreviation for the Convention on the Elimination of All Forms of Discrimination against Women 1979 which is overseen by the Committee on the Elimination of Discrimination against Women.

**Charter-based Body:** A charter-based body is a body which derives from the UN Charter 1945.

**Civil and political rights:** A class of rights that protect individuals' freedom from infringement by governments and private organizations, and ensure one's ability to participate in the civil and political life of the state without discrimination or repression. Examples of civil rights include freedom from discrimination and freedom of expression. Examples of political rights include the right to vote and the right to fair trial.

**Civil society actor:** A member of a non-governmental organisation or institution (e.g. a charity, community group, university or trade union) working in the interest and will of citizens in society and independently of government.

**Coalition:** An alliance of groups or individuals working together for a shared interest/action.

**Committee:** Each UN treaty body has a Committee attached. The Committee is comprised of independent experts charged with the implementation of their respective human rights treaties.

**Committee Sessions:** Committee sessions take place in Geneva twice a year for each Committee, usually lasting a 3 week period. It is during Committee sessions that state party examinations occur.

**Concluding observations/recommendations:** These represent an overall assessment of a State's record and provide recommendations for enhanced implementation of the treaty being reviewed. Concluding observations are issued after the review of a state and carry a lot of significance.

**Country Task Force:** The principal purpose of the Country Task Force is to identify in advance the questions which will constitute the principal focus of the dialogue with the representatives of the reporting State. The Country Report Task Force has between four and six members, taking account of the desirability of a balanced geographical distribution and other relevant factors. One of these members is the country rapporteur who is the person overall responsible for the drafting of the list of issues.

**CRC:** This is an abbreviation for the Convention on the Rights of the Child 1989 which is overseen by the Committee on the Rights of the Child.

**Crown Dependencies:** A Crown dependency is a special kind of self-governing state under the sovereignty of



the British Crown. At the time of writing, the Crown dependencies consisted of the Isle of Man, Guernsey and the Bailiwicks of Jersey.

**CRPD:** This is an abbreviation for the Convention on the Rights of Persons with Disabilities 2006 which is overseen by the Committee on the Rights of Persons with Disabilities.

**Dualist system:** Dualist system: In a dualist system international law is not directly applicable domestically. It must first be translated into national legislation before it can be applied by the national courts. The UK is an example of a dualist system. (*Common law legal system*).

**DPO:** This is an abbreviation for Disabled People's Organisation. DPOs are uniquely positioned in the CRPD monitoring process, enjoying a greater level of participation with the Committee.

**Economic, social and cultural rights:** These are socio-economic human rights, such as the right to education, right to housing, right to adequate standard of living, right to health and the right to science and culture.

**ECOSOC/Consultative status:** This refers to non-governmental organizations (NGOs) in Consultative Status with the United Nations Economic and Social Council. Gaining consultative (ECOSOC) status provides NGOs with access to and the ability to participate with not only ECOSOC, but also to its many subsidiary bodies, to the various human rights mechanisms of the United Nations, ad-hoc processes on small arms, as well as special events organized by the President of the General Assembly.

**General Comments:** Each of the treaty bodies publishes its interpretation of the provisions of its respective human rights treaty in the form of "General Comments" or "General Recommendations". These cover a wide range of subjects, from the comprehensive interpretation of substantive provisions, such as the right to life or the right to adequate food, to general guidance on the information that should be submitted

in state reports relating to specific articles of the treaties.

**Human Rights Council:** The Human Rights Council is responsible for strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and making recommendations on them. It is made up of 47 United Nations Member States which are elected by the UN General Assembly. The Human Rights Council replaced the former United Nations Commission on Human Rights.

**Human Rights Treaty:** A human rights treaty is a document which contains human rights laws. There are 9 international human rights treaties. A state which ratifies a treaty commits to upholding the laws enshrined in the ratified treaty and to submitting state party reports to this end.

**ICERD:** This is an abbreviation for the International Convention on the Elimination of All Forms of Racial Discrimination 1965 which is overseen by the Committee on the Elimination of Racial Discrimination.

**ICESCR:** This is an abbreviation for the International Covenant on Economic, Social and Cultural Rights 1966 which is overseen by the Committee on Economic, Social and Cultural Rights.

**ICCPR:** This is an abbreviation for the International Covenant on Civil and Political Rights 1966 which is overseen by the Human Rights Committee.

**Informal briefings:** During the examination of a state party, Committees will organise formal meetings to engage with NGOs. However informal briefings such as lunch meetings may also be possible and can provide an important opportunity for NGOs to brief Committee members.

**International Bill of Human Rights:** The Universal Declaration on Human Rights 1948, ICCPR and ICESCR taken together make up what is referred to as the International Bill of Human Rights.



**List of issues/themes:** Following the pre-session, the Committee prepares a “List of Issues” – a list of questions on which additional information is sought. This is forwarded to the state party along with a formal invitation to meet with the Committee. This is a public document.

**Monist system:** : In a pure monist state the act of ratifying an international treaty immediately incorporates the law into national law; and customary international law is treated as part of national law as well. International law can be directly applied by a national judge, and can be directly invoked by citizens, just as if it were national law. Holland is a monist system, with implementing legislation. (*Continental legal system*).

**NGO:** Non-Governmental Organisation- an organisation that is neither a part of a government nor a conventional for-profit business.

**NHRI:** National Human Rights Institutions. These are bodies established by government to protect human rights in a given country. The Northern Ireland Human Rights Commission is an NHRI.

**Optional Protocol:** The term ‘Protocol’ is used for an additional legal instrument that complements and adds to a treaty. A protocol is ‘optional’ because it is not automatically binding to states that have ratified the original treaty; states must independently ratify or accede to a protocol.

**Permanent mission to the UN:** A permanent mission is a group of people from one state or an international inter-governmental organisation present at the United Nations (in New York, Geneva, Vienna or Nairobi) to officially represent the sending state/organisation.

**Personal capacity:** A person may be said to be acting in their personal capacity whenever the person’s actions are the result of their own decisions, rather than being actions to which they are obligated in their capacity as an agent of another person, country or agency.

**Pre-sessional working group:** These are meetings of the Committee in advance of the next session in order to do preparatory work. They are often closed sessions, open only to representatives of UN entities and NGOs whose country reports will be discussed. They provide another opportunity for NGOs to discuss issues with UN representatives.

**Rapporteur:** A person who acts as a “liaison officer” of a committee and also carries out investigations on behalf of the Committee. The country rapporteur is responsible for drafting the list of issues.

**Ratification:** The ratification of, or accession to international human rights treaties is the act whereby a state party commits to the provisions enshrined in that treaty.

**Secretariat:** The secretariat provides administrative support to a Committee. More specifically it assists the Chair in executing his or her executive functions, facilitates the work of the Committee, and acts dynamically to strengthen networking and ensure follow-up. They are a key contact when taking part in a treaty review.

**Signature:** An act by which a state provides a preliminary endorsement of the instrument. Signing does not create a binding legal obligation but does demonstrate the State’s intent to examine the treaty domestically and consider ratifying it. While signing does not commit a state to ratification, it does oblige the state to refrain from acts that would defeat or undermine the treaty’s objective and purpose.

**Special Procedures:** The special procedures of the Human Rights Council are independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective.

**Special Rapporteur (also referred to as Special Procedure mandate holders):** A Special Rapporteur is an independent expert appointed by the Human Rights Council of the UN to examine and report back on a country situation or a specific human rights theme. This position is honorary and the expert is not United



Nations staff nor paid for his/her work.

**State party examination:** A ‘state party’ to a treaty is a country that has ratified or acceded to that particular treaty, and is therefore legally bound by the provisions in the instrument. A state party examination is a review of how well the country is fulfilling its obligations under the Treaty.

**State report:** After acceding/ratifying a human rights treaty, state parties are required to submit periodic state reports to the various UN Committees, outlining the legislative, judicial, policy and other measures they have taken to ensure the rights guaranteed in that treaty.

**State under review:** Often abbreviated to SuR, this term refers to the state currently being reviewed as part of the treaty monitoring process.

**Submitting oral information:** It is possible to submit oral information to the Committees while attending meetings and/or sessions. This is also known as “oral intervention”.

**Submitting written information:** It is possible to submit written information to the Committees, usually in the form of an alternative/shadow report.

**Treaty-based Body:** A treaty-based body is a body created under an international

human rights treaty.

**Treaty Body:** Treaty bodies are groups of independent experts charged with overseeing the implementation of human rights treaties.

**UN Treaty Monitoring Mechanism:** There are ten human rights treaty bodies that monitor implementation of the core international human rights treaties of the United Nations

**UN Working languages:** The current official and working languages used at the United Nations are: Arabic, Chinese, English, French, Russian and Spanish.

**UPR:** This is an abbreviation for the Universal Periodic Review.

**Working with the United Nations Human Rights Programme: A Handbook for Civil Society:** This is an authoritative publication on United Nations human rights bodies and mechanisms which is referred to extensively in this guide.





## About This Guide

**T**he United Nations (UN) human rights treaty system can initially appear to be complicated and inaccessible for civil society organisations wishing to become involved in treaty monitoring. This guide aims to demystify

the process of engaging with the UN treaty monitoring mechanisms and the Universal Periodic Review (which is charter-based rather than treaty-based). It does this by drawing on the advice of civil society organisations from Northern Ireland with experience in engaging and utilising the UN human rights system.

Chapters 2-8 have been designed as self-contained resources for each of the treaties ratified by the UK, allowing access to treaty-specific information relevant to your sector or area of interest. Chapter 9 covers the Universal Periodic Review, which employs different review processes than the treaty-based bodies. Chapter 10 covers some other important areas: Special Procedures, General Comments, Optional Protocols and the role of National Human Rights Institutions

This guide is intended to be used as a starting point for civil society organisations seeking to become involved in these review processes. It is not intended to be an exhaustive guide and should be utilised in consultation with other resources. Where appropriate, we have provided links to further information.

## Why Get Involved?

Civil society engagement with the UN treaty monitoring mechanisms is important as it facilitates the effective monitoring and implementation of human rights standards. Engagement draws attention to human rights issues which may not be represented in the state party reports and in doing so helps to provide a more comprehensive picture of the human rights landscape in Northern Ireland, which in turn helps to promote, protect and strengthen our rights.



Civil society participation is particularly important in Northern Ireland for two key reasons:

- The UK submits a single state party report. This means that Northern Ireland has to compete for space in the report with the other 3 regions that comprise the UK as well as the Crown Dependencies. So the UN treaty bodies may not get a detailed picture of the human rights situation in Northern Ireland if civil society organisations do not participate.
- The UK operates a dualist system and therefore international human rights law is not directly enforceable domestically. This strengthens the need to engage with the international mechanisms to ensure that pressure is put on the UK government to implement the treaty provisions.

### UN Human Rights Treaty System and its Operation

The UN human rights treaty system came to prominence following the adoption of the Universal Declaration on Human Rights (UDHR) by the United Nations General Assembly on 10 December 1948. This document envisaged “a common standard of achievement for all peoples and nations” and set out the basic civil, political, economic, social and cultural rights that all people should enjoy.<sup>1</sup> Following the UDHR, a number of UN human rights treaties were created.

These documents set out the basic rights that each individual is entitled to as a human being. Countries can choose whether or not to be bound by these treaties and how to implement the rights they contain. When a state does choose to be bound (ratifies) an international human rights treaty, it commits itself to the protection of the rights enshrined therein.

In addition to these obligations, ratifying parties are also required to submit periodic

state party reports on how they implemented the treaty provisions. These reports are to be submitted usually within two years of accession and thereafter every few years (usually 2-5 years dependent on the treaty provisions and decisions of the Committees).

### The UN Treaties

There are nine core UN human rights treaties, each covering a different category of rights:

- The International Convention on the Elimination of All Forms of Racial Discrimination 1965 (ICERD)
- The International Covenant on Economic, Social and Cultural Rights 1966 (ICESCR)
- The International Covenant on Civil and Political Rights 1966 (ICCPR)
- The Convention on the Elimination of All Forms of Discrimination against Women 1979 (CEDAW)
- The Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment 1984 (CAT)
- The Convention on the Rights of the Child 1989 (CRC)
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families 1990 (CMW)  
**[not yet ratified by UK at the time of writing.<sup>2</sup>]**
- The Convention on the Rights of Persons with Disabilities 2006 (CRPD)
- The International Convention for the Protection of All Persons from Enforced Disappearance 2006 (CED)  
**[not yet ratified by UK at the time of writing]**



## Monitoring Mechanisms

Each core international treaty has a treaty monitoring body, otherwise known as a monitoring mechanism, which oversees its implementation. There are currently ten human rights treaty bodies. Nine of these treaty bodies monitor implementation of the core international human rights treaties. These are:

- The Committee on the Elimination of Racial Discrimination (monitoring CERD)
- The Committee on Economic, Social and Cultural Rights (monitoring ICESCR)
- The Human Rights Committee (monitoring ICCPR)
- The Committee on the Elimination of Discrimination against Women

(monitoring CEDAW)

- The Committee against Torture (monitoring CAT)
- The Committee on the Rights of the Child (monitoring CRC)
- The Committee on Migrant Workers (monitoring CMW)
- The Committee on the Rights of Persons with Disabilities (monitoring CRPD)
- The Committee on Enforced Disappearances (CED)
- The tenth treaty body, the Subcommittee on Prevention of Torture (SPD), monitors places of detention among its parties.

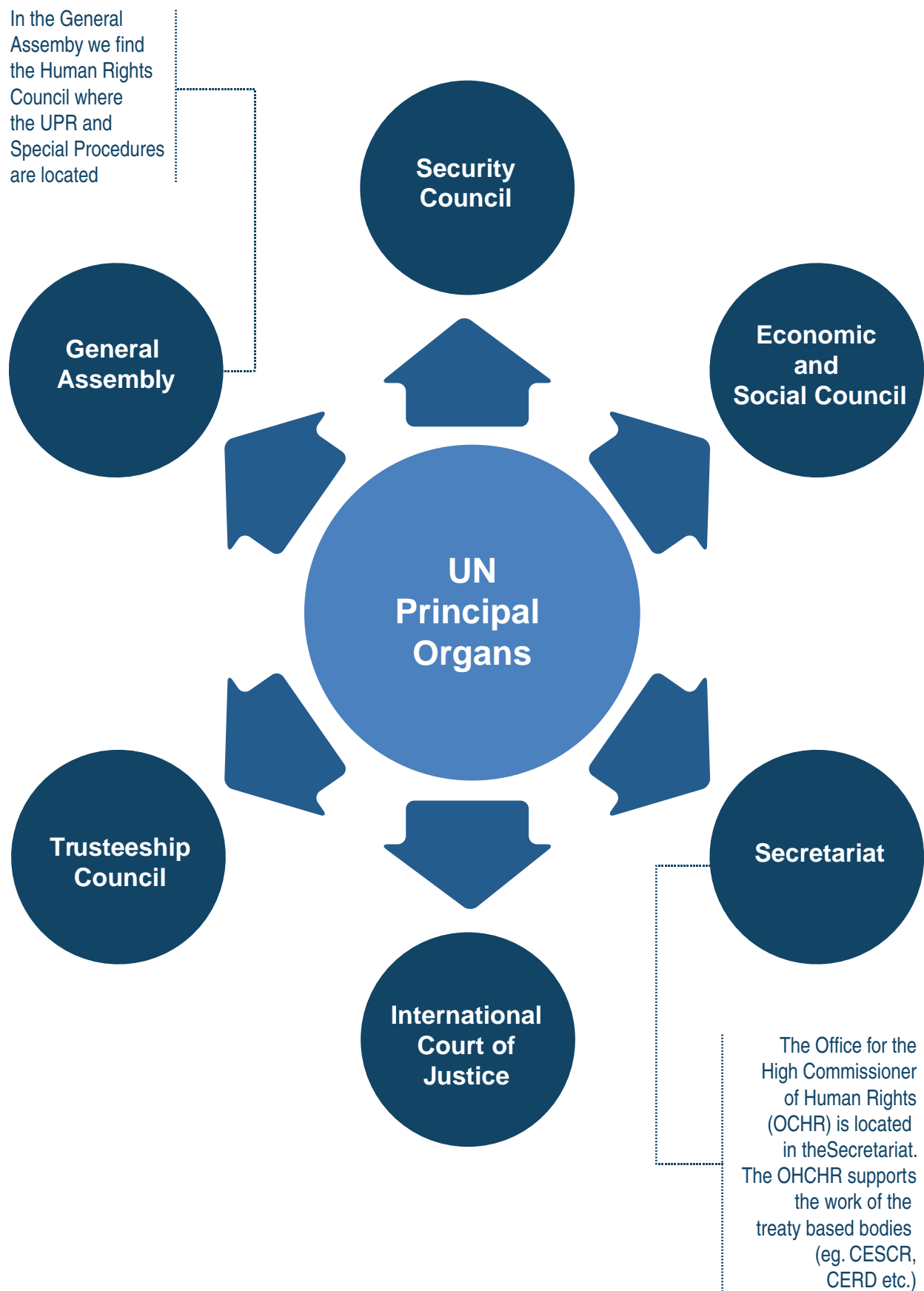
## The Work of the Committee

The Committees are made up of independent experts, acting in their personal capacity. The work of the Committees





Where are these bodies located within the UN System?





includes: considering state party reports, drafting lists of issues, drafting Concluding Observations and Recommendations, conducting follow up procedures to the Concluding Observations, drafting General Comments / Recommendations, co-operating with NHRIs and NGOs.<sup>3</sup>

## **Treaty Reviews and Civil Society Participation**

### *The Treaty Review Process*

**Submission of State Party Report:** A country is required to submit state party reports to the Committees for each human rights treaty it has ratified. These reports must outline the legal, administrative, judicial and other measures taken to implement the provisions of each treaty. State party reports are usually submitted within two years of ratifying a treaty and then every few years or when the Committee requests.

The deadlines for submission are subject to change and may be accessed here:

<http://bit.ly/1u1Rujv>

**State Party Examination:** The relevant Committee engages in a review where they examine the state party report- this occurs during a Committee session.

Details on the Committee sessions may be found on the relevant treaty webpage which may be accessed here:

<http://bit.ly/1remIEj>

### **Concluding Observations/ Recommendations:**

Following the state party examination session the Committee publishes its Concluding Observations on the state party under review.

Previous state reports and Concluding Observations may be accessed here:

<http://bit.ly/1renotj>

### **How Can You Get involved?**

Committees are open to receiving information from civil society. There are a

number of ways civil society can engage with the UN human rights treaty system and the Universal Periodic Review.<sup>4</sup>

### **You can:**

#### **1) Submit written information to a Committee:**

One of the most effective ways civil society can engage with the UN treaty mechanisms is the submission of written information. The UN Committees are open to receiving additional information on the areas covered by their respective treaties. One way to do this is by submitting an alternative report (also known as a shadow report) alongside the state report of a government. Some Committees also welcome written information at their pre-sessional working groups for the preparation of lists of issues.

#### **2) Make oral submissions to the Committee:**

Civil society actors may also attend and contribute to the sessions of the human rights treaty bodies. State report examinations may be attended as observers and in some cases may also be contributed to. Most committees set aside time for civil society actors for oral presentations on submitted written information. Some Committees also allocate time for contributions during their pre-sessional working groups and it may also be possible to arrange informal briefings with Committee members.

The applicable procedures for oral submissions vary between Committees. Check the relevant Committee page for further information:

<http://bit.ly/1n0rSTs>

#### **3) Attend Committee sessions:**

In order to attend Committee sessions, it is first necessary to acquire accreditation from the relevant treaty secretariat. The applicable procedures for attending sessions vary between Committees. It is important to check the relevant Committee page for more detailed information.<sup>5</sup>



General information on accreditation may be found here:

<http://bit.ly/1oiWVVC>

**4) Engage with the UN treaty monitoring systems through campaigning and advocacy-** for more information please see the following section.

### **Campaigning and Advocacy**

This guide focusses on the review of the United Kingdom under various United Nations treaty monitoring systems. It is worth noting that the UK government is often unfortunately slow to respond to UN Concluding Observations. So it is generally unlikely that participation in a single individual review will yield significant immediate changes in Government policies and practise.

It is perhaps more helpful to view the UN treaty monitoring mechanisms as cyclical processes. Recommendations made during a review can be viewed as a tool for NGOs to utilise to strengthen their own campaigns and also to continue to remind government of its obligations between reviews.

During a review, the actions and inactions of a member state are aired on the international stage. The UN system is not a punitive one and instead relies on the moral and political pressure placed on a state by publicising its performance and failures in complying with the international obligations to which it has agreed to be bound. As a review only takes place every 4-7 years it is the role of NGOs and community groups to keep the pressure up between reviews.

It should also be borne in mind that UN treaties are not part of UK domestic law, so you cannot apply to a domestic court for a breach by a state. The UK operates a dualist system which relies on pressure being put on governments to ensure compliance. This

is why the work of NGOs and community groups is so crucial. While UN treaties and Concluding Observations have their limitations, they do carry huge moral force, legitimacy and provide a strong rights-based platform for campaigning. So treaty review participation is perhaps most usefully viewed as an important tool in your arsenal rather than a magic wand.

This is where the integration of UN recommendations into your own campaigning and advocacy becomes very important. As a review focusses on the successes or failures of an individual state to meet their requirements under specific treaties it is an ideal opportunity to:

- Highlight & publicise important gaps/ failures in implementation by the state,
- Lobby for strong UN recommendations (Concluding Observations),
- Follow up on the implementation of previous Concluding Observations
- Ensure treaty rights and recommendations are integrated into your everyday work.

Getting involved in the treaty monitoring system can be a costly exercise in terms of staff time and also finance if you attend the review in Geneva. In order to make it profitable for your organisation it is important to make the most of outcomes by continually raising them and integrating them into your campaigning and lobbying work.

The Northern Ireland Assembly is still relatively new to the UN system. Prior to devolution, engagement with the UN treaty mechanisms was the responsibility of the Northern Ireland Office. It is even more important therefore for groups in Northern Ireland to monitor how the devolved institutions relate to the UN system in order assist the development of effective reporting and participation by the Northern Ireland Government at the United Nations. It's also beneficial for organisations to



continually refer to UN standards and recommendations in their formal and informal contact with the Northern Ireland Government, Departments, elected representatives and civil servants because they were designed to be integrated and immersed throughout law and policy. There is a particular challenge in Northern Ireland to shift perceptions about human rights away from the traditional perspectives of our divided past, to a point where human rights standards are accepted as the norm and integrated as universal rights across all aspects of our governance.

At present a criticism of the NI and UK governments is that they simply report progress at the time of the individual reviews (if a report can be agreed in Northern Ireland), with this only being revisited at the next state report or review stage. In order to change this perception/practise it is necessary for civil society to apply continual pressure for the government to adopt a holistic human rights culture.

Each individual treaty has groups of stakeholders in society (e.g. women under CEDAW). The UN treaty monitoring mechanisms provide an opportunity to build a human rights culture not only within government but also within wider society through engaging with these key groups of rights holders and developing their understanding and utilisation of UN standards.

Finally, different organisations choose to integrate UN treaties and recommendations into their work in a diverse number of ways. The following represent just a few examples of how some organisations use some aspects of UN treaties and reviews in their work.



### Case Study:

**Organisational /Ethos:** Some organisations in Northern Ireland are founded on the principles contained in UN treaties. One example is the Children's Law Centre which was founded upon the rights contained within the Convention on the Rights of the Child. Therefore the Convention, any Concluding Observations and General Comments from the CRC Committee are the starting point for any of the work they do, whether it is a piece of policy work, a new campaign or training with children or their advocates.



### Case Study:

**Continual Pressure:** It is important that participation in the treaty system is not just a one-off occurrence and throughout the treaty cycle pressure is kept up.

*The Participation and Practice of Rights* organisation integrate international standards throughout their work. For example, they have had the work they undertake to highlight housing inequality in North Belfast raised by the Committee on Economic, Social and Cultural Rights in 2009 and the UN Special Rapporteur on Housing in 2013 during an official visit to Northern Ireland that they hosted. While not the sole element in their campaign these mentions are an important tool. The commentary and recommendations from both are integrated into all of the relevant campaign and policy work they have undertaken on this issue.

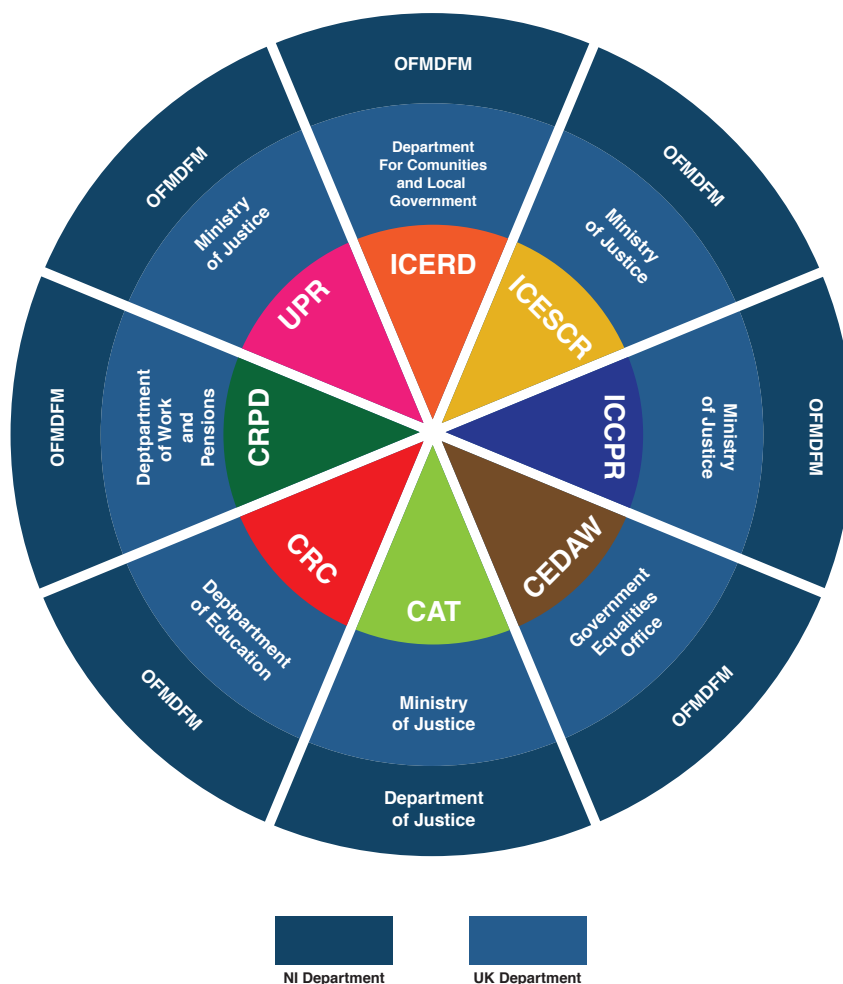


### Case Study:

**User Empowerment:** In 2013 *NICEM* (Northern Ireland Council for Ethnic Minorities) took an exciting approach to CEDAW. They recognised that issues facing women from ethnic minorities were very different from the general population



## Which government departments are responsible for each of the UN Monitoring Mechanisms?



and felt a separate submission was needed. In order to accurately reflect what these issues were, they secured funding and completed a piece of research with over 450 women. **NICEM** then provided training for 5 women to attend the review to present the findings. This work has now developed into a network with the women who attended the review forming a steering group. The results from CEDAW have also been employed by **NICEM** as a hook to encourage people to attend events on issues such as domestic violence.

We hope you find these ideas and examples of campaigning and advocacy using the Treaty Review mechanisms helpful and that they may inspire you to begin or renew your own organisational involvement in UN Human Rights Treaty monitoring.

The remaining chapters in this guide provide

detailed information and guidance on the individual treaty review mechanisms to which the UK reports.

### ENDNOTES

- 1 See <http://www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx>.
- 2 See [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=GBR&Lang=EN](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=GBR&Lang=EN)
- 3 To read more about the work of the Committees, you can access their individual web pages here: <http://www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx>.
- 4 For general information on engaging with the human rights treaty bodies, see chapter IV of "Working with the United Nations Human Rights Programme: A Handbook for Civil Society". For general information on engaging with the Universal Periodic Review, see chapter VII of this document which is available here: [http://www.ohchr.org/EN/AboutUs/CivilSociety/Documents/Handbook\\_en.pdf](http://www.ohchr.org/EN/AboutUs/CivilSociety/Documents/Handbook_en.pdf).
- 5 See <http://www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx>.





## The International Convention on the Elimination of All Forms of Racial Discrimination 1965 (ICERD)

At the time of writing, the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) had been ratified by 176 parties. ICERD commits state parties to the elimination of all forms of racial discrimination and to the promotion of understanding among all races. Article 1 of the Convention defines racial discrimination as “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.” Article 3 of the Convention also provides for the condemnation of racial segregation and apartheid, imposing an obligation on its state parties to take measures to “prevent, prohibit and eradicate all practices of this nature”.

The full text of the Convention is available here:

**<http://bit.ly/1oiWZEW>**

At the time of writing, there were 35 General Comments clarifying the scope and content of ICERD’s provisions. These can be found here:

**<http://bit.ly/1vkBvLW>**



### Key Dates

ICERD was adopted and opened for signature on 21 of December 1965 and entered into force on 4 January 1969 in accordance with Article 19 of the Convention. ICERD was ratified by the UK government on 7 of March 1969.

At the time of writing, the last state report (the eighteenth, nineteenth, and twentieth reporting round) was due on 6/4/2006, was submitted on 24/03/2010, and the next one (the twenty first



reporting round) was due on 6/4/2014, and was late for submission.

The eighteenth, nineteenth, and twentieth reporting round report may be found at:

<http://bit.ly/1sZGgYI>

For more information on the state reporting status including updated information, see:

<http://bit.ly/1renotj>

### **The Committee on the Elimination of Racial Discrimination<sup>1</sup>**

ICERD is monitored by the Committee on the Elimination of Racial Discrimination, which is a body of 18 independent experts charged with overseeing the implementation of ICERD by its state parties. These 18 persons are recognised as impartial and of high moral standing. Article 8 of the Convention governs the election of the Committee with members being elected for a term of 4 years. This election occurs every two years for 9 of the 18 Committee members to ensure balance between continuity and change in the Committee's composition.

The Committee usually meets at the United Nations in Geneva and holds two three-week sessions in February and August each year.<sup>2</sup>

Details on the sessions of the Committee may be found here:

<http://bit.ly/1v3BXA6>

A full list of the current Committee members is available at:

<http://bit.ly/1stBtnW>

State parties to ICERD are obliged to submit regular reports to the Committee outlining the legislative, judicial, policy and other measures they have taken to give effect to the Convention. States must

report initially one year after acceding to the Convention and then every two years (the last paragraph of the Concluding Observations usually specifies the next due date). The Committee examines each report and addresses its concerns and recommendations to the state party in the form of "Concluding Observations".<sup>3</sup>

At the time of writing, the most recent Committee review was in August 2011.

The Concluding Observations to the last submitted state report may be found at:

<http://bit.ly/1n0tXPo>



### **Submitting Written Information to the Committee**

NGOs and other civil society actors may submit written information or reports to the Committee. These submissions should be sent to the Committee secretariat. While this may be done at any time, it is preferable to send these submissions at least two weeks before the relevant Committee session.

An electronic version of the written information as well as 20 hard copies should be submitted to the Committee's secretariat at this address:

### **Secretariat Contact Details Committee on the Elimination of Racial Discrimination**

*c/o Office of the United Nations  
High Commissioner for Human Rights  
Palais des Nations  
8–14, avenue de la Paix  
CH–1211 Geneva 10 - Switzerland  
Fax: +41 (0)22 917 90 29  
Email: [cerd@ohchr.org](mailto:cerd@ohchr.org)*

For further information, see:

<http://bit.ly/1rIWzAY>

**(see especially chapter IV)**



The two key ways to submit written information to the Committee are through the preparation of an alternative report and through providing information for the list of issues.

### Submitting an Alternative Report

Submitting an alternative report should help the Committee gain a more comprehensive understanding of the human rights situation in a given country. While this may be done at any time, submission is encouraged after the relevant state report and prior to its consideration.

Information should be submitted in one of the working languages of Committee members, in most cases English, French or Spanish.

The submission of lengthy documents should be avoided due to the volume of information considered by the Committee. Written reports should be concise and contain a short summary page. A title page with the name of the organisation and a table of contents should be provided along with a description of the mandate of the organisation or coalition.

The Committee seeks specific and objective information which enables an independent assessment of ICERD's implementation. In order to achieve this, civil society can provide evidence in the form of statistics, the results of research, court cases, official documents and reliable media reports. This information should be correctly referenced and corroborative of the human rights picture being presented. Similarly, comments, decisions, General Comments, Concluding Observations from the Committee and references to reports of other treaty bodies may be referred to. The inclusion of recommendations that can be used by the Committee in examining the state report is encouraged.<sup>4</sup>

Civil society reports should resemble the structure of state reports and should aim to analyse the extent to which law, policy and practice in the state comply with the

treaty content. It is therefore important to consider the guidelines for state reporting. For ICERD, these may be found here:

<http://bit.ly/1wMssV2>

### Providing Information for the List of Issues

The Committee prepares and publishes a list of issues for the consideration of state reports at its upcoming sessions. Civil society can provide information to be reflected in this list of issues. This information should be submitted as early as possible so that the country rapporteur can take account of it when drafting the list.

For further information on this process and for a helpful guide for civil society on engagement with this mechanism, see generally:

<http://bit.ly/YaJIMZ>



### Co-ordinating Your Efforts

In Northern Ireland, many of the submissions to the Committee on the Elimination of Racial Discrimination are co-ordinated by the Northern Ireland Council for Ethnic Minorities (NICEM). NICEM also works alongside other NGOs and civil society actors in their submissions to the Committee. Any parties interested in engaging with CERD are encouraged to contact NICEM.

Contact details for NICEM follow:

### Northern Ireland Council for Ethnic Minorities

*1st Floor, Ascot House  
24-31 Shaftesbury Square  
Belfast  
BT2 7DB  
Tel: 02890238645  
Web: <http://nicem.org.uk/>  
Email: [patrick@nicem.org.uk](mailto:patrick@nicem.org.uk)*





## Attending Sessions and Making Oral Submissions to the Committee

According to the UN Handbook for Civil Society,<sup>5</sup> civil society actors may attend the Committee's meetings as observers. To do this, it is first necessary to request accreditation.<sup>6</sup> Although the Committee does not convene meetings with NGOs during its formal meeting hours, it may be possible to organise informal lunchtime briefings and attend the Committee's thematic discussions on Convention issues.

For further information, see the annex to chapter IV of the following:

<http://bit.ly/1oiXcrO>

For further details on how to engage with ICERD in this way, a helpful guide may be accessed here (see especially Part III):

<http://bit.ly/YaJIMZ>

Details on the sessions of the Committee may be found here:

<http://bit.ly/1v3BXA6>



## Case Study:

### Using the UN Mechanisms to Bring About a Change in Legislation

Prior to 1997, there was no Race Relations legislation in Northern Ireland, as it had not been extended to this region. Following targeted attacks on ethnic minorities in the Donegal Pass area of Belfast, several organisations including the Committee for the Administration of Justice, the Indian Community Centre, An Munia Tober, and the Chinese Welfare Association came together to form the Northern Ireland Council for Ethnic Minorities and lobby the UK government. This route, however, had little success and so they went and presented the issue to the Committee on

the Elimination of Racial Discrimination, who did find the UK in violation of their obligations during the 43<sup>rd</sup> Session (02 Aug 1993 - 20 Aug 1993).<sup>7</sup> As a result, race relations legislation was extended to Northern Ireland in 1997.



## Quick Contacts

The following contact details may also be useful for this treaty:

- Responsible UK Ministry: (Department for Communities and Local Government)  
ian.naysmith@communities.gsi.gov.uk
- Responsible NI Department: (Office of First Minister and deputy First Minister)  
EqualityandHumanRights@ofmdfmni.gov.uk
- UN Committee: cerd@ohchr.org
- Relevant NI NGO:<sup>8</sup> NICEM patrick@nicem.org.uk

### (ENDNOTES)

1 See <http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx>.

2 For further information, see the annex to chapter four of the following: <http://www.ohchr.org/Documents/Publications/NgoHandbook/ngohandbook4.pdf>.

3 See <http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIntro.aspx>.

4 See <http://www.ohchr.org/Documents/HRBodies/CERD/ICERDManual.pdf>.

5 Available here: [http://www.ohchr.org/en/AboutUs/CivilSociety/Documents/Handbook\\_en.pdf](http://www.ohchr.org/en/AboutUs/CivilSociety/Documents/Handbook_en.pdf).

6 See chapter 1 for further details on accreditation.

7 Concluding Observations of the Committee on the Elimination of All Forms of Racial Discrimination following Consideration of the Report Submitted by the United Kingdom of Great Britain and Ireland, 19 January 1994, A/48/18(SUPP) paras. 382-425, available at: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=A%2f48%2f18\(SUPP\)&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=A%2f48%2f18(SUPP)&Lang=en).

8 If you would like any further advice from a Northern Ireland NGO, this organisation is happy for you to contact them.





### The International Covenant on Economic, Social and Cultural Rights 1966 (ICESCR)

At the time of writing, the International Covenant on Economic, Social and Cultural Rights (ICESCR) had been ratified by 160 parties. ICESCR protects the economic, social and cultural rights of all individuals. Article 1 of ICESCR recognises the right of all persons to self-determination, including the self-determination of political status; economic, social and cultural goals; and the management and disposal of their resources. Underpinned by the principle of “progressive realisation” as outlined in Article 2, ICESCR protects the right to health, the right to education, the right to an adequate standard of living, the right to social security and the right to work. Along with the International Covenant on Civil and Political Rights (ICCPR) and the Universal Declaration of Human Rights (UDHR), ICESCR makes up what is referred to as the International Bill of Human Rights.

The full text of the Covenant is available here:

**<http://bit.ly/1ust8Bb>**

At the time of writing, there were 21 General Comments clarifying the scope and content of ICESCR's provisions. These can be found here:

**<http://bit.ly/1rlWSvy>**



### Key Dates

ICESCR was adopted and opened for signature on 16 of December 1996 and entered into force on 3 of January 1976.

ICESCR was ratified by the UK government on 20 of May 1976.

At the time of writing, the last state report (fifth periodic) was due on 30/06/2007, was submitted on 7/8/2007, and the next one (sixth periodic) was due on 30/06/2014.



The fifth reporting round report may be found at:

<http://bit.ly/ZezsiN>

For more information on the state reporting status including updated information, see:

<http://bit.ly/1renotj>

### **The Committee on Economic, Social and Cultural Rights<sup>1</sup>**

ICESCR is monitored by the Committee on Economic, Social and Cultural Rights, which is a body of 18 independent experts charged with overseeing the implementation of ICESCR by its state parties. These 18 experts are recognised as having high moral character and competence in the field of human rights. Committee members are elected for a term of four years with nine of the members being elected every two years by state parties in accordance with ECOSOC Resolution 1985/17 of 28 May 1985.<sup>2</sup> The Committee members serve in their personal capacity and may be re-elected if nominated.

The Committee usually meets at the United Nations in Geneva for two three-week sessions with a one-week pre-sessional working group in May and November in Geneva.<sup>3</sup>

Details on the sessions of the committee may be found here:

<http://bit.ly/1sZHh33>

A full list of the current Committee members is available at:

<http://bit.ly/ZezzLi>

State parties to ICESCR are obliged to submit regular reports to the Committee outlining the legislative, judicial, policy and other measures they have taken to ensure the rights guaranteed in the Covenant. It is customary for states to report initially within two years of acceding to the Covenant and

thereafter every five years or as otherwise requested by the Committee. The Committee examines each report and addresses its concerns and recommendations to the state party in the form of “Concluding Observations”.<sup>4</sup>

At the time of writing, the most recent review by the Committee was in May 2009.

The Concluding Observations to the last submitted state report may be found at:

<http://bit.ly/YcCbbe>



### **Submitting Written Information to the Committee**

NGOs and other civil society actors may submit written information or reports to the Committee for both the reporting sessions and the pre-sessions. These submissions should be sent to the Committee secretariat. While this may be done at any time, it is preferable to send these submissions a month and a half in advance of the state examination session and two months prior to the pre-sessional working group for the adoption of the list of issues.

An electronic version of the written information should be submitted in addition to hard copies. For the reporting sessions, at least 20 hard copies should be submitted and for the pre-sessional working group, at least 10 hard copies should be submitted to the Committee’s secretariat at this address:

### **Secretariat Contact Details Committee on Economic, Social and Cultural Rights**

*c/o Office of the United Nations  
High Commissioner for Human Rights  
Palais des Nations  
8–14, avenue de la Paix  
CH–1211 Geneva 10 - Switzerland  
Fax: +41 (0)22 917 90 29  
Email: [cescr@ohchr.org](mailto:cescr@ohchr.org)*

NGOs in consultative status with the United Nations Economic and Social Council



(ECOSOC) may submit written statements to the secretariat for publication in the Committee's reporting sessions. NGO written statements must be specific to the articles of the Covenant and must arrive at the secretariat at least three months before the session for which they are intended.

For further information, see:

<http://bit.ly/1rIWzAY>

(see especially chapter IV)

The two key ways to submit written information to the Committee are through the preparation of an alternative report and through providing information for the list of issues.

### Submitting an Alternative Report

Submitting an alternative report should help the Committee gain a more comprehensive understanding of the human rights situation in a given country. While this may be done at any time, submission is encouraged after the relevant state report and prior to its consideration. This information should be as specific, reliable and objective as possible.

Information should be submitted in one of the working languages of Committee members, in most cases English, French or Spanish. The submission of a report and/or summary translated into English is encouraged.

The submission of lengthy documents should be avoided due to the volume of information considered by the Committee. Written reports should be concise and contain a short summary page. A title page with the name of the organisation and a table of contents should be provided along with a description of the mandate of the organisation or coalition.

Civil society reports should resemble the structure of state reports and should aim to analyse the extent to which law, policy and

practice in the state comply with the treaty content. It is therefore important to consider the guidelines for state reporting. For this mechanism, these may be found here:

<http://bit.ly/1xnwztP>

Alternative reports prepared by coalitions rather than individual reports covering a broad range of economic, social and cultural rights are encouraged. For more information, see:

<http://bit.ly/1xnwztP>

### Providing Information for the List of Issues

As indicated above, written information being provided in relation to the list of issues should be submitted two months prior to the pre-sessional working group working group to ensure its consideration in the adoption of the list of issues.



### Attending Sessions and Making Oral Submissions to the Committee

According to the UN Handbook for Civil Society,<sup>5</sup> civil society actors may attend the Committee's meetings as observers. To do this, it is first necessary to request accreditation.<sup>6</sup> NGOs, NHRIs and individual experts may make 15 minute oral statements during the first morning of the pre-sessional working group meeting and during the NGO hearings on the first day of each reporting session. Organisations that have submitted reports to the Committee may make a brief oral presentation on the first Monday of the relevant session and may also organise lunchtime briefings, usually the day before the dialogue with the state party. At each session the Committee devotes time to a general thematic discussion relating to the Covenant which may be attended by civil society. The Committee secretariat should be contacted as early as possible and at least three weeks before the session or pre-session to confirm attendance.



For further information, see the annex to chapter IV of the following:

<http://bit.ly/1oiXcrO>

For further details on engaging with the Committee in this way and receiving accreditation, also see:

<http://bit.ly/1v3E9aL>

Details on the sessions of the Committee may be found here:

<http://bit.ly/1sZHh33>



## Case Study:

### Providing the Evidence

The Participation and the Practice of Rights Project works directly with people who are most affected by human rights violations and empower them to use a Human Rights Based Approach to campaigning for real change that can be felt on the ground. Some of the key aims of this approach are to open up decision making to ensure full participation by those most affected, ensure that changes made are long-lasting and that the people who are rarely heard in our society have their voices heard properly.

In the lead up to the 2009 examination of the United Kingdom under the International Covenant on Economic, Social and Cultural Rights, the PPR Project received training from the CAJ and submitted a shadow report based upon the work of their campaign groups. PPR Project staff, along with a representative from each of the campaign groups then attended the examination of the United Kingdom in Geneva.

Alongside the other NGOs, PPR and the group members met with Committee members during the official pre-working group, when there was an opportunity

provided for NGOs to brief members. Other opportunities also arose to speak to Committee members when they broke from sessions. It was vital to take every opportunity to provide evidence to the Committee members and to know the particular interest of individual members e.g. Eibe Riedel had a particular interest in health. PPR found that meetings alone were not enough. It was crucial that data was presented in as clear and concise a way as possible, and doing this substantially increased the chances of issues being raised with the UK government. For example the Concluding Observations from this cycle:<sup>7</sup>

- Highlighted the persistent levels of deprivation and inequality throughout Northern Ireland, despite the adoption of the Equalities Impact Assessment in Northern Ireland
- Recommended that a human rights framework, including the Equalities Impact Assessment, be effectively implemented in Northern Ireland, particularly in the context of urban regeneration programmes by ensuring the participation of the affected populations and called for targeted measures to promote substantive equality in health care, employment opportunities for young people and adequate housing programmes for the poor.
- Noted the increasing suicide rates in Northern Ireland and Scotland, particularly among mental health patients, who face difficulties in accessing the complaints system and called for counselling services to be strengthened.





## Case Study:

### Power in Numbers

The Human Rights Consortium is a coalition of almost 200 civil society groups from across Northern Ireland that campaigns for a strong and inclusive Bill of Rights. In advance of the 2009 UNCESCR review of the UK's 5<sup>th</sup> periodic report the Consortium made a submission to the pre-sessional working group of the Committee in May 2008.

The submission outlined the case for a Bill of Rights for Northern Ireland, the necessity of incorporating the standards of the ICESCR into Northern Ireland and the opportunity presented to do so through the commitment to a Bill of Rights in the Belfast/Good Friday Agreement.

In the April 2009 the Consortium made an updated submission to the Committee highlighting the recent delivery of statutory advice from the Northern Ireland Human Rights Commission to the UK Government and the necessity for the Government to act to implement its recommendations. The Consortium was able to reference its large membership list in both of these submissions by way of evidence that this was an issue that was supported by the vast majority of civil society groups in Northern Ireland. In the Concluding Observations this was reflected in the following recommendation<sup>8</sup>.

*“The Committee notes the draft Bill of Rights for Northern Ireland, which includes economic, social and cultural rights which are justiciable and calls for its enactment without delay.”*



## Quick Contacts

The following contact details may also be useful for this treaty:

- Responsible UK Ministry: (Ministry of Justice) [humanrights@justice.gsi.gov.uk](mailto:humanrights@justice.gsi.gov.uk)
- Responsible NI Department: (Office of First Minister and deputy First Minister) [EqualityandHumanRights@ofmdfmni.gov.uk](mailto:EqualityandHumanRights@ofmdfmni.gov.uk)
- UN Committee: [cescr@ohchr.org](mailto:cescr@ohchr.org)
- Relevant NI NGO:<sup>9</sup> PPR Project info@[pprproject.org](http://pprproject.org) or Human Rights Consortium info@[billofrightsnri.org](mailto:info@billofrightsnri.org)

### (Endnotes)

1 See <http://www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx>.

2 ECOSOC Resolution 1985/17 of 28 May 1985 is available at: <http://ap.ohchr.org/documents/E/ECOSOC/resolutions/E-RES-1985-17.doc>.

3 For further information, see the annex to chapter four of the following: <http://www.ohchr.org/Documents/Publications/NgoHandbook/ngohandbook4.pdf>.

4 See <http://www.ohchr.org/EN/HRBodies/CESCR/Pages/CESCRIntro.aspx>.

5 Available here: [http://www.ohchr.org/en/AboutUs/CivilSociety/Documents/Handbook\\_en.pdf](http://www.ohchr.org/en/AboutUs/CivilSociety/Documents/Handbook_en.pdf).

6 See chapter 1 for further details on accreditation.

7 Concluding Observations of the Committee on Economic, Social and Cultural Rights following Consideration of the Report Submitted by the United Kingdom of Great Britain and Ireland Under Articles 16 and 17 of the Convention, 12 June 2009, E/C.12/GBR/CO/5, available at: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fGBR%2fCO%2f5&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fGBR%2fCO%2f5&Lang=en).

8 Ibid para 10

9 If you would like any further advice from a Northern Ireland NGO, these organisations are happy for you to contact them.





## The International Covenant on Civil and Political Rights 1966 (ICCPR)

At the time of writing, the International Covenant on Civil and Political Rights (ICCPR) had been ratified by 167 parties. ICCPR protects the civil and political rights of all individuals. This includes the right to life, the right to freedom from slavery and torture, the right to liberty, the right to freedom of expression, the right to a fair trial and the rights to freedom of religion and association. These rights enjoy equal application in accordance with Article 3. Along with the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Universal Declaration of Human Rights (UDHR), ICCPR makes up what is referred to as the International Bill of Human Rights.

The full text of the Covenant is available here:

**<http://bit.ly/1ysnx05>**

At the time of writing, there were 35 General Comments clarifying the scope and content of ICCPR's provisions. These can be found here:

**<http://bit.ly/1oiXG19>**



## Key Dates

ICCPR was adopted and opened for signature on 16 of December 1966 and entered into force on 23 of March 1976 in accordance with Article 49 of the Covenant.

ICCPR was ratified by the UK Government on 20 of May 1976.

At the time of writing, the last state report (seventh periodic) was due on 31/07/2012, was submitted on 29/12/2012, and there was no information available as to the date of the next state report.



The seventh reporting round report may be found at:

<http://bit.ly/1oiXG19>

For more information on the state reporting status including updated information, see:

<http://bit.ly/1renotj>

### **The Human Rights Committee<sup>1</sup>**

ICCPR is monitored by the Human Rights Committee, which is a body of 18 independent experts charged with overseeing the implementation of ICCPR by its state parties. These 18 persons are recognised as persons of high moral character with competence in the field of human rights. Members are elected for a term of four years by state parties in accordance with Articles 28 and 29 of the Covenant. These members serve in their personal capacity and may be re-elected if nominated.

The Committee usually meets three times a year for three-week sessions, normally in March at the United Nations Headquarters in New York and in July and October/November at the United Nations in Geneva.<sup>2</sup>

Details on the sessions of the Committee may be found here:

<http://bit.ly/1rerEJe>

A full list of the current Committee members is available at:

<http://bit.ly/1v3EXfK>

State parties are obliged to submit regular reports to the Committee outlining how the rights enshrined in ICCPR are being implemented. States must report initially one year after acceding to the Covenant and thereafter on the request of the Committee (usually every four years). The Committee examines each

report and addresses its concerns and recommendations to the state party in the form of “Concluding Observations”.<sup>3</sup>

At the time of writing, the Committee review to the last submitted state report was scheduled to occur at its 114<sup>th</sup> session in July 2015.

The Concluding Observations to this report will be published after this date.



### **Submitting Written Information to the Committee**

NGOs and other civil society actors may submit written information or reports to the Committee. These submissions should be sent to the Committee secretariat. While this may be done at any time, it is preferable to send these submissions at least two weeks before the state report examination session and six weeks before the meeting of the country task force which determines the issues to be addressed at the Committee's next session.

An electronic version of the written information as well as at least 25 hard copies should be submitted to the Committee's secretariat at this address:

**Secretariat Contact Details**  
**Human Rights Committee**  
*c/o Office of the United Nations*  
*High Commissioner for Human Rights*  
*Palais des Nations*  
*8–14, avenue de la Paix*  
*CH–1211 Geneva 10 - Switzerland*  
*Fax: + 41 (0)22 917 90 29*  
*Phone: +41 (0)22 917 93 32 or*  
*+41 (0)22 917 93 95*  
*Email: [ccpr@ohchr.org](mailto:ccpr@ohchr.org)*

For further information, see:

<http://bit.ly/1rIWzAY>

(see especially chapter IV)



The two key ways to submit written information to the Committee are through the preparation of an alternative report and through providing information for the list of issues.

**Submitting an Alternative Report**

Submitting an alternative report should help the Committee gain a more comprehensive understanding of the human rights situation in a given country. While this may be done at any time, submission is encouraged after the relevant state report and prior to its consideration. This information should be as specific, reliable and objective as possible.

Further information for civil society actors may be found at:

<http://bit.ly/1qyizop>

Information should be submitted in one of the working languages of Committee members, in most cases English, French or Spanish.

The submission of lengthy documents should be avoided due to the volume of information considered by the Committee. Written reports should be concise and contain a short summary page. A title page with the name of the organisation and a table of contents should be provided along with a description of the mandate of the organisation or coalition.

Civil society reports should resemble the structure of state reports and should aim to analyse the extent to which law, policy and practice in the state comply with the treaty content. It is therefore important to consider the guidelines for state reporting. For this mechanism, these may be found here:

<http://bit.ly/1u1V25B>

**Providing Information for the List of Issues**

As indicated above, written information being provided in relation to the list of issues should be submitted six weeks in advance of the meeting of the country task force to ensure its consideration in the adoption of the list of issues.



**Attending Sessions and Making Oral Submissions to the Committee**

According to the UN Handbook for Civil Society,<sup>4</sup> civil society actors may attend the Committee’s meetings as observers. To do this, it is first necessary to request accreditation.<sup>5</sup> The Committee sets aside time for civil society actors to brief it orally in closed meetings on the first day of the session wherein the state report is considered. Additional breakfast and lunchtime briefings are regularly convened to facilitate the provision of up to date country-specific information. The country report task force meets privately during the Committee’s sessions to prepare the list of issues. Civil society may also hold informal briefings with the Committee members.

For further information, see the annex to chapter IV of the following:

<http://bit.ly/1oiXcrO>

Details on the sessions of the Committee may be found here:

<http://bit.ly/1rerEJe>



**Case Study:**

**Mutual Reinforcement**

During the sixth reporting cycle of the International Covenant on Civil and Political Rights in 2008, the United



Kingdom was examined. A range of organisations operating in Northern Ireland put forward submissions including Amnesty International, British Irish Rights Watch (now Rights Watch UK) and the Committee on the Administration of Justice (CAJ). In their submissions each one of these organisations raised concerns under Article 6 of the Covenant- the right to life.

Each of these organisations raised specific concerns about the Inquiries Act 2005, questioning whether truly independent inquiries into conflict-related deaths were possible. That the same message was being sent by such a range of organisations gave it strength. The critical mass brought to bear by these groups resulted in the following in the Concluding Observations:<sup>6</sup>

*9. The Committee remains concerned that, a considerable time after murders (including of human rights defenders) in Northern Ireland have occurred, several inquiries into these murders have still not been established or concluded, and that those responsible for these deaths have not yet been prosecuted. Even where inquiries have been established, the Committee is concerned that instead of being under the control of an independent judge, several of these inquiries are conducted under the Inquiries Act 2005 which allows the Government minister who is responsible for establishing an inquiry to control important aspects of that inquiry. (art.6)*

**The State party should conduct, as a matter of particular urgency given the passage of time, independent and impartial inquiries in order to ensure a full, transparent and credible account of the circumstances surrounding violations of the right to life in Northern Ireland.**



## Quick Contacts

The following contact details may also be useful for this treaty:

- Responsible UK Ministry: (Ministry of Justice) [humanrights@justice.gsi.gov.uk](mailto:humanrights@justice.gsi.gov.uk)
- Responsible NI Department: (Office of First Minister and deputy First Minister) [EqualityandHumanRights@ofmdfmini.gov.uk](mailto:EqualityandHumanRights@ofmdfmini.gov.uk)
- UN Committee: [ccpr@ohchr.org](mailto:ccpr@ohchr.org)
- Relevant NI NGO:<sup>7</sup> CAJ [info@caj.org.uk](mailto:info@caj.org.uk)

### (ENDNOTES)

1 <http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx>.

2 For further information, see the annex to chapter four of the following: <http://www.ohchr.org/Documents/Publications/NgoHandbook/ngohandbook4.pdf>.

3 See <http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx>.

4 Available here: [http://www.ohchr.org/en/AboutUs/CivilSociety/Documents/Handbook\\_en.pdf](http://www.ohchr.org/en/AboutUs/CivilSociety/Documents/Handbook_en.pdf).

5 See chapter 1 for further details on accreditation.

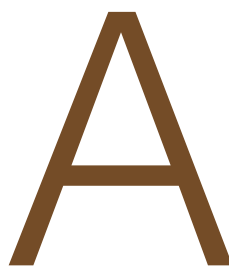
6 Concluding Observations of the Human Rights Committee following Consideration of the Report Submitted by the United Kingdom of Great Britain and Ireland Under Article 40 of the Convention, 30 July 2008 CCPR/C/GBR/CO/6, p.2 available at: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolNo=CCPR%2fC%2fGBR%2fCO%2f6&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CCPR%2fC%2fGBR%2fCO%2f6&Lang=en).

7 If you would like any further advice from a Northern Ireland NGO, this organisation is happy for you to contact them.





## The Convention on the Elimination of All Forms of Discrimination against Women 1979 (CEDAW)



At the time of writing, the Convention on the Elimination of All Forms of Discrimination against Women 1979 (CEDAW) had been ratified by 187 parties. Described as an international bill of rights for women, Article 1 of CEDAW defines discrimination against women as:

*...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.*

Article 2 of CEDAW condemns the discrimination of women “in all its forms”. CEDAW covers the civil rights and legal status of women, reproductive rights and the impact of cultural factors on gender relations.

The full text of the Convention is available here:

**<http://bit.ly/1rFDAlE>**

At the time of writing, there were 30 General Comments clarifying the scope and content of CEDAW’s provisions. These can be found here:

**<http://bit.ly/1CG76MA>**



### Key Dates

CEDAW was adopted and opened for signature on 18 of December 1979 and entered into force on 3 of September 1981 in accordance with Article 27 of the Convention.

CEDAW was ratified by the UK government on 7 of April 1986.

At the time of writing, the last state report (seventh periodic) was due on 7/5/2011, was submitted on 14/06/2011, and the next state report (eighth periodic) was due on 31/07/2017.



The seventh reporting round report may be found at:

<http://bit.ly/1ozeKQo>

For more information on the state reporting status including updated information, see:

<http://bit.ly/1renotj>

### **The Committee on the Elimination of Discrimination against Women<sup>1</sup>**

CEDAW is monitored by the Committee on the Elimination of Discrimination against Women, which is a body of 23 independent experts charged with overseeing the implementation of CEDAW by its state parties. These 23 persons are recognised as having high moral standing and competence in the field of human rights. Article 17 governs the election of the Committee with members being elected for a term of four years. These members serve in their personal capacity and may be re-elected if nominated.

The Committee meets two to three times a year both in Geneva and New York and holds two-week sessions supplemented by a one-week pre-session working group.<sup>2</sup>

Details on the sessions of the Committee may be found here:

<http://bit.ly/YMiDuN>

A full list of the current Committee members is available at:

<http://bit.ly/1xBf2yy>

State parties are obliged to submit regular reports to the Committee on how the rights enshrined in CEDAW are being implemented. States must report initially within one year of acceding to the Convention and thereafter every four years or whenever the Committee so requests<sup>3</sup> During its sessions the Committee considers each state party report and

addresses its concerns and recommendations to the state party in the form of “Concluding Observations”.<sup>4</sup>

At the time of writing, the most recent Committee review was in July 2013.

The Concluding Observations to the last submitted report may be found at:

<http://bit.ly/1pFleeF>



### **Submitting Written Information to the Committee**

NGOs and other civil society actors may submit written information to the Committee. These submissions should be sent to the Committee secretariat. While this may be done at any time, it is preferable to send these submissions two weeks before the pre-session meeting, or two months before the Committee’s session.

An electronic version of the written information as well as at least 30 hard copies should be submitted to the Committee’s secretariat at this address:

**Secretariat Contact Details**  
**Committee on the Elimination of Discrimination against Women**  
*c/o Office of the United Nations  
High Commissioner for Human Rights  
Palais des Nations  
8–14, avenue de la Paix  
CH–1211 Geneva 10 - Switzerland  
Fax: +41 (0)22 917 90 29  
E-mail: [cedaw@ohchr.org](mailto:cedaw@ohchr.org)*

For further information, see:

<http://bit.ly/1rIWzAY>

(see especially chapter IV)



The two key ways to submit written information to the Committee are through the preparation of an alternative report and through providing information for the list of issues.

**Submitting an Alternative Report**

Submitting an alternative report should help the Committee gain a more comprehensive understanding of the human rights situation in a given country. While this may be done at any time, submission is encouraged after the relevant state report and prior to its consideration. This information should be as specific, reliable and objective as possible.

Information should be submitted in one of the working languages of the United Nations.

The submission of lengthy documents should be avoided due to the volume of information considered by the Committee. Written reports should be concise and contain a short summary page. Submissions should identify the full name of the NGO and indicate the country to which the written information relates.

Civil society reports should resemble the structure of state reports and should aim to analyse the extent to which law, policy and practice in the state comply with the treaty content. It is therefore important to consider the guidelines for state reporting. For this mechanism, information may be found here (see especially Chapter V):

<http://bit.ly/1th36v8>

NGOs can also send their reports to International Women’s Rights Action Watch (IWRAP) Asia Pacific, an NGO that has made an arrangement with the Committee’s secretariat to submit NGO reports received. For further details, contact:

**International Women’s Rights Action Watch Asia Pacific**

*10-2, Jalan Bangsar Utama 9,  
59000 Kuala Lumpur,  
MALAYSIA  
Tel: (603) 2282 2255; Fax: (603) 2283 2552  
E-mail: [iwraw-ap@iwraw-ap.org](mailto:iwraw-ap@iwraw-ap.org)  
Website: [www.iwraw-ap.org](http://www.iwraw-ap.org)*

CEDAW strongly encourages the submission of co-ordinated written reports rather than individual reports. For more information, see:

<http://bit.ly/1sN0PNZ>

**Providing Information for the List of Issues**

NGOs are also encouraged to submit reports to the pre-sessional working group of the Committee. During this session the working group prepares the list of issues which are then sent to the state scheduled to be considered. NGO representatives attending the group should send their submissions electronically and bring 10 copies for distribution at the meeting. NGOs not attending should send 10 copies of their submissions two weeks prior to the pre-sessional working group.

As with other written information, NGOs may avail of the help offered by International Women’s Rights Action Watch Asia Pacific.



In Northern Ireland, the Northern Ireland Women’s European Platform (NIWEP) co-ordinates many of the submissions to the Committee on the Elimination of Discrimination against Women are co-ordinated by the Northern Ireland Women’s European Platform (NIWEP). NIWEP also works alongside other NGOs and civil society actors in their submissions to the Committee. Any parties interested in



engaging with CEDAW are encouraged to contact NIWEP.  
Contact details for NIWEP follow:

**Northern Ireland Women's European Platform**

*86 Lisburn Road*

*Belfast*

*BT9 6AF*

*Tel: 02890382022*

*Web: <http://blog.niwep.org/>*

*Email: [niwep@btconnect.com](mailto:niwep@btconnect.com)*



**Attending Sessions and Making Oral Submissions to the Committee**

According to the UN Handbook for Civil Society,<sup>5</sup> civil society actors may attend the Committee's meetings as observers. To do this, it is first necessary to request accreditation.<sup>6</sup> Civil society actors may make oral presentations to the pre-sessional working group. Oral presentations may also be made to the Committee during the state party review sessions (normally on the first day of each week of its session). Informal briefings may also be arranged by contacting the secretariat.

Oral interventions must be concise as usually, 10 minutes is allocated for an NGO wishing to give evidence on a particular country. Co-ordination is encouraged to avoid repetitious statements and to make best use of the limited time available. NGOs making oral interventions should bring 35 copies of their statements for interpretation purposes.

NGOs wishing to address the Committee session or pre-sessional working group should contact the secretariat no later than two weeks prior to the relevant session. NGOs may also arrange side events during the CEDAW session for members of the Committee. For these, it is important to contact the Committee's secretariat at least four weeks in advance of the relevant session.

For further information, see the annex to chapter IV of the following:

**<http://bit.ly/1oiXcrO>**

Details on the sessions of the Committee may be found here:

**<http://bit.ly/YMiDuN>**

For further details on engaging with the Committee in this way also see:

**<http://bit.ly/1CG7pHd>**

For further information on receiving accreditation see:

**<http://bit.ly/1oziUYC>**



**Case Study:**

**Making the Review Participatory**

In the run-up to the United Kingdom's examination under the Convention on the Elimination of all Forms of Discrimination against Women, the Northern Ireland Council for Ethnic Minorities decided to base their shadow report on a participation exercise.

Through funding from Atlantic Philanthropies and the Office of First Minister and deputy First Minister, NICEM undertook action research within the community with 450 women. They then trained 5 women who attended the Review and presented the findings.

This project focussed on enabling people to engage with the process and now NICEM has developed a network with the women who attended the review forming the Steering Group. Beyond the results gained in enabling members of minority communities, the shadow report was reflected by the Concluding Observations. Some of the themes raised by both



include:<sup>7</sup> Northern Ireland's deficient equality protections, violence against BME women, under-representation of BME women in public life, racist bullying, issues faced by asylum-seeking and Traveller women in access to healthcare and the lack of gender sensitive approaches within education.



## Quick Contacts

The following contact details may also be useful for this treaty:

- Responsible UK Ministry: (Government Equalities Office) [Enquiries@culture.gsi.gov.uk](mailto:Enquiries@culture.gsi.gov.uk)
- Responsible NI Department: (Office of First Minister and deputy First Minister) [EqualityandHumanRights@ofmdfmni.gov.uk](mailto:EqualityandHumanRights@ofmdfmni.gov.uk)
- UN Committee: [cedaw@ohchr.org](mailto:cedaw@ohchr.org)
- Relevant NI NGO:<sup>8</sup> NIWEP [niwep@btconnect.com](mailto:niwep@btconnect.com)

### (ENDNOTES)

1 See <http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx>.

2 For further information, see the annex to chapter four of the following:  
<http://www.ohchr.org/Documents/Publications/NgoHandbook/ngohandbook4.pdf>.

3 See <http://www.refworld.org/cgi-bin/tehis/vtx/rwmain?docid=47947740d>.

4 See <http://www.ohchr.org/EN/HRBodies/CEDAW/Pages/Introduction.aspx>.

5 Available here: [http://www.ohchr.org/en/AboutUs/CivilSociety/Documents/Handbook\\_en.pdf](http://www.ohchr.org/en/AboutUs/CivilSociety/Documents/Handbook_en.pdf).

6 See chapter 1 for further details on accreditation.

7 Concluding Observations of the Committee on the Elimination of Discrimination against Women following Consideration of the Report Submitted by the United Kingdom of Great Britain and Ireland, 30 July 2013, CEDAW/C/GBR/CO/7, available at: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolNo=CEDAW%2fC%2fGBR%2fCO%2f7&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CEDAW%2fC%2fGBR%2fCO%2f7&Lang=en).

8 If you would like any further advice from a Northern Ireland NGO, this organisation is happy for you to contact them.





The Convention  
against Torture and  
other Cruel, Inhuman  
or Degrading  
Treatment or  
Punishment 1984  
(CAT)



At the time of writing, the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment 1984 (CAT) had been ratified by 154 parties. CAT sets out the universally

applicable standards to ensure protection for all persons from torture and other cruel, inhuman or degrading treatment or punishment. Article 1 of CAT defines torture as any act whereby “severe pain or suffering, whether physical or mental, is intentionally inflicted on a person” for purposes including the extraction of information or a confession, punishment, intimidation or coercion, or any reason based on discrimination—where such pain or suffering “is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity”. The Convention also prohibits the expulsion, return, or extradition of a person to another state where that person may be subjected to torture and provides that each state party must ensure that all acts of torture are offences under their criminal law.

The full text of the Convention is available here:

**<http://bit.ly/1rFluOV>**

At the time of writing, there were 3 General Comments clarifying the scope and content of CAT’s provisions. These can be found here:

**<http://bit.ly/1CG7qLh>**



## Key Dates

CAT was adopted and opened for signature on 10 of December 1984 and entered into force on 26 of June 1987 in accordance with Article 27 of the Convention.

CAT was ratified by the UK government on the 8 of December 1988.

At the time of writing, the last state report (fifth periodic) was due on 6/1/2008, was submitted



on 6/9/2011, and the next state report (sixth periodic) was due on 31/05/2017.

The fifth reporting round report may be found at:

<http://bit.ly/1th4MEX>

For more information on the state reporting status including updated information, see:

<http://bit.ly/1renotj>

### **The Committee against Torture<sup>1</sup>**

CAT is monitored by the Committee against Torture, which is a body of 10 independent experts charged with overseeing the implementation of CAT by its state parties. These 10 persons are recognised as having high moral character and competence in the field of human rights. Article 17 of the Convention governs the election of the Committee with Committee members being elected for four year terms by state parties. Members serve in their personal capacity and may be re-elected if nominated.

The Committee usually meets at the United Nations in Geneva and holds two sessions per year including a plenary (three weeks in May and two weeks in November) and a one-week pre-sessional working group.<sup>2</sup>

Details on the sessions of the Committee may be found here:

<http://bit.ly/1mQcsAM>

A full list of the current Committee members is available at:

<http://bit.ly/1th512E>

State parties are obliged to submit regular reports to the Committee on how the rights enshrined in CAT are being implemented. States must report initially one year after acceding to the Convention and thereafter every four years. The Committee examines each report and addresses its concerns and recommendations to the state party in the form of "Concluding Observations".<sup>3</sup>

At the time of writing, the most recent Committee review was in May 2013.

The Concluding Observations to the fourth periodic state report may be found at:

<http://bit.ly/1qV8Bxu>



### **Submitting Written Information to the Committee**

NGOs and other civil society actors may submit written information or reports to the Committee. These submissions should be sent to the Committee secretariat. While this may be done at any time, it is preferable to send these submissions six weeks before the Committee's session (the Committee will not accept any written information received less than two weeks before the session). Inputs to the list of issues should be submitted ten weeks before the list is due to be finalised.

An electronic version of the written information as well as at least 15 hard copies should be sent to the Committee's secretariat at this address:

**Secretariat Contact Details**  
**Committee against Torture**  
*c/o Office of the United Nations  
High Commissioner for Human Rights  
Palais des Nations  
8–14, avenue de la Paix  
CH–1211 Geneva 10 - Switzerland  
Fax: +41 (0)22 917 90 29  
Email: [cat@ohchr.org](mailto:cat@ohchr.org)*

For further information, see:

<http://bit.ly/1rIWzAY>

The two key ways to submit written information to the Committee are through the preparation of an alternative report and through providing information for the list of issues.



## Submitting an Alternative Report

Submitting an alternative report should help the Committee gain a more comprehensive understanding of the human rights situation in a given country. While this may be done at any time, submission is encouraged after the relevant state report and prior to its consideration. This information should be as specific, reliable and objective as possible.

Information should be submitted in one of the working languages of the United Nations.

The submission of lengthy documents should be avoided due to the volume of information considered by the Committee. Written reports should be concise and contain a short summary page. A title page with the name of the organisation and a table of contents should be provided along with a description of the mandate of the organisation or coalition.

The Committee encourages the presentation of information organised under the respective articles of the Convention and/or thematic issues including relevant concerns and recommendations. The Committee also encourages co-ordinated submissions rather than individual reports.

Further information for civil society actors may be found at:

**<http://bit.ly/1ozknxX>**

Civil society reports should resemble the structure of state reports and should aim to analyse the extent to which law, policy and practice in the state comply with the treaty content. It is therefore important to consider the guidelines for state reporting. For this mechanism, these may be found here:

**<http://bit.ly/1nKPIIV>**

## Providing Information for the List of Issues

The Committee adopts lists of issues one session ahead of the state report examination session. Written information to be submitted to the Committee for the list of issues must be received by the secretariat no later than 10 weeks before the session at which they are drafted. Once adopted, the list of issues is sent to the state party.



## Attending Sessions and Making Oral Submissions to the Committee

According to the UN Handbook for Civil Society,<sup>4</sup> civil society actors may attend the Committee's meetings as observers. To do this, it is first necessary to request accreditation.<sup>5</sup> Accreditation documents should be submitted to the Committee secretariat at least two weeks before the relevant Committee session. Civil society actors may brief the Committee orally during its sessions. Briefings normally occur the day before the dialogue between the state party and the Committee. During one hour briefings, NGO representatives have approximately 30 minutes to address the Committee. NGOs should not use this time to repeat the written information provided and co-ordination of responses is encouraged.

National Human Rights Institutions may meet with country rapporteurs and relevant Committee members in a private meeting prior to the state dialogue.

For further information, see the annex to chapter IV of the following:

**<http://bit.ly/1oiXcrO>**

Details on the sessions of the Committee may be found here:

**<http://bit.ly/1mQcsAM>**



For further details on engaging with the Committee in this way and receiving accreditation, also see:

<http://bit.ly/1ozknxX>

The Committee secretariat may be contacted here:

**Secretariat Contact Details**  
**Committee against Torture**  
*c/o Office of the United Nations*  
*High Commissioner for Human Rights*  
*Palais des Nations*  
*8–14, avenue de la Paix*  
*CH–1211 Geneva 10 - Switzerland*  
*Fax: +41 (0)22 917 90 29*  
*Email: [cat@ohchr.org](mailto:cat@ohchr.org)*



## Case Study:

### Political Will

In the late 1990's many NGOs spoke of a feeling of 'political will' around Concluding Observations made in relation to Northern Ireland as the peace agreement embedded itself. During the review of the United Kingdom of Great Britain and Northern Ireland in the 21st Session of the Committee against Torture the Committee highlighted the retention of detention centres in Northern Ireland, particularly Castlereagh Detention Centre as a subject of concern;<sup>6</sup> the Detention Centre was closed by the end of 1999.

The Committee on the Administration of Justice highlighted that while a Concluding Observation grants a huge moral force with great legitimacy, in the absence of political will it's much more about the work an NGO does once a Concluding Observation has been made about a particular issue.



## Quick Contacts

The following contact details may also be useful for this treaty:

- Responsible UK Ministry: (Ministry of Justice)  
[humanrights@justice.gsi.gov.uk](mailto:humanrights@justice.gsi.gov.uk)
- Responsible NI Department: (Department of Justice)  
[UNRequests@dojni.x.gsi.gov.uk](mailto:UNRequests@dojni.x.gsi.gov.uk)
- UN Committee: [cat@ohchr.org](mailto:cat@ohchr.org)
- Relevant NI NGO:<sup>7</sup> CAJ  
[info@caj.org.uk](mailto:info@caj.org.uk)

### (ENDNOTES)

1 See <http://www.ohchr.org/en/hrbodies/cat/pages/catindex.aspx>.

2 For further information, see the annex to chapter four of the following:  
<http://www.ohchr.org/Documents/Publications/NgoHandbook/ngohandbook4.pdf>.

3 See <http://www.ohchr.org/EN/HRBodies/CAT/Pages/CATIntro.aspx>.

4 Available here: [http://www.ohchr.org/en/AboutUs/CivilSociety/Documents/Handbook\\_en.pdf](http://www.ohchr.org/en/AboutUs/CivilSociety/Documents/Handbook_en.pdf).

5 See chapter 1 for further details on accreditation.

6 Concluding Observations of the Committee Against Torture following Consideration of the Report Submitted by the United Kingdom of Great Britain and Ireland, 1 January 1999, A/54/44(SUPP) paras. 72-77, available at: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=A%2f54%2f44\(SUPP\)&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=A%2f54%2f44(SUPP)&Lang=en).

7 If you would like any further advice from a Northern Ireland NGO, this organisation is happy for you to contact them.





## The Convention on the Rights of the Child 1989 (CRC)

A

t the time of writing, the Convention on the Rights of the Child 1989 (CRC) had been ratified by 193 parties and was the most widely ratified international human rights treaty. CRC codifies the substantive rights of children. Article 1 defines a child as “every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier”. Articles 2-41 set out the substantive rights protected by the Convention including civil and political rights as well as economic, social and cultural rights. The right to the protection from torture and cruel, inhuman and degrading treatment is legislated for in Article 37; whilst the right to benefit from social security and the right to culture are provided for by Articles 26 and Articles 30 and 31 respectively. The Convention also outlines rights specific to children such as the prohibition of military recruitment set out in Article 38. The rights set out in CRC are underpinned by Article 3 which places the best interests of the child as the primary consideration in all actions concerning children and Article 2 which prohibits discrimination. Article 12 protects the right of the child to express their views and to have them taken into consideration in all matters affecting the child.

The full text of the Convention is available here:

**<http://bit.ly/1BzDfTC>**

At the time of writing, there were 14 General Comments clarifying the scope and content of CRC’s provisions. These can be found here:

**<http://bit.ly/1pqcs6i>**



### Key Dates

CRC was adopted and opened for signature on 20 of November 1989 and entered into force on 2 of September 1990.

CRC was ratified by the UK government on 16 of December 1991.

At the time of writing, the last state report (fifth periodic) was due on 14/1/2014, and was submitted on 23/5/2014.



The fifth reporting round report may be found at:

<http://bit.ly/1v4TiXd>

For more information on the state reporting status including updated information, see:

<http://bit.ly/1renotj>

### **The Committee on the Rights of the Child<sup>1</sup>**

CRC is monitored by the Committee on the Rights of the Child, which is a body of 18 independent experts charged with overseeing the implementation of CRC by its state parties. These 18 persons are recognised as having high moral character and competence in the field of human rights. These members are elected for a term of four years by state parties in accordance with Article 43 of CRC. They serve in their personal capacity and may be re-elected if nominated.

The Committee usually meets at the United Nations in Geneva three times a year for three-week sessions and for three one-week pre-sessional working groups in January, May and September.<sup>2</sup>

Details on the sessions of the Committee may be found here:

<http://bit.ly/1udn7H6>

A full list of the current Committee Members is available at:

<http://bit.ly/1vumWFT>

State parties are obliged to submit regular reports to the Committee outlining how the rights enshrined in CRC are being implemented. States are required to report initially two years after acceding to the Convention and thereafter every five years. The Committee examines each report and addresses its concerns and recommendations to the state party in the

form of "Concluding Observations".<sup>3</sup> At the time of writing, the most recent Committee review was in September 2008.

The Concluding Observations from this review may be found at:

<http://bit.ly/10llqvZ>



### **Submitting Written Information to the Committee**

NGOs and other civil society actors may submit written information or reports to the Committee. All alternative reports by non-state actors should be sent to Child Rights Connect (formerly the NGO Group for the Convention on the Rights of the Child) approximately three months before the relevant pre-sessional working group. Child Rights Connect is a coalition of international NGOs which works with non-state actors to co-ordinate the submission of reports to the Committee.

An electronic version of the written submission should be sent to Child Rights Connect via email and 22 hard copies sent via post to the Child Rights Connect office.

### **Child Rights Connect may be contacted at: Child Rights Connect**

*Rue de Varembe, 1  
1202 Geneva  
Switzerland*

*Web: [www.childrightsconnect.org](http://www.childrightsconnect.org)*

*E-mail: [secretariat@childrightsconnect.org](mailto:secretariat@childrightsconnect.org)*

*Phone: +41 22 740 47 30*

*Fax: +41 22 740 46 83*

Child Rights Connect has also published a detailed and useful guide to engagement with CRC and may be accessed here:

<http://bit.ly/1qVaiLw>



For further information, see:

<http://bit.ly/1qVao50>

See also:

<http://bit.ly/1udnAcf>

The Committee's secretariat may be contacted at this address:

**Secretariat Contact Details**  
**Committee on the Rights of the Child**  
*c/o Office of the United Nations*  
*High Commissioner for Human Rights*  
*Palais des Nations*  
*8–14, avenue de la Paix*  
*CH–1211 Geneva 10 - Switzerland*  
*Fax: +41 (0)22 917 90 29*  
*Email: [crc@ohchr.org](mailto:crc@ohchr.org)*

The two key ways to submit written information to the Committee are through the preparation of an alternative report and through providing information for the list of issues.

### **Submitting an Alternative Report**

Submitting an alternative report should help the Committee gain a more comprehensive understanding of the human rights situation in a given country. While this may be done at any time, submission is encouraged approximately three months before the relevant pre-sessional working group. This information should be as specific, reliable and objective as possible.

Information should be submitted in one of the working languages of Committee members, in most cases English, French or Spanish.

The submission of lengthy documents should be avoided due to the volume of information considered by the Committee. Written reports should be concise and contain a short summary page. A title page with the name of the organisation and a table of contents should be provided along with a description of the mandate of the organisation or coalition.

Civil society reports should resemble the structure of state reports and should aim to analyse the extent to which law, policy and practice in the state comply with the treaty content. It is therefore important to consider the guidelines for state reporting. For this mechanism, these may be found here:

<http://bit.ly/1mQfMft>

### **Providing Information for the List of Issues**

A list of issues is prepared after the pre-sessional working group which is then transmitted to the state party to be examined. It is therefore important to make written submissions before the pre-sessional working group to ensure that the information provided can be used in the preparation of the list of issues.



### **Co-ordinating Your Efforts**

In Northern Ireland, the Alternative NGO Report to the Committee on the Rights of the Child is co-ordinated by the Children's Law Centre and Save the Children. These organisations consult and work alongside children and young people, other NGOs and civil society actors to compile the NGO Alternative Report on the CRC and to provide information for the List of Issues. Any parties interested in engaging with the CRC are encouraged to contact these organisations.

Contact details for these organisations follow:

#### **Children's Law Centre**

*3<sup>rd</sup> Floor Philip House*  
*123-137 York Street*  
*Belfast*  
*BT15 1AB*  
*Tel: 02890245704*  
*Web: [www.childrenslawcentre.org](http://www.childrenslawcentre.org)*  
*Email: [info@childrenslawcentre.org](mailto:info@childrenslawcentre.org)*



## Save the Children NI

Popper House

15 Richmond Park

Belfast

BT10 0HB

Tel: 02890431123

Web: <http://www.savethechildren.org.uk/>

Email: [infony@savethechildren.org.uk](mailto:infony@savethechildren.org.uk)



### Attending Sessions and Making Oral Submissions to the Committee

According to the UN Handbook for Civil Society,<sup>4</sup> civil society actors may attend the Committee's meetings as observers. To do this, it is first necessary to request accreditation.<sup>5</sup> The Handbook also sets out that civil society actors are invited to the pre-sessional working group for the meeting at which partners may provide additional information. Requests to participate should be sent to the secretariat at least two months before the relevant pre-sessional working group. The Children's Law Centre and Save the Children have co-ordinated the attendance of children at both the Pre-sessional meeting and the Examination. Each year, the Committee also holds a day of general discussion in which civil society actors including children and experts may take part.

For further information, see the annex to chapter IV of the following:

<http://bit.ly/1oiXcrO>

Details on the sessions of the Committee may be found here:

<http://bit.ly/1udn7H6>

A detailed guide to engaging with the Committee which may be accessed here:

<http://bit.ly/1qVaiLw>



### Case Study:

#### Diversifying your Input

The Children's Law Centre and Save the Children co-ordinate a single shadow report from Northern Ireland, with contributions from children and young people and a large number of different groups. In advance of the examination of the United Kingdom of Great Britain and Northern Ireland during the 49th session of the Committee on the Rights of the Child in 2008, the Children's Law Centre/Save the Children brought the Committee Rapporteur for the UK Examination, Lucy Smith, to Northern Ireland. Ms. Smith took part in several site visits including with children detained in the criminal justice system and to observe the lived reality of groups in our society, such as Travellers. It is clear in the Concluding Observations of the Committee that this visit, along with a well-researched and detailed shadow report from the children's sector had a strong impact. For example, the Concluding Observations<sup>6</sup> from this cycle focus on issues such as:

- the use of Taser guns and AEPs on children (NGOs in Northern Ireland were the only UK groups raising this)
- the mental health problems throughout the country, with particular attention to those at greater risk, including children affected by conflict
- child poverty as a particular concern in Northern Ireland, where over 20 per cent of children reportedly live in persistent poverty. The Committee went on to specify its particular concern about those groups of children in most severe poverty noting that the standard of living of Traveller children is particularly poor



The following contact details may also be



## Quick Contacts

useful for this treaty:

- Responsible UK Ministry: (Department for Education) Robert.macpherson@education.gsi.gov.uk or Teresa.downing@education.gsi.gov.uk
- Responsible NI Department: (Office of First Minister and deputy First Minister) EqualityandHumanRights@ofmdfmini.gov.uk
- UN Committee: crc@ohchr.org
- Relevant NI NGO:<sup>7</sup> info@childrenslawcentre.org or infoni@savethechildren.org.uk

### (ENDNOTES)

1 See <http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx>.

2 For further information, see the annex to chapter four of the following:  
<http://www.ohchr.org/Documents/Publications/NgoHandbook/ngohandbook4.pdf>.

3 See <http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIntro.aspx>.

4 Available here: [http://www.ohchr.org/en/AboutUs/CivilSociety/Documents/Handbook\\_en.pdf](http://www.ohchr.org/en/AboutUs/CivilSociety/Documents/Handbook_en.pdf).

5 See chapter 1 for further details on accreditation.

6 Concluding Observations of the Committee of on the Rights of the Child following Consideration of the Report Submitted by the United Kingdom of Great Britain and Ireland under Article 44 of the Convention, 20 October 2008, CRC/C/GBR/CO/4, available at: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGBR%2fCO%2f4&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGBR%2fCO%2f4&Lang=en).

7 If you would like any further advice from a Northern Ireland NGO, these organisations are happy for you to contact them.





## The Convention on the Rights of Persons with Disabilities 2006 (CRPD)

**A**t the time of writing, the Convention on the Rights of Persons with Disabilities (CRPD) had been ratified by 141 parties. Article 1 of CRPD explains that its purpose is to “promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.” The Article also defines persons with disabilities as including those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

In accordance with this statement of purpose, CRPD reaffirms that all disabled persons must enjoy all human rights and fundamental freedoms, adopting a social model of disability. It sets out how all categories of rights apply to disabled persons and identifies areas where adaptations have to be made to ensure that disabled persons rights are respected, protected and fulfilled.

Article 33 of the Convention also contains a unique provision stipulating that “civil society, in particular persons with disabilities and their representative organizations, shall be involved and participate fully in the monitoring process”. This Article increases the accessibility of the CRPD mechanism and requires the state to work closely with DPOs and disabled people in the implementation and monitoring of the Convention. Article 33 also contains the following provision:

*...States Parties shall, in accordance with their legal and administrative systems, maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, as appropriate, to promote, protect and monitor implementation of the present Convention.*

This provision is also unique and relates to the designation of an independent mechanism for the Convention. In Northern Ireland, the Human



Rights Commission and the Equality Commission Northern Ireland serve as the independent monitoring body for CRPD.

The full text of the Convention is available here:

<http://bit.ly/1v4Vtdi>

At the time of writing, two General Comments were adopted on 11/4/2014 clarifying the scope and content of CRPD's provisions. The first General Comment concerns accessibility whilst the second concerns equal recognition before the law. These can be found here:

<http://bit.ly/1qVbazS>



## Key Dates

CRPD was adopted and opened for signature on 13 of December 2006 and entered into force on 3 of May 2008 in accordance with Article 42 of the Convention.

CRPD was ratified by the UK Government on 8 of June 2009.

At the time of writing, the last state report (the initial report) was due on 8/7/2011, was submitted on 24/11/2011, and there was no information available as to the date of the next state report.

This report may be found at:

<http://bit.ly/1rHlcK3>

For more information on the state reporting status including updated information, see:

<http://bit.ly/1renotj>

## The Committee on the Rights of Persons with Disabilities<sup>1</sup>

CRPD is monitored by the Committee on the Rights of Persons with Disabilities, which is a body of 18 independent experts charged with overseeing the implementation of CRPD by its state parties. These 18 persons are recognised as having high moral standing and competence in the field of human rights. Article 34 of the Convention governs the election of the Committee with members being elected by state parties for a term of 4 years. They serve in their personal capacity and may be re-elected once if nominated.

The Committee usually meets in the United Nations in Geneva and holds two sessions per year.

Details on the sessions of the Committee may be found here:

<http://bit.ly/1remIEj>

A full list of the Current Committee members is available at:

<http://bit.ly/1wXUPjn>

State parties are required to submit regular reports to the Committee outlining how the rights enshrined in CRPD are being implemented. States are required to report initially within two years of ratification of CRPD and thereafter every four years or whenever the Committee so requests. The Committee examines each report and addresses its concerns and recommendations to the state party in the form of "Concluding Observations".<sup>2</sup>

At the time of writing, the initial Committee review was scheduled to occur in its 13<sup>th</sup> session in late 2014.

The Concluding Observations to this report will be published after this date.



## **Submitting Written Information to the Committee**

NGOs and other civil society actors may submit written information or reports to the Committee. These submissions should be sent to the Committee secretariat. While this may be done at any time, it is preferable to send these submissions at least three weeks before the Committee's state report examination session for the submission of alternative reports and up to four months prior to the session at which the list of issues will be adopted.

An electronic version of the written information should be submitted to the Committee's secretariat. The submission of hard copies is not necessary as this Committee has adopted the United Nations greening policy

### **Secretariat Contact Details:**

#### **Committee on the Rights of Persons with Disabilities**

*c/o Office of the United Nations  
High Commissioner for Human Rights  
Palais des Nations  
8–14, avenue de la Paix  
CH–1211 Geneva 10 - Switzerland  
Fax: +41 (0)22 917 90 29  
E-mail: [crpd@ohchr.org](mailto:crpd@ohchr.org)*

For further information, see:

**<http://bit.ly/1rIWzAY>**

(see especially chapter IV)

The two key ways to submit written information to the Committee are through the preparation of an alternative report and through providing information for the list of issues.

### **Submitting an Alternative Report**

Submitting an alternative report should help the Committee gain a more comprehensive understanding of the human rights situation in a given country. While this may be done

at any time, submission is encouraged after the relevant state report and prior to its consideration. This information should be as specific, reliable and objective as possible.

Information should be submitted in one of the working languages of Committee members, in most cases English, French or Spanish. The Committee encourages the submission of written information in English.

The submission of lengthy documents should be avoided due to the volume of information considered by the Committee. Alternative reports should comply with the 10,700 word limit set out by the Committee. Written reports should be concise and contain a short summary page. A title page with the name of the organisation and a table of contents should be provided along with a description of the mandate of the organisation or coalition.

Submissions should highlight priority concerns and suggest country-specific recommendations to facilitate the work of the Committee and reports by coalitions rather than individual submissions are encouraged.

### **Providing Information for the List of Issues**

It is also possible to submit written information for the list of issues which are adopted by the Committee and transmitted to the state party to be examined prior to the state report examination. Submissions to the list of issues should comply with the 5,350 word limit set out by the Committee.

The upcoming deadlines for the submission of written information as well as further information for civil society actors may be found at:

**<http://bit.ly/1rLA4aB>**

A detailed and helpful guide to civil society engagement with this mechanism was published by the International Disability



Alliance in 2010 and may be found here:

<http://bit.ly/1vwOeMy>

The Committee also recently published guidelines for the participation of DPOs and civil society organisations in the work of the Committee which may be downloaded at the bottom of the following webpage:

<http://bit.ly/1udopC2>



### **Attending Sessions and Making Oral Submissions to the Committee**

Civil society actors may attend the sessions of the Committee as observers. To do this, it is first necessary to request accreditation.<sup>3</sup> Civil society organisation and DPO representatives may also request briefing events with the Committee and should submit a request four weeks prior to the relevant Committee session to this end. It is also possible to make oral presentations to the Committee remotely- though organisations seeking to engage in this way should indicate the communications technology required four weeks before the briefing. DPOs and civil society organisations may also request briefing time relating to particular themes they wish to bring to the attention of the Committee. It is also possible to make presentations to the Committee during sessions at which General Comments are read or adopted and in days of general debate. The UN is committed to making its events as accessible as possible to persons with disabilities. For any requests and requirements for reasonable accommodation, contact the Committee secretariat in advance of the relevant session.

For further details on engaging with the Committee in this way and receiving accreditation, also see:

<http://bit.ly/1rLA4aB>

Also see the Committee's guidelines available for download at the bottom of the following webpage:

<http://bit.ly/1udopC2>

Details on the sessions of the Committee may be found here:

<http://bit.ly/1th7f1V>



### **Case Study:**

#### **Working Together**

At the time of writing the UK has not yet been reviewed for its compliance with the Convention on Rights of Persons with Disabilities, however preparatory work is well underway. Normally State and National Human Rights Institutions from each of the 3 devolved areas and England present separate reports to monitoring mechanisms, however for the UNCRPD they have been asked to submit a single report. This has resulted in some concern that Northern Ireland, which has the smallest population of the 4 regions, will be somewhat overshadowed, despite having one of the highest proportions of people living with a disability, due in part to the legacy of the Troubles. In order to help counter this, work has already begun amongst the Equality Commission, the Northern Ireland Human Rights Commission and key NGOs such as Disability Action to ensure that NGO reports from Northern Ireland present a strong case and highlight the areas where Northern Ireland is falling behind the rest of the UK. These groups have conducted specific research into the situation in Northern Ireland and are actively reaching out to a wide range of groups to encourage them to contribute.



## International Disability Alliance

An important contact point for organisations seeking to become involved in CRPD is the International Disability Alliance (IDA). The IDA is the DPO liaison for the Committee on the Rights of Persons with Disabilities, acting as a united voice of DPOs in utilising the CRPD mechanism. For further details, contact:

### IDA Secretariat Headquarters:

#### Geneva Office

#### International Disability Alliance (Geneva)

150 route de Ferney, PO Box 2100

CH 1211 Geneva 2, Switzerland

Tel: +41 (0)22 788 42 73

Email: [info@ida-secretariat.org](mailto:info@ida-secretariat.org)

#### New York Office

#### International Disability Alliance (New York)

245 Park Avenue

39th Floor

New York, NY 10167

Tel: +1.212.672.1614

Email: [info@ida-secretariat.org](mailto:info@ida-secretariat.org)

#### Madrid Office

Fundación ONCE

C/ Sebastian Herrera, 15

28012 Madrid, Spain

Tel: +34 91 506 88 86

Email: [info@ida-secretariat.org](mailto:info@ida-secretariat.org)

Web: <http://www.internationaldisabilityalliance.org/en>



## Quick Contacts

The following contact details may also be useful for this treaty:

- Responsible UK Ministry: (Department for Work and Pensions) [sarah.dunn@dw.p.gsi.gov.uk](mailto:sarah.dunn@dw.p.gsi.gov.uk)
- Responsible NI Department: (Office of First Minister and deputy First Minister) [EqualityandHumanRights@ofmdfmi.gov.uk](mailto:EqualityandHumanRights@ofmdfmi.gov.uk)
- UN Committee: [crpd@ohchr.org](mailto:crpd@ohchr.org)
- Relevant NI NGO:<sup>4</sup> Disability Action [hq@disabilityaction.org](mailto:hq@disabilityaction.org)

### (ENDNOTES)

1 See <http://www.ohchr.org/EN/HRBodies/CRPD/Pages/CRPDIndex.aspx>.

2 See <http://www.ohchr.org/EN/HRBodies/CRPD/Pages/QuestionsAnswers.aspx>.

3 See chapter 1 for further details on accreditation.

4 If you would like any further advice from a Northern Ireland NGO, this organisation is happy for you to contact them.





## Universal Periodic Review (UPR)

The Universal Periodic Review (UPR) is a unique mechanism of the Human Rights Council of the United Nations. It is unlike the other UN Monitoring mechanisms as it is a peer review of a country by other countries. The UPR was established in April 2008 and each of the 193 United Nations Member States is reviewed once every four years. The United Kingdom has been examined twice under this review firstly in 2008 and then in 2012.

The scope of the review is also much wider than other UN Monitoring Mechanisms. The Institutional-building text of the Human Rights Council, as set out in resolution A/HRC/RES/5/1 of 18 June 2007, indicates that the review shall assess to what extent States respect their human rights obligations contained in:

- The Charter of the United Nations
- The Universal Declaration of Human Rights
- Human Rights instruments to which the State is party (human rights treaties ratified by the State concerned)
- Voluntary pledges and commitments made by the State (including those undertaken when presenting the candidature for election to the Human Rights Council)
- Applicable international humanitarian law

### The Process

Rather than solely focussing on the review of a State, the UPR is best viewed as a cyclical process comprising three key stages:

- 1) Review of the human rights situation of the state under review (SuR);
- 2) Implementation between two reviews (4.5 years) by the SuR of the recommendations received and the voluntary pledges made;
- 3) Reporting at the next review on the implementation of those recommendations and pledges made and also on the human rights situation in the country since the previous review.



.....

A review of a state is based on three documents: a national report prepared by the state under review; a compilation of United Nations information on the state under review prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR); and a summary of information submitted by other stakeholders (including civil society actors), also prepared by OHCHR.

The review takes place in Geneva in a session of the Working Group on the UPR<sup>1</sup> and consists of a three-and-a-half-hour interactive dialogue between the SuR and the Member and Observer States of the Council. The review is currently live streamed on the internet. A few days after the interactive dialogue, the Working Group adopts the report of the proceedings.

The review is compiled in an “outcome report” listing the recommendations made to the SuR during the review by other States. This is adopted at the following plenary session of the Human Rights Council, a few months after the review. One hour is set aside for the adoption of the outcome report. That hour is equally divided among the state under review, other states, national human rights institutions, and NGO observers to deliver oral statements commenting on the UPR review.

At its regular sessions, the adoption of UPR outcomes by the Human Rights Council is followed by a general debate under item 6 of the Agenda, on the Universal Periodic Review. Occasionally states that have been reviewed under the UPR will provide an update on their progress in the implementation of the commitments that they have made and the recommendations that they have supported in their examination under the UPR.

Each year 42 states are reviewed during three Working Group sessions dedicated to 14 states each. These three sessions are usually held in January/February, May/June and October/November.

## How can Civil Society Get Involved?

While the Universal Periodic Review (UPR) is more of a state-driven exercise compared to other UN Monitoring Mechanisms, there are many opportunities for NGOs to get involved.

NGOs can participate in the following ways:

1. Participate in the national consultations held by the State under Review;
2. Send information on the human rights situation in the country;
3. Lobby members of the Working Group;
4. Take the floor at the Human Rights Council during the adoption of the report;
5. Monitor and participate in the implementation by the State under Review of the UPR recommendations.

### **1. Participate in the national consultations held by the State under Review**

In order to write a National Report to be submitted to the Human Rights Council (HRC) for the review, the SuR is “encouraged” to hold a “broad consultation process at the national level with all relevant stakeholders” (Resolution A/HRC/RES/5/1). These consultations should take place at least a year before the review in different cities and regions of the country and include a broad range of civil society organisations. In the United Kingdom the Ministry of Justice co-ordinates the UPR process.

Current information on the process and a link to join the mailing list can be found here:

<http://bit.ly/1th7YQH> <sup>2</sup>

Each of the devolved regions sends information to the Ministry of Justice for its report. In Northern Ireland this is co-ordinated by OFMdfM (EqualityandHumanRights@ofmdfmi.gov.uk).



## **2. Send information on the human rights situation in the country**

As mentioned above the review of a country is based on three reports, including a summary of information submitted by “other stakeholders” (including civil society actors) and prepared by OHCHR.

Any civil society actors, national institution, NGOs, human rights defenders, local associations, grass root organisations, trade unions, indigenous peoples, can submit information to the OHCHR, with or without the ECOSOC status. In advance of the last review of the UK groups operating in Northern Ireland submitting information included: Age UK, CAJ, Human Rights Consortium, Amnesty International, Save the Children, NIWEP, British Irish Rights Watch and Mencap.

An individual submission by an NGO is limited to 2815 words, excluding foot notes and annexes. A joint submission submitted by a coalition of NGOs (two NGOs or more) can reach 5630 words. An NGO can submit only one individual submission but can be part of as many joint submissions as wanted.

Submissions have to follow the OHCHR Technical guidelines which are available here:

**<http://bit.ly/1nKVkxg>**

Submissions have to be submitted to the OHCHR through their new online system. NGOs have to first register on the OHCHR's website (this registration can be done at any time, there is no need to wait for the deadline to register). When the submission is finalised, one has to login to the online system and upload the document. The new submission should then be listed in the system.

The deadline for the submission of information is about six to eight months before the session. Late submissions are not considered. Deadlines for the entire second cycle can be accessed by country and by session or in the box below.

The National Report, the compilation and the summary as well as NGO submissions are usually available on the OHCHR website six weeks before the start of the UPR working group.

## **3. Lobby members of the Working Group**

NGOs can lobby states in order to bring to their attention specific issues and to request that such issues be addressed during the interactive dialogue in the form of questions and/or recommendations. Issues can also be raised through advance questions.

Groups can lobby both in Geneva and in the SuR, so for example you could visit London to lobby at embassies.

While you can visit Geneva and set up your own meetings with Permanent missions staff, a NGO called UPR Info organises “Pre-sessions” in Geneva between NGOs and States. Two months before the review of a member state, they organise a one-hour meeting on the SuR and give the floor to national and international NGOs to brief Permanent Missions about the human rights situation in the country. As civil society organisations are not allowed to take the floor during the review it is important to do lobbying in advance.

When meeting with delegates, whether in the country or in Geneva, it is important to concentrate on priority issues and present for each about 4 or 5 specific questions and recommendations in a short document of one or two pages.

Once contact has been made you can then follow up with people you met through email/telephone.

## **4. Take the floor at the Human Rights Council during the adoption of the report;**



## Make an Oral Statement

As noted above, during the adoption of the report of the Working Group at the HRC plenary session, 20 minutes are allocated to NGOs to make a statement. In total, ten NGOs are given two minutes each.

To speak, NGOs need to sign up online at 2pm, Geneva (CET) time, the Friday before the beginning of the HRC session and to confirm in person at the List of Speakers' the day before speaking. The ten slots will be allocated on a first come, first served basis. NGOs also have the possibility to deliver their statement by video instead of travelling to Geneva.

## Submit a Written Statement

As during any Human Rights Council plenary, NGOs can submit written statements under any item, including the sixth one which is the UPR. However, written statements have less impact than oral ones.

## 5. Monitor and participate in the implementation by the State under Review of the UPR recommendations.

States have to implement the recommendations they have accepted and the voluntary pledges they have taken. At the next UPR, they will be reviewed on the implementation of those recommendations and pledges and on the human rights situation in the country since the previous review.

NGOs have an important role to play between two reviews. They can:

- Make recommendations and pledges public;
- Monitor their implementation;
- Engage in dialogue with the state reviewed to participate in their implementation;
- Report to the Human Rights Council on the progress by making a statement at any General debate under item six (UPR).

In 2014, the United Kingdom will be submitting a mid-term report on the recommendations received at the conclusion of the UPR in 2012 which should demonstrate any progress made.

## Next Steps

The next review of the UK is due to take place in January 2017. If you would like to take part in this review and would like any assistance or guidance please contact:

### Human Rights Consortium

*Phone: 028 90 313780*

*Email: [info@billofrightsni.org](mailto:info@billofrightsni.org)*

Alternatively you can contact the Geneva-based NGO UPR Info. UPR Info aims at raising awareness on the Universal periodic review (UPR) and providing capacity-building tools to the different actors of process, such as United Nations Member States, NGOs, National Human Rights Institutions and civil society in general. UPR Info is in Special Consultative Status with the United Nations Economic and Social Council (ECOSOC).

### UPR Info:

*Phone: + 41 22 321 77 70*

*Email: [info@upr-info.org](mailto:info@upr-info.org)*

*Website: <http://www.upr-info.org>*



## Case Study:

### Being Accommodating

Prior to the examination of a country through the Universal Periodic Review an NGO called 'UPR Info' UPR Info organises Pre-session meetings in Geneva, which aim at strengthening collaboration between different actors engaged with the UPR process .

The UPR Pre-sessions bring together Permanent Missions, National Human Rights Institutions (NHRIs) and Civil Society Organizations (CSOs) to discuss the human rights situation of states two months prior to their review at the UPR Working Group.



The pre-sessions offer permanent delegations the opportunity to be informed on the status of implementation of recommendations made during the previous review, while providing space for civil society to influence the process by lobbying several delegations at once. During the pre-sessions Permanent Missions are given many different documents by CSOs, this can sometimes make it difficult to ensure that your document stands out.

In preparation for the pre-session of the review of the United Kingdom in 2012 the Human Rights Consortium created a condensed version of their submission which outlined the main points on 2 sides of an A4 page. In addition they also had the document translated into French and Spanish to make it more accessible to a wider range of staff of the Permanent Missions. These initiatives were very well received and positive contacts were subsequently established with the staff at a number of Permanent Missions.



## Quick Contacts

The following contact details may also be useful for this process:

- Responsible UK Ministry: (Ministry of Justice) [humanrights@justice.gsi.gov.uk](mailto:humanrights@justice.gsi.gov.uk)
- Responsible NI Department: (Office of First Minister and deputy First Minister) [EqualityandHumanRights@ofmdfmni.gov.uk](mailto:EqualityandHumanRights@ofmdfmni.gov.uk)
- UPR Info: [info@upr-info.org](mailto:info@upr-info.org)
- Relevant NI NGO:<sup>3</sup> Human Rights Consortium [info@billofrightsni.org](mailto:info@billofrightsni.org)

### (ENDNOTES)

<sup>1</sup> The Working Group is composed of the 47 Member States of the Human Rights Council

<sup>2</sup> If you would like to contact the Ministry of Justice with regards to the UPR please use the following email address: [humanrights@justice.gsi.gov.uk](mailto:humanrights@justice.gsi.gov.uk)

<sup>3</sup> If you would like any further advice from a Northern Ireland NGO, this organisation is happy for you to contact them.





## Special Procedures

The special procedures are independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective. The system of Special Procedures is a central element of the United Nations human rights machinery and covers all human rights: civil, cultural, economic, political, and social.

### Special Rapporteurs, Independent Experts and Working Groups

Special procedures are either an individual (called “Special Rapporteur” or “Independent Expert”) or a working group of five members<sup>1</sup>, one from each of the five United Nations regional groupings:

- Africa
- Asia
- Latin America and the Caribbean
- Eastern Europe
- Western group

The Special Rapporteurs, Independent Experts and members of the Working Groups are appointed by the Human Rights Council and serve in their personal capacities. They undertake to uphold independence, efficiency, competence and integrity through probity, impartiality, honesty and good faith. They are not United Nations staff members and do not receive financial remuneration. The independent status of the mandate holders is crucial in order to be able to fulfil their functions with impartiality. A mandate-holder’s tenure in a given function, whether it is a thematic or country mandate, is limited to a maximum of six years.

The Special Procedures are an important part of the UN human rights mechanism because:

- They are able to monitor and rapidly respond to allegations of violations occurring anywhere in the world
- They are among the most innovative, responsive and flexible tools of the human rights machinery and make hundreds of interventions each year
- Drawing their authority from the UN Charter, the Special Procedures can respond to allegations of violations occurring anywhere in the world



- They come from all regions of the world and serve in an independent capacity. Their ability to work without interference from governments is critical
- They bring human rights violations, including emerging crises, to the attention of the international community
- They provide expert advice to assist governments in meeting their human rights obligations.

### **The Work of Special Procedures**

With the support of the Office of the United Nations High Commissioner for Human Rights (OHCHR), special procedures:

- undertake country visits
- act on individual cases and concerns of a broader, structural nature by sending communications to States and others in which they bring alleged violations or abuses to their attention
- conduct thematic studies and convene expert consultations,
- contribute to the development of international human rights standards
- engage in advocacy
- raise public awareness
- provide advice for technical cooperation

Special procedures report annually to the Human Rights Council; the majority of the mandates also reports to the General Assembly.

### **Country visits**

Special Procedures mandate holders carry out country visits to analyse the human rights situation at the national level. They typically send a letter to the State requesting to visit the country, and, if the State agrees, an invitation to visit is extended. Some countries, including the United Kingdom, have issued “standing invitations”, which means that they are, in principle, prepared to receive a visit from any thematic special procedures mandate holder. As of 1 January 2014, 108 States had extended standing invitations to the special procedures. After their visits, special procedures’ mandate-holders issue a mission report containing

their findings and recommendations.

Country Visits and subsequent reports are a key way for NGOs to raise specific human rights issues and NGOs in Northern Ireland have undertaken this approach successfully in the past<sup>2</sup>.

### **Communications**

Most special procedures receive information on specific allegations of human rights violations and send urgent appeals or letters of allegation to States asking for clarification. Mandate holders may also send letters to States seeking information about new developments, submitting observations, or following-up on recommendations. These letters do not necessarily allege that a violation has taken place or is about to occur. In 2013, a total of 528 communications were sent to 116 countries. 84% of these were joint communications of two or more mandate holders. Communications sent and the responses received are reported at each regular session to the Human Rights Council.

### **Taking Action**

Some special rapporteurs are entrusted by their mandate to receive information from different sources: Governments, intergovernmental organizations, non-governmental organizations, alleged victims of human rights abuses, and witnesses. When they receive credible information that a human rights violation has occurred that comes within the scope of their mandate, some special rapporteurs intervene directly with Governments. The intervention can relate to a human rights violation that has already occurred, one that is ongoing, or one that will very likely take place if no action is taken. The decision to intervene is at the discretion of the special procedure mandate-holder and will depend on various criteria established by him or her.

The admissibility criteria will generally relate to: the reliability of the source; the internal consistency of the information received; the precision of the factual details included in the information; and the scope of the mandate itself. However, it must be emphasized that the criteria and the



procedure involved in responding to an individual complaint vary, so it is necessary to submit a complaint in accordance with the specific requirements established by each special rapporteur.

### How to submit a complaint

The following minimum information must be provided to all special procedures in order for the complaint to be assessed:

- Identification of the person(s) or organization(s) submitting the communication;
- The full name of the alleged victim(s), their age, sex, and place of residence or origin;
- Identification of as many details as possible (name, age, sex, place of residence or origin) in cases involving a group or community;

- Date and place of incident (approximate, if exact date is not known);
- A detailed description of the circumstances of the incident in which the alleged violation occurred

Contact details for all of the thematic Special Procedures are below. Some of the Special Procedures have developed model questionnaires for submitting information, these can be accessed here:

<http://bit.ly/1rLB8uU>

## Current Special Procedures and Contact Details<sup>3</sup>

### Working Groups

Title/Mandate	Name and country of origin of mandate holder	Contact
Independent expert on the promotion of a democratic and equitable international order	<b>Mr. Alfred de Zayas</b> (USA)	ie-internationalorder@ohchr.org
Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment	<b>Mr. John Knox</b> (USA)	ieenvironment@ohchr.org
Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights	<b>Mr. Juan Bohoslavsky</b> (Argentina)	ieforeigndebt@ohchr.org
Independent Expert on the enjoyment of all human rights by older persons	<b>Ms. Rosa Kornfeld-Matte</b> (Chile)	olderpersons@ohchr.org
Independent Expert on human rights and international solidarity	<b>Ms. Virginia Dandan</b> (Philippines)	iesolidarity@ohchr.org



## Special Rapporteurs

Title/Mandate	Name and country of origin of mandate holder	Contact
Special Rapporteur on adequate housing	<b>Ms. Leilani Farha</b> (Canada)	srhousing@ohchr.org
Special Rapporteur on the sale of children, child prostitution and child pornography	<b>Ms. Maud De Boer-Buquicchio</b> (the Netherlands)	srsaleofchildren@ohchr.org
Special Rapporteur in the field of cultural rights	<b>Ms. Farida Shaheed</b> (Pakistan)	srculturalrights@ohchr.org
Special Rapporteur on the right to education	<b>Mr. Kishore Singh</b> (India)	sreducation@ohchr.org
Special Rapporteur on extrajudicial, summary or arbitrary executions	<b>Mr. Christof Heyns</b> (South Africa)	eje@ohchr.org
Special Rapporteur on extreme poverty and human rights	<b>Mr. Philip Alston</b> (Australia)	srextremepoverty@ohchr.org
Special Rapporteur on the right to food	<b>Ms. Hilal Elver</b> (Turkey)	srfood@ohchr.org
Special Rapporteur on the rights to freedom of peaceful assembly and of association	<b>Mr. Maina Kiai</b> (Kenya)	freeassembly@ohchr.org
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression	<b>Mr. Frank La Rue</b> (Guatemala)	freedex@ohchr.org
Special Rapporteur on freedom of religion or belief	<b>Mr. Heiner Bielefeldt</b> (Germany)	freedomofreligion@ohchr.org
Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health	<b>Mr. Anand Grover</b> (India)	srhealth@ohchr.org
Special Rapporteur on the situation of human rights defenders	<b>Mr. Michel Forst</b> (France)	defenders@ohchr.org
Special Rapporteur on the independence of judges and lawyers	<b>Ms. Gabriela Knaul</b> (Brazil)	srindependencejl@ohchr.org
Special Rapporteur on the rights of indigenous peoples	<b>Ms. Victoria Lucia Tauli-Corpuz</b> (the Philippines)	indigenous@ohchr.org
Special Rapporteur on the human rights of internally displaced persons	<b>Mr. Chaloka BEYANI</b> (Zambia)	idp@ohchr.org



## Special Rapporteurs Continued

Title/Mandate	Name and country of origin of mandate holder	Contact
Special Rapporteur on the human rights of migrants	<b>Mr. François Crépeau</b> (Canada)	migrant@ohchr.org
Special Rapporteur on minority issues	<b>Ms. Rita Izsák</b> (Hungary)	minorityissues@ohchr.org
Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence	<b>Mr. Pablo De Greiff</b> (Colombia)	srtruth@ohchr.org
Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance	<b>Mr. Mutuma Ruteere</b> (Kenya)	racism@ohchr.org
Special Rapporteur on contemporary forms of slavery, including its causes and its consequences	<b>Ms. Urmila Bhoola</b> (South Africa)	srslavery@ohchr.org
Special Rapporteur on the promotion and protection of human rights while countering terrorism	<b>Mr. Ben Emmerson</b> (United Kingdom of Great Britain and Northern Ireland)	srct@ohchr.org
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment	<b>Mr. Juan Mendez</b> (Argentina)	sr-torture@ohchr.org
Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes	<b>Baskut Tuncak</b> (Turkey)	srtoxicwaste@ohchr.org
Special Rapporteur on trafficking in persons, especially women and children	<b>Ms. Joy Ngozi Ezeilo</b> (Nigeria)	srtrafficking@ohchr.org
Special Rapporteur on the human right to safe drinking water and sanitation	<b>Ms. Catarina de Albuquerque</b> (Portugal)	srwatsan@ohchr.org
Special Rapporteur on violence against women, its causes and consequences	<b>Ms. Rashida Manjoo</b> (South Africa)	vaw@ohchr.org



## Independent Experts

Title/Mandate	Name and country of origin of mandate holder	Contact
Working Group of Experts on People of African Descent	<ol style="list-style-type: none"> <li>1. <b>Ms. Mireille Fanon Mendes-France</b> (France) Chair-Rapporteur</li> <li>2. <b>Ms. Monorama Biswas</b> (Bangladesh)</li> <li>3. <b>Ms. Verene Shepherd</b> (Jamaica)</li> <li>4. <b>Ms. Maya Sahli</b> (Algeria)</li> <li>5. <b>Ms. Mirjana Najcevska</b> (The Former Yugoslav Republic of Macedonia)</li> </ol>	africandescent@ohchr.org
Working Group on Arbitrary Detention	<ol style="list-style-type: none"> <li>1. <b>Mr. Mads Andenas</b> (Norway) Chair-Rapporteur</li> <li>2. <b>Mr. Vladimir Tochhilovsky</b> (Ukraine) Vice-Chair</li> <li>3. <b>Ms. Shaheen Sardar Ali</b> (Pakistan)</li> <li>4. <b>Mr. José Guevara</b> (Mexico)</li> <li>5. <b>Mr. Sètondji Roland Jean-Baptiste Adjovi</b> (Benin)</li> </ol>	wgad@ohchr.org
Working Group on Enforced or Involuntary Disappearances	<ol style="list-style-type: none"> <li>1. <b>Mr. Ariel Dulitzky</b> (Argentina/ USA) Chair-Rapporteur</li> <li>2. <b>Mr. Olivier de Frouville</b> (France)</li> <li>3. <b>Ms. Jasminka Dzumhur</b> (Bosnia and Herzegovina)</li> <li>4. <b>Ms. Houria Es-Slami</b> (Morocco)</li> <li>5. <b>Mr. Osman El Hajje</b> (Lebanon)</li> </ol>	wgeid@ohchr.org
Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination	<ol style="list-style-type: none"> <li>1. <b>Ms. Patricia Arias</b> (Chile) Chair-Rapporteur</li> <li>2. <b>Mr. Anton Katz</b> (South Africa)</li> <li>3. <b>Ms. Elzbieta Karska</b> (Poland)</li> <li>4. <b>Mr. Gabor Rona</b> (USA/Hungary)</li> <li>5. <b>Mr. Saeed Mokbil</b> (Yemen)</li> </ol>	mercenaries@ohchr.org
Working Group on the issue of human rights and transnational corporations and other business enterprises	<ol style="list-style-type: none"> <li>1. <b>Mr. Michael K. Addo</b> (Ghana) Chair-Rapporteur</li> <li>2. <b>Mr. Puvan J. Selvanathan</b> (Malaysia)</li> <li>3. <b>Ms. Alexandra Guaqueta</b> (Colombia/USA)</li> <li>4. <b>Mr. Pavel Sulyandziga</b> (Russian Federation)</li> <li>5. <b>Ms. Margaret Jungk</b> (USA)</li> </ol>	wg-business@ohchr.org
Working Group on the issue of discrimination against women in law and in practice	<ol style="list-style-type: none"> <li>1. <b>Ms. Frances Raday</b> (Israel/ UK) Chair-Rapporteur</li> <li>2. <b>Ms. Emna Aouij</b> (Tunisia)</li> <li>3. <b>Ms. Eleonora Zielinska</b> (Poland)</li> <li>4. <b>Ms. Kamala Chandrakirana</b> (Indonesia)</li> <li>5. <b>Ms. Alda Facio</b> (Costa Rica)</li> </ol>	wgdiscriminationwomen@ohchr.org



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## General Comments

Each of the treaty bodies publishes its interpretation of the provisions of its respective human rights treaty in the form of General Comments or General Recommendations.

The purpose of General Comments is to clarify the contents of specific rights within Conventions or particular themes of relevance to specific Conventions and also to offer guidance to State Parties about practical measures of implementation.

The subject matter therefore of General Comments covers a wide range, from the comprehensive interpretation of substantive provisions, such as the right to life or the right to adequate food, to general guidance on the information that should be submitted in state reports relating to specific articles of the treaties. The content of a General Comment is not necessarily limited to one Convention, indeed some General Comments have also dealt with wider, cross-cutting issues, such as the role of national human rights institutions and the rights of minorities.

It is possible for civil society organisations to influence the content of General Comments. Often Committees will invite Member States, UN and regional human rights mechanisms, UN organizations or specialized agencies, NHRIs, NGOs, research institutions, and members of academia to submit comments on the draft of a General Comment. Information on draft General Comments is available on the particular website of each Committee.

If there is a topic under consideration, or a topic you think should be under consideration for a General Comment then your organisation can get in touch with the relevant Secretariat.

General Comments relating to each of the specific treaties as well as the contact details for each Committee's Secretariat can be found in the relevant chapters above.

## Optional Protocols

International treaties are often followed by Optional Protocols. These are additional legal instruments that add to or complement the treaty. Optional Protocols to human rights treaties are treaties in their own right, and are open to signature, accession or ratification by countries who are party to the main treaty.

They are 'optional' because they build upon the provisions in the original treaty and so States can make a choice whether or not to become a party to them. As with treaties more generally, once the State becomes a party to the Optional Protocol, the provisions become legally binding on that State.

In this piece we have divided Optional Protocols of the UN human rights treaties into two main categories: those that provide for oversight (Individual complaints and Inquiries) and those that deal with new or additional issues emerging from the original treaty. A full list of the ratification status UN human rights treaties and Optional Protocols can be viewed here:

<http://bit.ly/1vup28E>

### Oversight

We use the term 'oversight' here to refer to two different procedures provided for by Optional Protocols: Individual Complaints and Inquiries.

### Individual Complaints

Some Optional Protocols provide a mechanism whereby individuals can make a complaint to the human rights treaty bodies when their rights have been violated.<sup>4</sup>

The United Kingdom ratified the Optional Protocol to the CRPD on 7 August 2009 and acceded to the Optional Protocol to CEDAW on 17 December 2004 and so individuals can now make complaints of violations by a State of these two treaties to the relevant Committees.

Complaints may also be brought by third parties on behalf of individuals, provided



they have given their written consent (without requirement as to its specific form) or without consent where consent cannot be obtained (for example where a person is in prison without access to the outside world).

At the time of writing the individual complaints procedure for CEDAW has been used three times and once for the CRPD in relation to the UK. On all occasions the complaints have been deemed inadmissible by the relevant Committees.<sup>5</sup>

For example on 24 February 2011 Mr. J.S., an Indian national, brought a complaint that he was a victim of a violation by the State party of his rights under the Convention on the Elimination of All Forms of Discrimination against Women on the basis that his mother, who was born in Kenya in 1943 and holds United Kingdom and Colonies' citizenship (CUKC), could not pass on her nationality to him. The complaint was found to be inadmissible as the author had failed to exhaust all available domestic remedies before bringing the complaint.

## **Inquiries**

Some Optional Protocols provide a mechanism for UN Committees to initiate inquiries. An inquiry may be initiated by a Committee where the Committee has received reliable information containing well-founded indications of serious or systematic violations of the conventions in a State that has ratified the relevant Optional Protocols.<sup>6</sup>

As mentioned above, the United Kingdom has ratified the Optional Protocol to the CRPD and acceded to the Optional Protocol to CEDAW. In addition it has ratified CAT, including Article 20, which also provides for an inquiry procedure and so could be subject to inquiries for violations under these three treaties.

## **Inquiry Procedure<sup>7</sup>**

- The procedure may be initiated if the Committee receives reliable information indicating that the rights contained in the Convention it monitors are being systematically violated by the State party.

- The Committee invites the State party to co-operate in the examination of the information by submitting observations.
- The Committee may, on the basis of the State party's observations and other relevant information available to it, decide to designate one or more of its members to conduct an inquiry and report urgently to the Committee. Where warranted and with the consent of the State party concerned, an inquiry may include a visit to its territory.
- The findings of the member(s) are then examined by the Committee and transmitted to the State party together with any comments and recommendations.
- The State party is requested to submit its own observations on the Committee's findings, comments and recommendations within a specific time frame (usually six months) and, where invited by the Committee, to inform it of the measures taken in response to the inquiry.
- The inquiry procedure is confidential and the cooperation of the State party shall be sought at all stages of the proceedings.

## **Optional Protocols that Deal with New or Additional Issues**

The United Kingdom has also ratified several other Optional Protocols that deal with other issues relating to the specific treaty they follow:

- On 10 December 1999 the UK ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights.<sup>8</sup> This Optional Protocol commits States party to it to the abolition of the death penalty within their borders.
- On 24 June 2003 the UK ratified the Optional Protocol to the Convention on the Rights of the Child on the



involvement of children in armed conflict.<sup>9</sup> This protocol commits States party to it to take all feasible measures to ensure that members of their armed forces who are under 18 do not take a direct part in hostilities and to ensure that persons under 18 are not conscripted into their armed forces. The UK entered a 'declaration'<sup>10</sup> to this protocol as while the UK agrees to take all feasible measures to ensure that people under 18 do not

- take a direct part in hostilities, the minimum age at which individuals may join the UK Armed Forces is 16 years.<sup>11</sup>
- On 10 December 2003 the UK ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.<sup>12</sup> This established a system of regular visits to States party to the protocol by independent international and national bodies to places of detention in order to uphold the Convention.
- On 20 February 2009 the UK ratified the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.<sup>13</sup> This protocol requires States party to it to prohibit the sale of children, child prostitution and child pornography.

## National Human Rights Institutions

National human rights institutions (NHRIs) are organisations established by government to promote and protect human rights in a given country. While they are established by government, they operate and function independently and occupy a unique space between government and civil society.

NHRIs can be split into two broad categories- human rights commissions and ombudsmen. The mandate of NHRIs generally encompasses the full spectrum of human rights, from civil and political to economic, social and cultural rights. There

are currently around 100 NHRIs operating around the world.

The Paris Principles<sup>14</sup> which were drafted at an international NHRIs workshop in Paris in 1991 and adopted by the United Nations General Assembly in 1993, set out the minimum international standards required for national human rights institutions to effectively fulfil their role. Compliance with the Paris Principles is the central requirement of the accreditation process. Only NHRIs that obtain A status have speaking rights before the UN Human Rights Council.

The functions of NHRIs, as defined by the Paris Principles, include:

- to monitor any situation of violation of human rights which it decides to take up
- to advise the Government, the Parliament and any other competent body on specific violations, on issues related to legislation and general compliance and implementation with international human rights instruments
- to report to regional and international organisations
- to educate and inform in the field of human rights

## The Northern Ireland Human Rights Commission

The Northern Ireland Human Rights Commission was established as part of the Belfast/Good Friday Agreement 1998. It operates in full accordance with the Paris Principles and has A status accreditation<sup>15</sup> from the United Nations (UN).

The NIHRC takes an active role in each of the monitoring mechanisms mentioned in this guide. The Commission's submissions to various review mechanisms can be viewed here:

<http://bit.ly/1uBkLTV>



The Human Rights Commission often engages with civil society in preparation of these submissions. If you would like to get involved in these engagements, please contact the Northern Ireland Human Rights Commission:

**Northern Ireland Human Rights Commission**

*Temple Court  
39 North Street  
Belfast*

*BT1 1NA*

*Tel: 02890243987*

*Web: <http://www.nihrc.org/>*

*Email: [information@nihrc.org](mailto:information@nihrc.org)*

(ENDNOTES)

1 Although the titles of the special procedures vary, there are no major differences in their general responsibilities and methods of work.

2 For details please see Case Studies in chapters above

3 <http://www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx>

4 This is true for the Optional Protocols for CCPR, CEDAW, CRPD, CED and CESC. Under article 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and under article 14 of the Convention on the Elimination of All Forms of Racial Discrimination it is also possible to make an individual complaint if the States party has made the necessary declaration- the UK has not made these declarations.

5 The decisions can be viewed here: [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=GBR&Lang=EN](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=GBR&Lang=EN) in the section 'Acceptance of individual complaints procedures for United Kingdom of Great Britain and Northern Ireland'.

6 Relevant Optional Protocols: article 8 of the Optional Protocol to CEDAW, article 6 Optional Protocol to CRPD, article 11 of the Optional Protocol to ICESCR and article 13 of the Optional Protocol (on a communications procedure) to CRC- though this Protocol is not yet in force. Article 20 of CAT and article 33 of CED also provide for inquiries, while the UK has not signed CED it has ratified CAT.

7 From <http://www.ohchr.org/EN/HRBodies/TBPetitions/Pages/HRTBPetitions.aspx>

8 <http://www.ohchr.org/EN/ProfessionalInterest/Pages/2ndOPCCPR.aspx>

9 <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx>

10 This is a note to a treaty, usually entered by a State at the time of signature, to explain or interpret what the State feels may be unclear. It is not intended to affect the State's legal obligations.

11 [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11-b&chapter=4&lang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&lang=en)

12 <http://www.ohchr.org/en/ProfessionalInterest/Pages/OPCAT.aspx>

13 <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx>

14 Available here: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/StatusOfNationalInstitutions.aspx>

15 A status means that a NHRI complies fully with the Paris Principles. They can participate fully in the international and regional work and meetings of national institutions, as voting members, and they can hold office in the Bureau of the International Coordinating Committee or any sub-committee the Bureau establishes. They are also able to participate in sessions of the Human Rights Council and take the floor under any agenda item, submit documentation and take up separate seating.





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