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## **VII. FOLLOW-UP TO INDIVIDUAL COMMUNICATIONS**

485. In the past, the Committee only informally monitored whether, how or the extent to which States parties implemented its recommendations adopted following the examination of communications from individuals or from groups of individuals. In light of the positive experiences of other treaty bodies, and following a discussion based on a background paper prepared by the Secretariat (CERD/C/67/FU/1, available on the OHCHR website), the Committee decided, at its sixty-seventh session,<sup>i</sup> to establish a procedure to follow up on its opinions and recommendations adopted following the examination of communications from individuals or groups of individuals.

486. Also at its sixty-seventh session, the Committee decided to add two new paragraphs to its rules of procedure.<sup>ii</sup> On 6 March 2006, at its sixty-eighth session, Mr. Alexandre Linos Sicilianos was appointed Rapporteur for follow-up on opinions. He presented a report to the Committee with recommendations on further action to be taken. This report, which was updated and adopted by the Committee at its sixty-ninth session (see annex V), reflects all cases in which the Committee found violations of the Convention or where it provided suggestions or recommendations although it did not establish a violation of the Convention.

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<sup>i</sup> See *Official Records of the General Assembly, Sixtieth Session, Supplement No. 18* (A/60/18), annex IV, sect. I.

<sup>ii</sup> *Ibid.*, annex IV, sect. II.

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## **XII. DISCUSSION ON REFORM OF THE TREATY BODY SYSTEM**

503. At its sixty-ninth session, the Committee had before it the report of the eighteenth meeting of persons chairing the human rights treaty bodies held at Geneva on 22 and 23 June 2006, including the report of the fifth inter-committee meeting held at Geneva from 19 to 21 June 2006 and attended by the Chairperson, Mr. Yutzis and Mr. Sicilianos. The Committee discussed in particular the point concerning proposals for reform of the United Nations human rights framework, as well as the outcome of the brainstorming meeting on reform of the treaty bodies ("Malbun II" meeting) held from 14 to 16 July in Liechtenstein and attended by Mr. Sicilianos. The Committee had a dialogue on this issue on 8 August 2006 with Ms. Jane Connors, Team Leader, Treaties and Council Branch, Office of the High Commissioner for Human Rights (OHCHR) (see CERD/C/SR.1771).

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504. The Chairperson and Mr. Sicilianos reported on the outcome of the meetings and highlighted in particular the proposal of the Committee concerning the establishment of a single body to deal with individual communications, as well as the need to revise the reporting guidelines of the Committee, so as to take into account the revised guidelines on a common core document adopted by the meeting of chairpersons. The Committee requested the Secretariat to prepare draft revised guidelines for consideration at its next session.

505. A very fruitful debate ensued, during which members supported various ways of further harmonizing and increasing the effectiveness of treaty bodies, including:

- (a) Developing interaction between treaty bodies and the Human Rights Council;
- (b) Enhancing interaction between treaty bodies on the one hand and United Nations specialized agencies, funds and programmes, regional intergovernmental organizations and national human rights institutions on the other;
- (c) The need to tackle non-reporting or delays in the submission of initial or periodic reports by States parties;
- (d) Enhancing the role and use of inter-committee meetings;
- (e) Providing increased resources to OHCHR for their assistance to treaty bodies, including for the implementation of the follow-up procedure of the Committee;
- (f) Ensuring that gender and geographical representation are improved among treaty body members;
- (g) Adopting joint general comments and providing comments to other treaty bodies on draft general comments;
- (h) Harmonizing treaty body terminology.

506. In her dialogue with the Committee, Ms. Connors informed members about various meetings regarding treaty body reform which would take place in the coming months, including briefings on the outcome of the Malbun II meeting. She recalled that during that meeting, great interest had been expressed by participants in enhancing the harmonization of the system. Ms. Connors noted that during the Malbun II meeting, the High Commissioner had reiterated her support for the important work of treaty bodies. She also informed members that new posts would be established at OHCHR so as to enhance the capacity of the Office to work on treaty body reform. Finally, she stressed States parties' expectations regarding the receipt of proposals for reform from treaty bodies.

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## **Annex VI**

### **GUIDELINES ON FOLLOW-UP TO CONCLUDING OBSERVATIONS AND RECOMMENDATIONS**

#### **Introduction**

1. At its sixty-fourth session, the Committee on the Elimination of All Forms of Racial Discrimination (the Committee) amended its rules of procedure relevant to follow-

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up activities in adopting a second paragraph to rule 65.<sup>a</sup> The paragraph provides for the appointment of a coordinator in order to further the implementation of rule 65, paragraph 1. At its sixty-fifth session, the Committee appointed a coordinator on follow-up and an alternate. The mandate of the coordinator and the alternate took effect as from the sixty-fifth session. The following guidelines are intended to assist States parties in their efforts to implement and follow up on the concluding observations and recommendations of the Committee.

### **1. Dissemination of the concluding observations**

2. The Committee encourages the State party to disseminate the concluding observations as widely as possible. It is recommended that the concluding observations and recommendations be translated into local languages and, in particular, the languages of concerned minorities, to facilitate their participation in the implementation of the Convention on the Elimination of All Forms of Racial Discrimination (the Convention) and the concluding observations of the Committee.

### **2. Coordination of implementation efforts and designation of a focal point/liason person**

3. The Committee acknowledges that its concluding observations touch on a wide range of issues and that their implementation will involve the active engagement and commitment of various ministries, departments and other stakeholders. There may consequently be a need to establish or strengthen existing mechanisms within the State party for the effective coordination of all activities related to the implementation of the Convention.

4. The State party is invited to designate a representative to act as focal point and who would be in charge of liaising with the coordinator on follow-up or the alternate. This would greatly facilitate the task of the coordinator and communication between the State party and the Committee.

### **3. Regular reporting on progress**

5. The State party is required to submit comprehensive reports on the general fulfilment of its obligations under the Convention on a regular basis. The periodic reports should contain information on measures taken to implement the recommendations of the Committee, as requested in the reporting guidelines of the Committee. In addition, the Committee may, in accordance with article 9, paragraph 1, of the Convention, request information from the State party at any time and may, in its concluding observations, request States to provide information within a year on follow-up to some of its recommendations. The Committee would welcome receiving information between the regular reporting sessions on concrete steps taken by the State party to implement these recommendations.

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#### **4. Cooperation with national human rights institutions and non-governmental organizations**

6. The Committee invites the State party to involve national human rights institutions, non-governmental organizations and other stakeholders in the process of implementation of the Convention and of the concluding observations of the Committee. This can be done by convening round tables and workshops on a regular basis with the aim of assessing the progress in the implementation of the concluding observations and recommendations.

#### **5. Concluding observation and recommendations and national action plans**

7. In the Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, States were called upon to elaborate action plans in order to combat racism, racial discrimination, xenophobia and related intolerance. In States where such plans or other human rights plans of action have been developed, the concluding observations and recommendations can serve as key qualitative and quantitative indicators of progress made in the implementation of the Convention. In this way the concluding observations and recommendations become an integral part of domestic human rights strategies.

#### **6. Assistance to follow-up activities**

8. The coordinator on follow-up or, in his/her place, the alternate is available to meet with representatives of the State party to discuss the implementation of the concluding observations and recommendations.

9. The State party may request technical assistance from the Office of the High Commissioner for Human Rights to assist in the implementation of the concluding observations and recommendations.