



International Covenant on Civil and Political Rights

Distr.: General
4 June 2012

Original: English

Human Rights Committee

104th session

New York, 12–30 March 2012

The relationship of the Human Rights Committee with non-governmental organizations

1. The Human Rights Committee (hereinafter “the Committee”) considers that the cooperation, with the Committee, of domestic and international non-governmental organizations (NGOs) working on the promotion and protection of human rights is essential for the promotion and implementation of the International Covenant on Civil and Political Rights (hereinafter “the Covenant”) and its Optional Protocols.

2. The purpose of the present paper is to clarify and strengthen the Committee’s relationship with NGOs and to enhance the contribution of NGOs in the implementation of the Covenant at the domestic level.

3. Since the early 1980s NGOs have been playing an important role in the implementation of the Covenant and have been making contributions at all stages of the Committee’s activities. NGOs have been submitting alternative/shadow reports for the Committee’s consideration in connection with State party reports and the follow-up procedure to concluding observations, assisting authors in the submission of individual communications, providing briefings to the Committee during its sessions and overall improving the visibility of the Committee and its activities. In general, they provide important information relevant to the conduct of the Committee’s activities and have a catalytic role in enhancing the implementation of the Covenant at the domestic level.

A. Role of non-governmental organizations in the reporting process under the Covenant

4. The Committee has over the years created a space for NGOs to play a constructive role in relation to the reporting process and the review by the Committee of States parties’ compliance with their obligations under the Covenant.

5. Taking note of the fact that consideration of State parties’ reports by the Committee is based on a constructive dialogue with States parties, the Committee considers it necessary that this dialogue is based on information received not only from States parties, United Nations entities and national human rights institutions, but also from NGOs, to ensure a well-informed and constructive dialogue.

6. NGOs have therefore a key role to play in informing the reporting process, at all stages, including for the preparation of the list of issues and for the follow-up to the concluding observations of the Committee.

7. NGOs are encouraged to provide alternative reports that contain information on the implementation of some or all of the provisions of the Covenant; comments on the reports of State parties and their written replies to the list of issues; and information on the implementation by the State party of the previous concluding observations of the Committee. NGOs are encouraged to ensure that any reports are provided well in advance of the deadlines provided by the Secretariat.

1. Consultations and inputs to the State party report

8. NGOs often provide useful input to State party reports. However, the report should always remain the State party's report. Furthermore, the role played by NGOs in providing information for the State party's report should not exclude the possibility of submitting an alternative report.

2. Submission of NGO reports and presentation of oral information for the list of issues

9. The Committee emphasizes that it is highly desirable to receive input from NGOs at an early stage of the reporting process. For this purpose, the Committee gives advance notice of its reporting schedules. The Committee further welcomes the organization of NGO briefings prior to the adoption of lists of issues.

3. NGO reports and presentation of oral information

10. The Committee welcomes the submission of alternative reports, oral presentations by NGOs during the session, and the presence of NGOs as observers during the examination of the State party's report. The Committee recalls that since its 103rd session time is now given to NGOs to engage with the members during a formal closed meeting preceding the examination of the State party's report. This allows NGOs to present their main issues of concern orally with interpretation and to reply to questions from the members. There are additional opportunities for NGOs to provide the Committee with detailed information during informal briefings.

4. NGO reports under the Committee's follow-up procedure to concluding observations

11. The Committee encourages NGOs to contribute to its follow-up procedure to concluding observations. NGOs can provide the Committee with written information, including an evaluation of the measures taken by the State party to implement the concluding observations that were selected by the Committee for the follow-up procedure. This information should be submitted at the time the follow-up report of the State party is due (namely one year after the adoption of the concluding observations), or once the State party's follow-up report is made public. Such information should concern only the implementation of recommendations highlighted in the concluding observations for consideration under the follow-up procedure.

5. NGO reports under the review procedure (examination in the absence of a State report)

12. The Committee encourages NGOs to submit alternative reports in cases in which the Committee has decided to prepare a list of issues and examine a State party in the absence of a State report. NGOs will have the same opportunity to brief the Committee orally as under the regular reporting procedure. NGOs should note that the examination of a State

party in the absence of a report is heard in public session (see arts. 68 to 71 of the Committee's rules of procedure, CCPR/C/3/Rev.10).

B. Role of non-governmental organizations in relation to the individual communications procedure under the Optional Protocol

13. NGOs play an important role in providing assistance to alleged victims of human rights violations under the Covenant in submitting individual communications to the Committee under the Optional Protocol. NGOs are encouraged to submit follow-up information on the implementation of the Committee's Views.

C. Input to the drafting and use of the Committee's general comments

14. The Committee encourages NGOs, together with other stakeholders, to provide inputs on general comments under consideration, including during any days of general discussion. NGOs are also encouraged to make use of the Committee's general comments in their advocacy efforts.

D. Enhancing global outreach

15. The Committee welcomes the cooperation and inputs of domestic and international NGOs and notes that logistical and financial constraints sometimes limit the possibility for NGOs to attend its sessions in Geneva or New York. The Committee therefore welcomes the use of new technology to enhance contributions from all regions during its sessions, such as video or telephone conference links and webcasting.

16. The Committee further encourages NGOs to make independent efforts to translate the Committee's documents into local languages.

17. Finally, the Committee welcomes and encourages the efforts of NGOs to enhance outreach and awareness of the Covenant and its Optional Protocols, and of its concluding observations, Views and general comments. A good-practice example of raising awareness of and increasing publicity for the Committee's activities is the webcasting of the Committee's sessions by the Centre for Civil and Political Rights (CCPR Centre).
