

CERD
FOLLOW-UP
PROCEDURE
OVERVIEW

Rule 65 of rules of procedure

- **The Committee may:**
 - **request an additional report or further information from a State party under the provisions of art.9, para.1, of the Convention;**
 - **indicate the manner as well as the time within which such additional reports or further information shall be supplied;**
 - **transmit its decision to the Secretary-General for communication, within two weeks, to the State party concerned.**

64th session, March 2004

- **Amendment of rules of procedure:**
 - « **In order to further the implementation of the above paragraph, the Committee shall appoint a coordinator for a period of two years. In fulfilling his/her tasks, the coordinator shall cooperate with country rapporteurs. » (Rule 65, para.2)**

August 2004

- **Appointment of Coordinator:
Mr. Morten Kjaerum (Danish
member of the Committee)**
- **Alternate: Mr. Amir (Algerian
member of the Committee)**

Precedents

- **Human Rights Committee (2001)**

« a follow-up procedure shall be employed in order to establish, maintain or restore a dialogue with the State party » (General Comment No.30, para.5 (2002))
- **Committee against Torture (2002)**

Terms of Reference

- **Adopted in March 2005**
- **Coordinator responsible for:**
 - **monitoring compliance;**
 - **communicating with the State party;**
 - **recommending appropriate action to the Committee.**

What should the State party do?

- **Send information in a timely manner to the Committee on follow-up to recommendations included in the concluding observations.**

Compliance with Deadlines

- **The coordinator is charged with ensuring deadlines fixed by the Committee are respected by the State party;**
- **Reminders will be sent within one month of the expiry of a deadline.**

Follow-up to Prioritized Recommendations

« Pursuant to article 9, paragraph 1, of the Convention, and article 65 of the Committee's rules of procedure, as amended, the Committee requests the State party to inform it of its implementation of the recommendations contained in paragraphs 13, 14 and 16 above, within one year of the adoption of the present conclusions » (France, 2005)

Examples of Priority Issues

- **Existence of specific legislation to protect minorities;**
- **Instances of hate speech against national and ethnic minorities;**
- **Equal enjoyment of ESC rights by travellers;**
- **Treatment of non-citizens: asylum-seekers, migrants and refugees.**

Ireland

Concluding Observations

« The Committee recommends that the State party submit its third and fourth periodic reports, due on 28 January 2008, jointly and that it address therein all points raised in the present concluding observations » (Ireland, 2005)

What is done with the information received?

- **Coordinator analyses and assesses information received in consultation with the country rapporteur;**
- **He/she may recommend appropriate action by Committee when presenting their progress report to the Committee in session.**

Appropriate Action/Formal Recommendations

- **The Committee may take note of the information;**
- **It may request further information in the State party's next report;**
- **It may remind the State party of previous recommendations and obligations under the Convention.**
- **State party may be requested to send report at an earlier date.**

Format of Proceedings

- **Private meetings.**

Committee reports to the General Assembly

- **Findings are included in a chapter of the annual report on follow-up activities;**
- **Where no information is received in spite of reminders, it will be recorded in subsequent reports to the General Assembly;**
- **Additional information received from States parties will be made available.**

Role of NHRI and NGOs

- **Important role of NHRI/NGOs**
- **Input into follow-up process through dialogue with Government in national fora**
- **Input through provision of information to the follow-up coordinator**

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