

Forms of Cooperation Between States and the Human Rights Committee: Reporting Procedures and Individual Communications

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ABSTRACT

This article discusses the forms of cooperation between Member States and the UN Human Rights Committee. Furthermore, it provides a scientific analysis of the specific characteristics of reporting procedures, individual communications, and general comments, highlighting their significant importance in the fulfillment of state obligations. Concurrently, the views of legal scholars, international legislation, and contemporary international practice are comprehensively evaluated.

ARTICLE INFO

Received: 28th

April, 2026

Accepted: 24th May 2026

KEY WORDS: UN Human Rights Committee, International Covenant on Civil and Political Rights, periodic report, individual communication, LOIPR, concluding observations.

Introduction

The various forms of cooperation between states and the Human Rights Committee serve as a cornerstone of the international human rights framework. Specifically, upon ratification of or accession to the **International Covenant on Civil and Political Rights (ICCPR)**, states assume not only the obligation to implement substantive norms into domestic legislation but also the duty to submit regular reports detailing how these implemented provisions are being executed in practice.

The report must outline the legislative, administrative, and judicial measures adopted by the State party to ensure compliance with the Covenant. Additionally, the report should indicate any difficulties and factors affecting the implementation process within the member state.

State parties are highly encouraged to view the process of preparing their reports to the respective treaty body not merely as a formal international obligation, but rather as an opportunity to plan policy directions and enhance the protection of human rights within their jurisdictions.

The submission of state reports serves several critical purposes. Firstly, it enables State parties to conduct a comprehensive review of their domestic legislation and policies to ensure compliance with the treaty. Secondly, it allows them to continuously monitor the actual situation regarding each treaty norm. Concurrently, the reporting process promotes public scrutiny over state policies, thereby fostering opportunities for national dialogue. It also assists State parties in assessing achievements and identifying bottlenecks or deficiencies in the practical application of treaty obligations.

Furthermore, this mechanism facilitates a constructive exchange of information between the Human Rights Committee and State parties, fostering a deeper understanding of common challenges and easing the practical implementation of the prescribed rights.

In short, the state report is not merely a tool for detecting and penalizing human rights violations, but rather a mechanism that facilitates a systematic and comprehensive evaluation of the progressive implementation of treaty obligations within Member States. Consequently, the significance of the reporting procedure applies

equally to both the process itself and the final output. As highlighted in the Fact Sheet on the UN Human Rights Treaty Body System by the Office of the United Nations High Commissioner for Human Rights:

"The reporting process should encourage public participation at the national level, promote public scrutiny of government policies, laws, and programs, and stimulate constructive cooperation with civil society in a spirit of mutual respect, thereby ensuring the enjoyment of all rights protected by the respective treaty."

Pursuant to **Article 40 of the International Covenant on Civil and Political Rights**, State parties undertake to submit periodic reports on the measures they have adopted to give effect to the rights recognized therein and on the progress made in the enjoyment of those rights. Where factors and difficulties impeding the implementation of the Covenant exist within a State party, they must be explicitly indicated in the report.

The Covenant itself contains relatively few explicit directives regarding the Committee's exact functions in reviewing reports, beyond sending "its reports, and such general comments as it may consider appropriate, to the State Parties" or "making suggestions and general recommendations based on the examination of the reports and information received from State Parties."

Today's established practice is the result of a prolonged evolutionary process that transformed the state reporting procedure into an adequate procedural mechanism. Over the years, committees and government representatives developed and refined a procedure allowing for interactive discussions. During these dialogues on the content of the reports, views and counter-views are openly advanced.

1. Structure of State Reports: Harmonized Guidelines

The harmonized guidelines on reporting under international human rights treaties suggest that reports should consist of two main components: a current **Common Core Document** and a **Treaty-Specific Document**.

A. Common Core Document

According to the harmonized guidelines, the common core document should contain information of a global and factual nature that is relevant to one or all of the treaty bodies monitoring implementation. Furthermore, it should assist the Committee in understanding the implementation of human rights within the specific economic, social, cultural, political, and legal context of the state.

It must also encompass the general framework for the protection and promotion of human rights, including information on the status of all core international human rights treaties, as well as reservations entered, if any, and the reasons for their retention. Additionally, it should address which rights enshrined in various human rights instruments are protected by the constitution, basic law, or other national legislation.

Concurrently, it should outline all institutional efforts undertaken to improve human rights education, information dissemination, media engagement, and budgetary allocations within the Member State. Finally, the common core document must include detailed information on non-discrimination, equality, and effective legal remedies.

B. Treaty-Specific Document

The treaty-specific document must comprehensively reflect the extent to which the Covenant is being implemented within the Member State. Each State party is required to submit an initial report within one year of the entry into force of the ICCPR for the state concerned, detailing the measures taken to implement the recognized rights and the progress achieved. The precise content of this document is outlined in the treaty-specific reporting guidelines. Under the ICCPR guidelines, it is stipulated that information regarding the implementation of the Covenant and the Committee's relevant general comments must be systematically provided.

In general, specific treaty reports submitted to monitoring bodies must include information on the national legislative framework, policies, and strategies for the implementation of each right, alongside mechanisms to monitor progress and sufficiently disaggregated statistical data to allow monitoring bodies to assess such progress. While a description of legal norms is mandatory, a mere textual description is insufficient. The practical measures, institutional capabilities, and the actual situation aimed at preventing violations of each existing right must be clearly explained.

The treaty-specific document must indicate significant obstacles, difficulties, and factors affecting the implementation of the Covenant. Concurrently, explanations regarding the causes and nature of each of these factors must be presented to the Committee. In the final stage, targeted recommendations should be proposed to eliminate these obstacles.

2. Reporting Frequency and the Modern "Predictable Review Cycle"

Following the submission of the initial report, State parties are required to progressively send subsequent reports regarding the measures adopted during the reporting period. According to the provisions of the ICCPR, periodic reports must be submitted "whenever the Committee so requests."

Under the Committee's contemporary practice, periodic reports have typically been requested every three to six years, depending on the urgency of the situation in the State party, the timeframe within which actual changes are anticipated, and the availability of other monitoring procedures for the state concerned.

Additionally, the Human Rights Committee established the practice of indicating the due date for the next report at the end of its "Concluding Observations." Given its discretionary decision-making authority, the Committee can request early or deferred report submissions based on treaty compliance, the quality of information provided, and the nature of the constructive dialogue.

However, since 2020, State parties have gained the option to submit reports either voluntarily under the previous procedure or within an predictable review cycle initiated by the Committee based on a **fixed 8-year cycle**.

Regardless of whether the standard or simplified reporting procedure is applied, a State party's report to the Committee must always consist of two separate yet complementary documents: the common core document and the treaty-specific document.

The introduction of periodic reports must initially incorporate the following points:

1. The follow-up to the concluding observations of the previous report, particularly regarding "concerns" and "recommendations";
2. A summary of the deliberations during the previous reporting period;
3. An analysis of the progress achieved toward the full realization of rights.

Furthermore, periodic reports must include information on the implementation of the previous concluding observations and explain the reasons for non-compliance or any difficulties encountered. They must also detail remaining or emerging obstacles to the enjoyment of rights, alongside the measures envisioned to overcome these challenges.

3. The Constructive Dialogue and List of Issues (LOIPR)

The Human Rights Committee compiles a "**List of Issues and Questions**" for the State parties whose reports are scheduled for examination. The list of issues offers State parties an opportunity to supplement and update the information contained in their periodic reports. Furthermore, it enables Member States to anticipate the questions they might face during the collective constructive dialogue when their report is formally considered. The primary objective is to allow states to prepare responses in advance, thereby facilitating a smooth dialogue with the Committee.

To preview each report and draft the list of issues, the Human Rights Committee appoints a **Country Report Task Force** consisting of four to six Committee members. In establishing these pre-sessional working groups, the necessity of a balanced geographical distribution is taken into account. The Committee designates one of its members as the "**Country Rapporteur**", whose primary task is to monitor the progress of the report through the Committee's procedural stages. To assist the task force during the preparatory phase, the Secretariat provides members with a comprehensive compilation of country-specific documents.

To enhance the anticipated dialogue, State parties are strictly requested to submit their responses to the list of issues in writing. The constructive dialogue in Geneva is subsequently conducted based on the State party's report and its written replies to the list of issues.

In 2009, the Human Rights Committee decided to adopt a new reporting procedure, known as the **List of Issues Prior to Reporting (LOIPR)**. Under this procedure, the Committee transmits a list of issues to the State party prior to the submission of the report, and subsequently considers the state's written replies to this list *in lieu* of a standard periodic report—often referred to as a **targeted report**. This procedure serves to streamline and ease the reporting burden for Member States.

The list of issues provides detailed guidance on the expected content of the report, making its preparation far more accessible. Furthermore, Member States are no longer required to submit a comprehensive report and a response to a list of issues simultaneously.

The LOIPR consists of two main sections:

- **The first section** must contain general information on the domestic human rights situation, including new measures and developments related to the implementation of the Covenant.
- **The second section** contains questions structured by groups of provisions, similar to the standard list of issues. These questions are tailored specifically to the circumstances of the State party and the information available to the Committee, focusing particularly on the recommendations from the most recent concluding observations, as well as any subsequent follow-up information submitted by the State party.

This simplified procedure does not apply to a State party's initial report and remains optional. Member States retain the right to continue submitting their reports under the traditional procedure. Furthermore, the Committee may decide not to apply the LOIPR procedure if it considers that specific circumstances justify the preparation of a full report.

Although not explicitly provided for in the text of the Covenant, the Human Rights Committee utilizes the practice of examining state reports in the presence of representatives from the reporting State party. The examination of the state report in a public meeting provides an opportunity for a "constructive dialogue" between the Committee's experts and the government delegation. The Committee typically allocates three meetings of three hours each to discuss initial reports. For periodic reports, two such meetings are scheduled—in other words, one working day is dedicated to each dialogue.

The structure of the constructive dialogue is governed by the Committee's established practice. The Committee opens the dialogue with an introductory opening statement by the head of the state delegation. In the next stage, the Human Rights Committee invites the delegation to respond to the first part of the list of issues, which covers roughly the first half of the Covenant's provisions. Subsequently, Committee members and the Country Rapporteur pose their questions to the delegation. Committee members generally seek to clarify or deeply understand the problems arising in the State party regarding the enjoyment and implementation of the rights provided by the Covenant.

Once the delegation responds to these questions, the process moves to a summary of responses to the next cluster of questions covering the remaining provisions of the Covenant. Concurrently, further questions are posed and comments are delivered by the Country Task Force and other Committee members. After the delegation responds to the second round of questions, the dialogue concludes with closing remarks from the head of the State delegation and the Chairperson of the Committee.

The Committee concludes its review of the report by drafting and adopting its "**Concluding Observations.**" Following the completion of the dialogue, the Committee holds a closed meeting to discuss and reach a consensus on the draft concluding observations prepared by the Country Rapporteur in cooperation with the Secretariat. The concluding observations formulated during these sessions reflect the Committee's core concerns and recommendations.

The established format of the concluding observations applied by the Human Rights Committee consists of:

1. An introduction;
2. Positive aspects;
3. Principal subjects of concern and recommendations.

A substantial portion of the concluding observations is dedicated to the final section, where the Committee's concerns are directly paired with specific recommendations on the measures required to address them. Although they generally consist of broader recommendations regarding legislative and other measures to be implemented by State parties, the specificity (precision) of the recommendations has steadily improved. The Human Rights Committee adopts a highly systematic approach in linking its concerns (and recommendations) to specific articles of the Covenant, indicating this at the end of each relevant paragraph.

Furthermore, the Committee has significantly refined its follow-up procedure to monitor the implementation of concluding observations by State parties. In executing this follow-up procedure, the Committee selects between two and four urgent recommendations from the concluding observations that require immediate attention and can be implemented within one year. The Member State must provide information on its actions regarding these specific issues within a one-year deadline.

A designated **Special Rapporteur on Follow-up to Concluding Observations** examines the information received from the Member State and reports the findings back to the Human Rights Committee. The responses of Member States are evaluated based on a specific grading system:

- "A" signifies a largely satisfactory response;
- "B1" indicates that significant measures have been taken, but additional information is still required.

The primary goal of the follow-up procedure is to initiate, maintain, or restore dialogue with the Member State. To determine whether the issues identified by the Committee have been adequately addressed by the State party or whether further information is required, follow-up reports are evaluated based on the following substantive categories: "*Largely implemented*", "*Partially implemented*", "*Not implemented*", or "*Infrastructural/insufficient information received to evaluate.*"

In March 2019, to ensure regular reporting by all State parties and to enhance predictability and consistency in submission schedules, the Committee decided to transition to a predictable review cycle starting from 2020. This predictable review cycle operates on an **8-year framework**, encompassing both the period of reporting and the constructive dialogue with the Committee.

This cycle introduces several structural elements:

1. **Transitioning from an opt-in model to an opt-out model** for the simplified reporting procedure. Unless State parties explicitly exercise their right to opt out of the simplified reporting procedure, this procedure automatically applies to all State parties. Previously, Member States had to actively opt for the simplified procedure over the standard one.
2. **Introducing the application of the simplified reporting procedure for initial reports.** The simplified procedure is now applicable to initial reports as well, whereas previously, Member States were only permitted to utilize it for periodic reports.
3. **Continuing measures to harmonize the Committee's working methods** and its lists of issues with other human rights treaty bodies. The working methods of various treaty bodies often differ, and lists of issues sometimes contain redundant duplications. The Committee aims to align working methods and lists of issues to make the reporting procedure more coherent and efficient.

The state reporting procedure has long served as one of the two core universal monitoring mechanisms. The human rights reporting mechanism possesses a deep historical lineage. This procedure is structurally modeled after the reporting framework established in the **Constitution of the International Labour Organization (ILO)**, adopted at the Paris Peace Conference in 1919. **Article 22** of the ILO Constitution requires each Member State to submit an annual report to the International Labour Office on the measures it has taken to give effect to the provisions of Conventions to which it is a party.

In 1956, the UN Economic and Social Council (ECOSOC), acting on a recommendation from the then-Commission on Human Rights, requested states to submit annual reports on their compliance with human rights standards. Although this specific recommendation was never fully implemented, it exerted a decisive influence on the drafters of the ICCPR and other core UN human rights conventions.

Among contemporary human rights monitoring mechanisms, the submission of state reports is occasionally critiqued as the weakest form of oversight because it culminates merely in concluding observations, which often do not advance beyond general expressions of concern and abstract recommendations. However, this does not imply that they are entirely ineffective. Concurrently, the reporting procedure faces criticism for being overly burdensome for states to maintain.

4. Individual Communications: A Quasi-Judicial Form of Cooperation

Cooperation between Member States and the Human Rights Committee can also be directly realized through the mechanism of **Individual Communications**. The concept of the existence of specific human rights dates back to the 18th century and, according to some sources, even earlier periods. However, individuals historically lacked the standing to appeal to international institutions to enforce these rights, as human rights were strictly regarded as the internal affairs of sovereign states.

Following the Second World War, the granting of the right to individuals to lodge complaints against their own states before international institutions marked a monumental paradigm shift in international human rights law. While there is no customary international law norm that inherently grants individuals the right to petition

international institutions, certain international and regional human rights treaties explicitly provide individuals with this avenue of redress.

The first permanent regional institution before which individuals could lodge complaints against their own state was the **European Commission of Human Rights**, established in 1954. Today, there are more than 20 international courts and an even greater number of quasi-judicial bodies authorized to review individual communications.

Although the number of international bodies granting individuals the right to complain has risen over time, a noticeable gap persists in empirical literature regarding the practical utilization of this right. The Human Rights Committee stands as one of the core international institutions vested with the competence to examine individual communications. To shed light on the Committee's communication review procedure and ensure the implementation of its adopted views within Member States, it is crucial to analyze the specific aspects of cooperation between them.

Under the **First Optional Protocol to the International Covenant on Civil and Political Rights**, citizens of State parties possess the right to submit individual communications to the Human Rights Committee. The Human Rights Committee is competent to receive individual communications against **115 states** (as of historical tracking).

Remarkably, despite more than 1 billion people falling under the Committee's jurisdiction since 1977, only **2,371 individual communications** had been registered as of March 2014. This data alone could potentially undermine trust in international justice within the framework of the Human Rights Committee.

Therefore, to refine this procedure and enhance efficiency in the domestic execution of the views adopted by the Committee, developing robust mutual cooperation between the Committee and Member States is highly essential. The discourse surrounding the capacity of individuals to appeal to institutions to enforce their legal rights originated not within the international legal sphere, but at the domestic level. Merely possessing a specific right does not guarantee its enforcement; robust procedural guarantees are universally required to make those rights real.

References

1. Seiderman I. The UN High Commissioner for Human Rights in the age of global backlash. *Netherlands Quarterly of Human Rights*, 2019, 37(1), pp. 149–153.
2. Krommendijk J. The (in)effectiveness of UN human rights treaty body recommendations. *Netherlands Quarterly of Human Rights*, 2015, 33(1).
3. Krommendijk J. *The domestic impact and effectiveness of the process of state reporting under UN human rights treaties in the Netherlands, New Zealand and Finland. Paper pushing or policy prompting?* Intersentia, 2014.
4. Carraro V. Promoting Compliance with Human Rights: The Performance of the UN Universal Periodic Review and Treaty Bodies. *International Studies Quarterly*, 2019, 63(4), pp. 1079–1093.
5. O'Flaherty M. The Concluding Observations of United Nations human rights treaty bodies. *Human Rights Law Review*, 2016, 6(1), pp. 34–36.
6. Ka'lin W. Examination of state reports. In: Keller H., Ulfstein G. (eds). *UN Human Rights Treaty Bodies: Law and Legitimacy*. Cambridge University Press, 2012, pp. 56–57.
7. Human Rights Committee. *The Predictable Review Cycle*. Human Rights Committee, available at: <https://www.ohchr.org/EN/HRBodies/CCPR/Pages/PredictableReviewCycle.aspx> (Accessed: 15 November 2019).
8. UN Doc. A/68/L.37 (2014), para 1.
9. Secretariat. *Concept Paper on the High Commissioner's Proposal for a Unified Standing Treaty Body*, 14 March 2006, UN Doc. HRI/MC/2006/CRP.1, paras. 16–26.
10. Ando. *The Development of the HRC* (n. 18) and Kretzmer, *The UN HRC* (n. 7).