Annex III

Decision 54/IX
Methodology of the follow-up procedure to concluding observations

Reporting on the Committee’s follow-up procedure

1. The Rapporteur on follow-up to concluding observations will brief the Committee on the actions taken or proposed at each session of the Committee. The briefing and the content of letters for transmission to States parties will be discussed in a closed meeting of the Committee.

2. The Committee will provide a report on its follow-up activities in its report to the General Assembly on an annual basis.

Action taken in response to States parties replies

3. The Rapporteur will assess, in cooperation with the respective country rapporteur or other members of the Committee, the responses received in order to determine whether the issues designated by the Committee for follow-up have been adequately addressed by the State party concerned and whether further information is required based on the following categories:

   (a) “Implemented” indicates that the State party has fully implemented or has made significant progress in implementing the recommendation made by the Committee; in this case, no additional information is requested from the State party;

   (b) “Partially implemented” indicates that the State party took some steps towards the implementation of the recommendation but needs to take further actions; in this case, the Rapporteur requests that additional information be provided, within a specific time frame or in the next periodic report, on further steps taken by the State party to implement the recommendation;

   (c) “Not implemented” indicates that the State party has taken no action to implement the recommendation or the action taken has not directly addressed the situation; in this case, the Rapporteur requests that information be provided, within a specific time frame or in the next periodic report, on steps taken to implement the recommendation;

   (d) “Lack of sufficient information to make an assessment” indicates a case where the Rapporteur requests that information be provided, within a specific time frame or in the next periodic report, on the measures taken to implement the recommendation.

4. Based on the recommendations made by the Rapporteur, the Committee will discuss the progress made by States parties on the implementation of the follow-up recommendations and decide what action may be appropriate.

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Information for States parties and other stakeholders on the submission of reports under the procedure is contained in the appendix to the present annex.
5. The Rapporteur will transmit the Committee's findings by letter to the permanent mission to the United Nations of the State party concerned, which will be made public on the Committee's website, after having been transmitted to the permanent mission. The Committee will note in the communications to the State party whether the responses have been received in a timely or untimely manner. In its communications with the State party, the Committee will identify which action(s) it has selected from the following non-exhaustive list of options:

   (a) "No further information or action will be necessary";

   (b) "Requests further information on implementation within a specific time frame or in the next periodic report";

   (c) "Requests further clarification" concerning the issues raised in the follow-up response;

   (d) "Recommends technical assistance" to be provided by specific United Nations entities.

Reminders

6. The Rapporteur will transmit reminders to States parties after two months of the information being overdue, and again after four months if the information remains overdue. If information is not received within six months of being overdue, the Committee will hold meetings with the respective permanent missions to the United Nations in order to sustain dialogue on the issues raised in the follow-up paragraphs. Reminders will be made public. The sending of reminders may be suspended for States parties that are faced with natural disaster, war or such situations that would possibly preclude follow-up activities.

Subsequent periodic report

7. Once the next periodic report of a State party is considered by the Committee, a new cycle for follow-up will commence. It is important that the follow-up from the previous reporting round be systematically integrated as an essential part of the reporting process and that all the information under the procedure be made available in the respective country files. Any outstanding recommendations relating to the follow-up procedure will be addressed during the subsequent constructive dialogue and reflected in the subsequent concluding observations.

Role of the secretariat

8. The Committee's secretariat will assist the Committee and the Rapporteur by undertaking the following tasks:

   (a) Receive a soft copy of State party responses; process the responses, immediately after receipt, for editing and translation, with relevant symbols; and post them as well as letters by the Rapporteur on the Committee's web page hosted on the OHCHR website under "follow-up procedure";

   (b) Draft letters for the Rapporteur;
(c) Consider ways, together with the Committee and the Rapporteur, to engage with the stakeholders.

**Engagement with stakeholders**

9. The Committee may engage with stakeholders with regard to the follow-up procedure by inviting national human rights institutions, United Nations country teams, United Nations entities, in particular the United Nations Entity for Gender Equality and the Empowerment of Women and non-governmental organizations, to provide information to the Committee in relation to its follow-up procedure. The Committee, with the assistance of the Office of the United Nations High Commissioner for Human Rights, may also engage with United Nations entities on the ground to maximize the implementation of the concluding observations through the follow-up mechanism.

10. Information provided by national human rights institutions, United Nations country teams and/or entities and non-governmental organizations will be made public in accordance with the same rules on submissions that are provided for the consideration of State party reports and list of issues and questions, namely, that the submissions of United Nations country teams and other United Nations entities will always be considered confidential, while information from other sources will be considered either public or confidential, depending on the request of the submitting organization.
Appendix

Information on the follow-up procedure to concluding observations

I. Introduction

The follow-up procedure aims at providing assistance to the States parties in the implementation of the Convention. Under the procedure, the State party is requested to follow up on recommendations, as indicated in two of the concluding observations adopted by the Committee. However, it should be noted that the concluding observations ultimately prevail over recommendations made by the Rapporteur on follow-up because of the absence, in the follow-up procedure, of any interaction between the Committee and the State party, such as the issuance of a list of issues and the holding of a constructive dialogue.

II. Criteria for the selection of follow-up recommendations

The Committee selects two recommendations from the concluding observations requiring follow-up information within one or two years. The selection of the two recommendations is based on the following criteria: whether the issues selected for short-term action constitute a major obstacle to women's enjoyment of their human rights and would therefore constitute a major obstacle to the implementation of the Convention as a whole.

III. Terminology for determining the status of implementation of the recommendations

- “Implemented” indicates that the State party has fully implemented or has provided evidence of significant action taken towards the implementation of the recommendation made by the Committee; in this case, the Rapporteur on follow-up requests no additional information from the State party.

- “Partially implemented” indicates that the State party took some steps towards the implementation of the recommendation but needs to take further actions; in this case, the Rapporteur on follow-up requests that additional information be provided, within a specific time frame or in the next periodic report, on further steps taken by the State party to implement the recommendation.

- “Not implemented” indicates that the State party has taken no action to implement the recommendation or the action taken has not directly addressed the situation; in this case, the Rapporteur on follow-up requests that information be provided, within a specific time frame or in the next periodic report, on steps taken to implement the recommendation.

- “Lack of sufficient information to make an assessment” indicates a case where the Rapporteur on follow-up requests that information be provided, within a specific time frame or in the next periodic report, on the measures taken to implement the recommendation.
IV. Guidelines on the drafting of follow-up reports by States parties

- The follow-up report shall be concise and focused on the recommendations identified by the Committee in the framework of the follow-up procedure.

- The follow-up report on the selected recommendations shall not exceed a maximum length of 3,500 words.

- The State party is requested to provide information on all the measures taken subsequent to the issuance of the concluding observations on the respective recommendations, specifying their dates of adoption and status of implementation.

- The follow-up report shall be submitted within the deadline stipulated in the concluding observations.

- The State party is requested to submit the follow-up report in one of the official languages of the United Nations.

- The State party shall send an electronic version of its report in Word format to the following e-mail address: cedaw@ohchr.org.

- When considering the follow-up report, if the Committee considers that further information is necessary, it will request the State party to provide additional information within a new deadline to be established by the Committee or to include the additional information in the next periodic report.

V. Guidelines on the submission of follow-up reports by non-governmental organizations, national human rights institutions and other organizations

- Non-governmental organizations, national human rights institutions or other organizations can submit alternative follow-up reports; these reports shall be as concise as possible and not exceed a maximum length of 3,500 words.

- The suggested deadline for the non-governmental organizations, national human rights institutions or organizations to submit their alternative reports is one month after the State party’s follow-up report has been made public.

- Reports of non-governmental organizations, national human rights institutions and other organizations shall be transmitted in Word format to the secretariat’s e-mail address (cedaw@ohchr.org), and four hard copies of the reports shall be sent to the following address: Office of the United Nations High Commissioner for Human Rights, secretariat of the Committee on the Elimination of Discrimination against Women, Palais Wilson, 52 rue des Pâquis, CH-1201 Genève, Switzerland.