



OUR RIGHTS  
OUR FREEDOMS  
ALWAYS

# 50th anniversary.

of the Human Rights Covenants

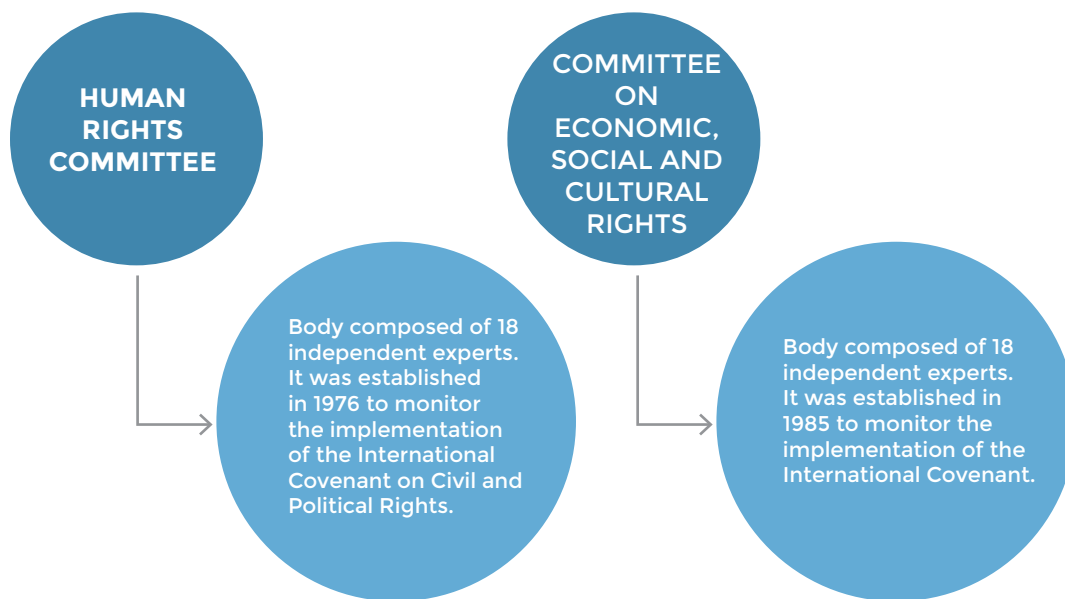
What are the  
Committees?



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### WHAT ARE THE HUMAN RIGHTS COMMITTEE AND THE COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS?



### WHO CAN BE A MEMBER OF THE COMMITTEES?

The members of the Committees must be independent experts in human rights. They must be nationals of a State party to one of the Covenants. They should serve in their personal capacity. It is very important that each member acts independently – for example, is not influenced by their Government – and also acts impartially – for example, treating all States fairly.

### WHAT DO THE COMMITTEES DO?

The Human Rights Committee and the Committee on Economic, Social and Cultural Rights monitor the implementation of the two Covenants. They share three main functions:

#### REVIEWING PERIODIC REPORTS

They receive and consider reports submitted periodically by States describing how they are applying the different rights in the Covenants at the national level.

#### CONSIDERING COMPLAINTS FROM INDIVIDUALS

They receive complaints from individuals alleging that their rights have been violated by their State. After considering the complaint, they set out their views and propose remedies when someone's right has been violated.

# What are the Committees?

## PUBLISHING GENERAL COMMENTS

They issue explanations of the meaning of different rights, such as freedom of expression or the right to education. These are known as general comments and are used by courts and governments to improve respect for and implementation of these rights.

The Committee on Economic, Social and Cultural Rights may also undertake inquiries into grave or systematic violations of a right by a particular State. If the State agrees, the Committee may visit the country in order to investigate the problem.

Each State must separately accept that the Committees may consider individual complaints and undertake inquiries for that State.

## HOW DO THE COMMITTEES REVIEW A COUNTRY?

The review of a State report is as a continuous cycle. It starts with the presentation of the initial report by the State. The following diagram describes the main steps of the process to review a country:



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### **HOW DO THE COMMITTEES REVIEW INDIVIDUAL COMPLAINTS?**

An individual sends a complaint to the Committee by contacting the Office of the High Commissioner for Human Rights (OHCHR). The Committee registers the complaint and sends it to the concerned State. The State sends the Committee its comments on the complaint. The individual then has the opportunity to respond on the State's comments.

The Committees then consider the complaint and the comments of both parties. The Committees do this in private. The Committees examine whether the State has violated the Covenants or not. The Committee takes a decision and then sends it to both the individual and the State at the same time.

If the Committee concludes that a violation of a right of the respective Covenant has taken place, the State is invited to explain to the Committee what it has done to remedy the situation.

### **WHAT IS A GENERAL COMMENT?**

General Comments help to explain the rights in the Covenants. They cover many topics such as right to life, workers' rights, freedom of expression and right to water. They provide general guidance to the State to help implement the Covenants. National and regional courts use general comments when judging cases. General comments also help individuals and civil society organizations to understand their rights.

By end of 2015, the Human Rights Committee has adopted 35 General Comments and the Committee on Economic, Social and Cultural has adopted 21.

### **HOW CAN I WORK WITH THE COMMITTEES?**

If you are a civil society organization or a national human rights institution, you can engage in the work of the Committees by:

- Contributing to the preparation of the report of your country to the Committees;
- Providing information directly to the Committees before the consideration of the report of your country;
- Disseminating at the national level the recommendations – known as Concluding Observations - adopted by the Committees;
- Lobbying your Government for the implementation of the Concluding Observations;
- Helping individuals to send the Committees complaints if they think that their rights have been violated;
- Sending the Committee on Economic, Social and Cultural Rights reliable information describing grave or systematic violations.

# What are the Committees?

## HOW DO THE COMMITTEES CONTRIBUTE TO THE REALIZATION OF CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS?

Both Committees have significantly contributed to the realization of civil, political, economic and cultural rights at the national levels.

<b>CONCLUDING OBSERVATIONS</b>	Promote changes in national legislations, policies and practices at the national level.
<b>DECISIONS ON INDIVIDUAL COMPLAINTS</b>	Provide remedies to individuals where rights are violated. Justify State actions when rights are not violated.
<b>GENERAL COMMENTS</b>	Provide guidance to States, Courts, the public at large on the meaning or specific human rights - the freedoms and entitlements that everyone should enjoy.

## WHERE DO THE COMMITTEES MEET?

The Committees meet in Geneva and hold three sessions per year. They consider about 20 reports of States parties per year and can receive individual complaints all year round.



# Our rights. Our freedoms. Always

## HOW CAN I ACCESS ADDITIONAL INFORMATION ON THE WORK OF THE COMMITTEES?

For information on the work of the Human Rights Committee you can visit the following website:

<http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIIndex.aspx>

For information on the work of the Committee on Economic, Social and Cultural Rights you can visit the following website:

<http://www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx>

For information on decisions of committees in relation to individual cases:

<http://juris.ohchr.org>

## FOR ADDITIONAL INFORMATION:

The United Nations Human Rights Treaty System – OHCHR Fact Sheet N° 30

<http://www.ohchr.org/Documents/Publications/FactSheet30Rev1.pdf>

Frequently Asked Questions on Economic, Social and Cultural Rights – OHCHR Fact Sheet No.33

<http://www.ohchr.org/EN/PublicationsResources/Pages/FactSheets.aspx>

Civil and Political Rights: The Human Rights Committee – OHCHR Fact Sheet No. 15

<http://www.ohchr.org/EN/PublicationsResources/Pages/FactSheets.aspx>

Individual Complaint Procedures under the United Nations Human Rights Treaties – OHCHR Fact Sheet N° 7

<http://www.ohchr.org/Documents/Publications/FactSheet7Rev.2.pdf>

## SECRETARIAT CONTACT DETAILS:

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