

URUGUAY

Special Decisions or Action Taken Re: Reporting, Including Urgent Action Procedure

CERD A/8418 (1971)

Annex III

Text of communication sent to ... Uruguay, adopted by the Committee at its third session, on 23 April 1971

The Committee on the Elimination of Racial Discrimination invites the attention of the Government of [Uruguay] to article 9, paragraph 1 (a), of the International Convention on the Elimination of All Forms of Racial Discrimination. Under that article, States Parties undertake, *inter alia*, to submit a report on the legislative, judicial, administrative or other measures which they have adopted and which give effect to the provisions of the Convention "within one year after the entry into force of the Convention for the State concerned".

The Committee notes with regret that, despite its communication of 18 September 1970, transmitted to the Government of [Uruguay] by the Secretary-General in his note SO 237/2 (2) of 5 October 1970, the report of [Uruguay] under article 9, paragraph 1, of the Convention, which was due on 5 January 1970, has not yet been received.

In its earlier communication of 28 January 1970 (CERD/C/R.12, contained in document A/8027, annex III A), and transmitted to all States Parties by the Secretary-General in a note verbale dated 27 February 1970, the Committee stated:

"The Committee attaches great importance to these reports. It is unanimously of the view that, being a principal source of information, these reports provide the Committee with an essential element for discharging one of its most important responsibilities, namely, reporting to the General Assembly of the United Nations under article 9, paragraph 2, of the Convention."

The Committee therefore decided at its third session to address this communication to the Government of [Uruguay], through the Secretary-General, and to request it to submit its report by 30 June 1971. The Committee wishes to refer once again to the provisions of rule 66 of its provisional rules of procedure adopted at its second session, which states:

"1. At each session, the Secretary-General shall notify the Committee of all cases of non-receipt of reports or additional information, as the case may be, provided for under article 9 of the Convention. The Committee, in such cases, may transmit to the State Party concerned, through the Secretary-General, a reminder concerning the submission of the report or additional information.

"2. If even after the reminder, referred to in paragraph 1 of this Rule, the State Party does not

submit the report or additional information required under article 9 of the Convention, the Committee shall include a reference to this effect in its annual report to the General Assembly."

The Committee expresses the hope that the report will be prepared on the lines suggested by the Committee in its earlier communication of 28 January 1970 (A/8027, annex III A), a copy of which is enclosed herewith.

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Chapter V: Review of the Implementation of the Convention in States Parties the Reports of Which are Seriously Overdue

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C. Action taken by the Committee to ensure submission of reports by States parties

60. At its forty-second session, the Committee, having emphasized that the delays in reporting by States parties hampered it in monitoring implementation of the Convention, decided that it would continue to proceed with the review of the implementation of the provisions of the Convention by States parties whose reports were overdue by five years or more. In accordance with a decision taken at its thirty-ninth session, the Committee agreed that this review would be based upon the last reports submitted by the State party concerned and their consideration by the Committee. At its forty-ninth session, the Committee further decided that States parties whose initial reports were overdue by five years or more would also be scheduled for a review of the implementation of the Convention. The Committee agreed that in the absence of an initial report, the Committee would consider all information submitted by the State party to other organs of the United Nations or, in the absence of such material, reports and information prepared by organs of the United Nations. In practice the Committee also considers relevant information from other sources, including from non-governmental organizations, whether it is an initial or periodic report that is seriously overdue.

61. At its seventy-sixth session, the Committee decided to postpone the scheduled review the implementation of the Convention in Uruguay as the State party submitted its report prior to that session. The Committee also decided to postpone the review scheduled in respect to Jordan, Malta and Niger in the light of a commitment received from the State parties to finalize their report in the near future. The report of Malta was submitted prior to the seventy-seventh session.

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