

NGOs CALL FOR AN INCLUSIVE REVIEW PROCESS ON TREATY BODY STRENGTHENING

“States created the treaty body system and are the primary beneficiaries of its work. They bear the responsibility for implementing the substantive provisions of human rights treaties and ensuring that the system has a positive impact on the enjoyment of rights by individuals at the national level.” Navanethem Pillay, June 2012

National, regional and international NGOs play a critical role in the work of the treaty bodies through monitoring the implementation of the treaties at the national level, providing information to the treaty bodies, and encouraging states to give effect to the treaty bodies’ recommendations. Together with rights holders, we are well placed to bring in-depth knowledge, expertise and proposals on strengthening the system. Other key stakeholders are the treaty body experts themselves and national human rights institutions.

In 2014, the UN General Assembly adopted [resolution 68/268](#) on Strengthening and enhancing the effective functioning of the human rights treaty body system. In resolution 68/268, the General Assembly decided to consider the state of the human rights treaty body system no later than six years from the date of adoption of the 2014 resolution, to review the “effectiveness of the measures taken in order to ensure their sustainability, and, if appropriate, to decide on further action to strengthen and enhance the effective functioning of the human rights treaty body system”.

As UN Member States embark on those discussions around the 2020 review, we call on them to:

- **Ensure that the review process is open and transparent and allows for direct contributions by non-State stakeholders, and takes into account contributions by civil society, treaty body members, OHCHR, academics, NHRIs, practitioners and any other relevant stakeholders.**

The 2020 review ought to build on the General Assembly’s practice regarding non-State stakeholders’ participation in standard-setting processes. All meetings should be open to NGOs and other interested stakeholders, and all stakeholders must be allowed to make direct contributions in a timely manner, including remotely through the use of relevant technology.

We also call on UN Member States to:

- **Ensure that further measures proposed in the 2020 review are based on the perspective of a treaty body system that is more effective in assisting States parties to faithfully implement their human rights obligations for the benefit of rights-holders on the ground.** Proposals made as part of the review should be based on good practices in the protection of rights holders and domestic implementation of the treaties. UN Member States must respect the specificity of the treaties. Any proposals for consolidation of reviews must be based exclusively on considerations of improved protection for rights holders.

- **Respect the independence of the treaty bodies and their prerogative and competence to establish their own working methods, individually or collectively.**

UN Member States must respect the independence of the treaty bodies. The treaty bodies must continue to decide on and adopt their own rules of procedure and working methods and, as they see fit, be able to pursue initiatives aligning their working methods and making their work more effective.





- **Provide the treaty bodies with sufficient regular funding and resources to carry out their functions.**

UN Member States must equip the treaty bodies with sufficient funding to carry out their mandates effectively, including specific attention to the area of support for their individual communications procedures. A process motivated primarily by concerns about the cost of the treaty bodies' work could further impede their ability to function and will not lead to greater human rights protection on the ground.



- **Ensure timely reporting to the treaty bodies and adequate follow-up on and implementation of the recommendations and views adopted by the treaty bodies.**

UN Member States must critically review their own reporting obligations and their compliance with them and work towards increased compliance with their treaty obligations and ensuring effective follow-up and implementation of the Concluding Observations at the national level.



- **Enhance the accessibility of the treaty bodies including through the use of new technologies and increase awareness of the treaty body system at the national level.**

UN Member States must make arrangements and provide the necessary funding to ensure that all treaty bodies are fully accessible for rights holders including persons with disabilities, for example, through the use of new technologies.



- **Commit to taking effective measures to prevent and combat intimidation and reprisals against those seeking to cooperate with the treaty bodies.**

UN Member States must condemn all forms of intimidation and reprisals against those who cooperate with the treaty bodies and take measures to prevent and protect against such acts.