

JOINT CIVIL SOCIETY STATEMENT ON SECRETARY-GENERAL'S FOURTH BIENNIAL REPORT ON THE STATUS OF THE TREATY BODY SYSTEM

SIDE EVENT, GENERAL ASSEMBLY, NEW YORK 17 OCTOBER 2022

Excellencies, ladies and gentlemen, colleagues and friends,

Amnesty International is pleased to participate in this event today. I will not only be representing my own organization, but my remarks are in fact a joint statement of 12 civil society organizations, including Amnesty International, Geneva Human Rights Platform (Geneva Academy), International Service for Human Rights and the NGOs comprising TB-Net, that work closely with the UN human rights treaty bodies and that greatly value their contribution to the strengthening of international human rights law and implementation at the national level.

The fourth biennial report of the Secretary-General on the status of the treaty body system comes at an important time for the treaty body system. For close to four years now, the treaty bodies, OHCHR, Member States and civil society have worked together to present alternatives that would strengthen the treaty body system. This is reflected in the many valuable recommendations in the report of the co-facilitators of the intergovernmental review of the implementation of resolution 68/268 in 2021.

As the Secretary-General's latest report indicates, the treaty body system is now at a crossroads.

One of the key recommendations of the co-facilitators' report was for the treaty bodies to develop predictable review calendars for all States parties. At the treaty body Chairpersons' meeting in June, all treaty bodies that receive periodic reports agreed to establish such a calendar, with full reviews taking place every 8-years and follow-up reviews taking place at the midpoint of the cycle. The Sub-Committee for the Prevention of Torture and the Committee on Enforced Disappearances, two Committees that do not have a system of periodic reports, will implement predictable schedules according to their specific mandates.

This agreement between the treaty bodies is of utmost importance.

Our organizations urge Member States to expeditiously take steps that ensure sustainable funding and that allow the treaty bodies and OHCHR to make this agreement a reality – and one that will result in the treaty bodies undertaking regular, consistent, coordinated, predictable reviews of all States parties' implementation of their obligations. Such an outcome would be a win for each and every stakeholder of the system, allowing for better predictability, planning and fairness in reviews, regular engagement between States and the treaty bodies, and efficiencies such as eliminating the backlogs of national reports that have accumulated before many treaty bodies. The agreement also has the potential to facilitate the participation of less well-resourced UN member States and to boost participation of national civil society.

However, in order to effectively implement the predictable calendars on an eight-year cycle, OHCHR will require a significant increase in staff to support the treaty bodies in carrying out this work. These needs are reflected in the Secretary-General's latest report.

We stress that Member States must recognize that additional resources must be provided for OHCHR if the treaty bodies are to be able to conduct regular reviews of all States parties. In addition, additional resources will be necessary for the 'follow-up review' which is an essential feature of the predictable calendar arrangement that cannot be overlooked and that mitigates against long periods of inattention. Resources should also be directed to enhance the accessibility of procedures, including remote participation and accessibility for persons

with disabilities, to the benefit of Member States, National Human Rights Institutions and civil society organizations alike.

Our organizations also note that the treaty bodies require assistance to supplement the Petitions Unit with additional staff to advance the many individual petitions that are awaiting review, and we stress that this must include supporting OHCHR, through regular and extrabudgetary resources, in its efforts to digitalize its Petitions Unit's case management and documentation management systems as well as to create an online submissions portal, as identified by the ACABQ in its first report on the proposed programme budget for 2023 [para VI.39]. The backlogs that the treaty bodies have accumulated in petitions are significant and create serious uncertainty for States, place burdens on petitioners and in the end weaken the right to an effective international remedy where national justice systems have failed.

We seek a treaty body system that has adequate resources to support all mandated activities, that ensures regular reporting by States parties, and that promotes coherence and strengthened implementation by States of their human rights obligations. It is now up to Member States to make these recommended new arrangements a reality. Member States should take the necessary action to ensure that OHCHR receives these resources – including by:

- Encouraging the Secretary-General to request additional regular budget funding for the treaty body system and supporting future requests for funding for the treaty bodies in the Proposed Programme budget for 2024;
- Supporting OHCHR's request in its annual appeal for 2023 for extrabudgetary resources to improve the arrangements for the Petitions Unit; and
- Taking intergovernmental actions that clearly convey States' support for the predictable reporting calendar approved by the Chairpersons, including by welcoming the Secretary General's new biennial report on the treaty body system in the resolution on the treaty body system that the Third Committee will consider in the coming weeks.

Amnesty International
Geneva Human Rights Platform (Geneva Academy)
International Service for Human Rights
Jacob Blaustein Institute for the Advancement of Human Rights
TB-Net:
Centre for Civil and Political Rights
Child Rights Connect
Convention against Enforced Disappearances Initiative
Global Initiative for Economic, Social and Cultural Rights
International Disability Alliance
International Movement Against All Forms of Discrimination and Racism
International Women's Rights Action Watch Asia Pacific
World Organisation Against Torture

Endorsed by:
Agora International Human Rights Group
American Civil Liberties Union
Center for Reproductive Rights
Centro de Estudios Legales y Sociales
Egyptian Initiative for Personal Rights (EIPR)
Geneva for Human Rights
International Commission of Jurists
International Federation of Settlements and Neighborhood Centers
International Rehabilitation Council for Torture Victims (IRCT)
Irish Council for Civil Liberties
KontraS
Make Mothers Matter
MENA Rights Group
The Legal Resources Centre
Together (Scottish Alliance for Children's Rights)
Validity Foundation
Women's Link Worldwide