January 31st 2022

**Reply to the questionnaire in relation to General Assembly resolution 68/268
on the Treaty Body Strengthening Process**

**Czech Republic**

The Czech Republic welcomes the Treaty Body Strengthening Process and sees it as an important mechanism to enhance the work of the UN human rights protection system as a whole and the protection of human rights on the ground. The Czech Republic cooperates with the Treaty Bodies to the best extent possible; to fulfil its reporting and cooperation engagements and to support the work of the Treaty Bodies as well as the Human Rights Council, its mechanisms and the High Commissioner for Human Rights and their Office.

The Czech Republic supports all the initiatives taken so far by the Treaty Bodies, their Chairs and members, the High Commissioner and their Office and the State Parties themselves. All the documents issued by those actors during the process became the foundations for fruitful discussions and useful changes and improvements. The main outcomes are in our view the Treaty body Chairpersons Position Paper on the future of the treaty body system from 2019 and the Report of the co-facilitators on the process of the consideration of the state of the UN human rights treaty body system. Both documents sum up the recent development and provide inputs for future work.

The Position Paper by the Treaty Body Chairs is an excellent starting point as it is based on the experience of the Treaty Bodies themselves and, with the respect to their independence, sets a level-playing field for their future work. The Czech Republic welcomes and supports all the contained initiatives with a special focus on the coordination, alignment and standard setting activities. Their full implementation by the Treaty Bodies is vital. Of particular importance for us:

1. The standard use of the **simplified reporting procedure**;
2. The regular **consultations with Member States** during the reporting procedure to monitor the implementation of the respective treaties, and to enhance coordination, planning and to share best practices across treaty bodies;
3. The steps to an **aligned and foreseeable reporting cycle** of 8 years for both covenants and 4 years for other conventions. If any convention requires a shorter reporting cycle, we recommend to use combined reports (as it is done by CERD, for example);
4. The **coordinated timing of reviews** in accordance with the reporting cycle to also avoid overlap or overburdening in review participation (e.g. 2 reviews in the same session time);
5. The **unified format of dialogues** of 6 hours in a 24 hour period. We prefer the option of a  2-day dialogue (afternoon/morning) as it provides more time for the preparation between sessions. The dialogue between the Treaty Body and the State party shall keep its expert nature and sufficient quality; a certain level of predictability is both useful and preferable. The list of issues as well as the report in combination with alternative reports by NHRIs/CSOs could form the basis of the dialogue. The issues may be clustered in 3-4 parts, each containing a set of questions and answers with possibility for follow-up. The time may be structured accordingly to set a transparent and fair arrangement allowing for sufficient speaking time for all parts;
6. The **aligned format of list of issues, concluding observation and follow up procedures**. All documents should preferably contain concrete questions and recommendations with SMART targets. We welcome the goals to set a concrete number of questions/concrete limit of words for concluding observations aiming at the most relevant problems and recommending effective and realistic solutions. We also very much welcome the cross-referencing and coordinating of recommendations among the Treaty Bodies which may eliminate overlaps or duplications in recommendations so the State Party is not forced to repeat same issues to various committees. We also welcome the limits of follow-up procedures to one cycle which lessens the burden on the State parties;

The Czech Republic also welcomes other suggestions and proposals aimed at enhancing the capacity and effectivity of Treaty Bodies like **working in substructures** (chambers, working groups, task forces etc.), regional reviews or others. It further welcomes the use of hybrid method for holding meetings and discussions. The use of **modern communication technologies** can facilitate the participation of states in the reviews and dialogues, though the Czech Republic agrees that the core work should remain personal communication and contact, as soon as the pandemic situation allows.

We wish to recall the recommendation to provide appropriate **financial and technical support** so as the participation at remote meetings is accessible to highly qualified experts. Remote participation could also enhance the engagement with other stakeholders like CSOs with limited capacities and resources to meet with Treaty Bodies in Geneva. A new OHCHR instrument “Digital Uplift” for digitalization of treaty bodies’ work would also deserve a financial support.

As regards the **individual communications instrument** the Czech Republic wishes to recommend that HRTBs formally close examined cases after a State party provides a comprehensive explanation, followed by the phase of administrative control of the fulfillment of commitments. Regular consultations between the Chairs and the State parties when examining individual communications would contribute to enhancing mutual trust and ensuring righteous and rational conclusions.

The idea of **replacing the reports with in-situ visits of Treaty Body members in State Parties** may be an interesting innovation. However, more details should be discussed, including possible benefits as well as the organisational and financial implications.

In conclusion, the Czech Republic would like to express its support for the Treaty Body Strengthening Process and its readiness of future engagement and participation.