

Consultation for States parties on treaty body strengthening

New York, 2 and 3 April 2012

COMPILATION OF EXCERPTS FROM THE WRITTEN SUBMISSIONS BY STATES PARTIES

TO THE CALL OF THE UN HIGH COMMISSIONER TO STRENGTHEN THE TREATY BODIES

Note:

This compilation provides excerpts of States' submissions further to the call by the High Commissioner for Human Rights, Ms. Navi Pillay, on all stakeholders to reflect on how the treaty body system can be strengthened.

The full submissions by States are available on OHCHR's website (<http://www2.ohchr.org/english/bodies/HRTD/index.htm>).

The compilation follows the clusters of the "Non-exhaustive list of emerging proposals" that have been identified so far during the treaty body strengthening process (also available on OHCHR's website). Other issues or proposals are listed at the end of the document under "Additional proposals by States parties not covered above".

The list presents proposals made by States under each cluster in chronological order of submission. Footnotes include informal translations to English from Russian, French and Spanish.

List of submissions received by 16 February 2012 (in chronological order):

Russian Federation (1), China, Pakistan, Norway, United Kingdom of Great Britain and Northern Ireland, Senegal, Chile, Russian Federation (2), Cuba, Algeria, Monaco, Portugal, Belarus, India, Azerbaijan, Canada, Georgia, Ireland, Costa Rica, Switzerland, Syrian Arab Republic, United States of America, Maldives, Australia, Liechtenstein, the Benelux countries, Republic of Korea, Finland, Egypt, Spain, Denmark, Islamic Republic of Iran, Indonesia, and Thailand.

Strengthening the preparation of States parties' reports	
Proposal	Excerpts of the written submissions by States parties
Lists of issues prior to reporting (LOIPR)	<p>China: “States parties have the right on their own initiative to choose such procedures or the traditional State party report approach. Until States parties have clearly expressed their acceptance of such procedures, the treaty bodies should not draw up lists of issues, and even less do they have the right to publish them online”</p> <p>Norway: “welcomes this new practice adopted by CAT and the Human Rights Committee...this practice should be adopted by all treaty bodies and should ensure shorter, more targeted reports, this reducing the reporting burden of states”</p> <p>United Kingdom: “welcomes the initiative of some treaty bodies and states to adopt the reporting model based on a list of issues prior to reporting. The UK believes that this offers a number of potential advantages”; “suggests that OHCHR conducts a detailed review of how the lists of issues prior to reporting model has operated to date in consultation with those treaty bodies which have used this model, as well as other relevant actors including NGOs, with the aim of assessing the feasibility of this reporting model for other treaty bodies”</p> <p>Chile: “Creemos que debe ampliarse el mecanismo, impulsado por el Comité contra la Tortura, de la lista de cuestiones previas a la presentación de informes”¹</p> <p>Russian Federation (2): “This optional reporting procedure is not adopted by all treaty bodies (TBs) and is still in a testing phase. Before spreading this practice to the work of all Committees, it is necessary to wait for the first results of its application, as a minimum two to three years, and for the evaluation of its effectiveness by the TBs and</p>

¹ “We believe that the mechanism driven by the Committee against Torture should be extended to the list of issues before the presentation of the reports.”

the State parties (SPs)...Questions included in LOIPR should strictly comply with the provisions of the respective treaties and should not go beyond the TBs' mandates."

Algérie: "...doit demeurer facultatif en faute de son acceptation de la part de l'Etat concerné, la LOIPR ne peut être rendue publique.»² ; "...difficult to envisage this option as a possible alternative to the standard reporting procedure... »

Portugal: "It is important to assess the results of on-going efforts by the two TB that already have the procedure in place before we move the process further."

Belarus: "Extend the use of lists of issues prior to reporting..."

Canada: "...would help to streamline the reporting process...seems promising..."

Georgia: "...can play an important role"; "...more focused and shorter LOIPR and advanced questions may result in more precise and efficient Concluding Observations..."

Ireland: "...welcomes the adoption of this innovative practice by..."

Suisse: "...nous proposons aux organes de traités :...Adopter en règle générale le système des « lists of issues prior to reporting » LOIPR »³

United States of America: « ...interested in exploring whether use of the List of Issues Prior to Reporting...has resulted in more targeted reporting and constructive dialogue on significant issues related to treaty implementation. »

Australia: "appears to be a positive move towards streamlining and focusing the reporting...The need for greater consistency across the Committees in the approach to LOIPR will need to be revisited, once this procedure has been tested" ; "For States parties electing to use the LOIPR, it is important Committees ensure the questions

² "...should remain optional for lack of acceptance on the part of the State concerned, the LOIPR cannot be made public."

³ "...we propose to the treaty bodies Adopt as a rule the system of "lists of issues prior to reporting (LOIPR)"

they identify are answerable by States parties within permitted page limits.”

Maldives: “...supports the Lists of Issues Prior to Reporting (LOIPR) by all treaty bodies, without exception.”

Liechtenstein: “welcomes the new optional reporting procedure (LOIPR)...This practice should be adopted by all Treaty Bodies when considering periodic reports as it leads to more focused and in-depth reporting, an enhanced quality of the dialogue and to a reduction of the workload of both States parties and treaty bodies. In addition, more focused and higher quality reports will facilitate a more focused dialogue and Concluding Observations

Benelux: “welcome the development of the optional reporting procedure based on a list of issues prior to reporting (LOIPR), In order to use the full potential of the LOIPR, it would be advisable to limit the list of issues to the most pertinent issues. The practice of sending out LOIPR should be applied by all Treaty Bodies, because it is instrumental to the predictability of the reporting system.”

Republic of Korea: “... supports the wider use of the List of Issues Prior to Reporting (LOIPR) as an optional reporting procedure...”

Finland: “has agreed to report to the Committee against Torture in accordance with the new practice based on a list of issues prior to reporting (LOIPR)...”; “The new practice helped Finland to deepen its constructive dialogue with the Committee, also because the report contained more detailed information than before. In this new system the LOIPR report was processed more rapidly after its submission than the previous reports. Finland invites all treaty bodies to consider changing over to the new practice with a list of issues prior to reporting and offer this voluntary practice to the States parties. In addition, Finland proposes that the...recommendation on the absolute maximum length of reports be applied to LOIPR reports, too”

Egypt: “...this procedure is of an optional nature and has to remain as such until a decision is taken on the final outcome package of the review process of the working methods of the treaty body system. In addition, an assessment of the positive and negative aspects of its implementation based on the existing experience has to be

carried out and disseminated to States parties for determining its value added. Furthermore, its current voluntary nature must not create an unequal treatment between States parties, in terms of selectivity of issues addressed to each state as well as prioritization of consideration of periodic reports.”

Spain: “Sobre la presentación de informes periódicos de los Estados parte. España considera acertada la propuesta de generalizar a todos los Comités la práctica de concretar una lista previa de cuestiones sobre las que va a girar el debate entre los miembros del Comité y el Estado parte en el diálogo interactivo. Ello permite que el diálogo esté más centrado y sea más concreto y ágil, además de facilitar la tarea del Estado a la hora de preparar su defensa.”⁴

Denmark: “welcomes the adoption of the LOIPR by the CAT and subsequently by other Committees. By sharpening the focus of State Parties’ reports and the subsequent examination of State Parties, this practice helps cut down on documentation. It also allows for a more focused dialogue, including more focused questions from the members of the Treaty Bodies, thereby reducing the time needed for the examinations as well as reducing the reporting burden placed on State Parties.”

Islamic Republic of Iran: “LOIPR is not yet adopted by all TBs and is still in a testing stage. It is required to be evaluated for its effectiveness by the TBs and the SPs after elapse of at least a period of reporting time (4 years). However, since LOIPR cannot cover all prospects it is recommended to remain optional in nature. Questions contained in LOIPR should strictly comply with the provisions of the respective treaties and should not go beyond the TBs’ mandates.”

Indonesia: “...Harmonizing and implementing the list of issues prior to reporting to every treaty body is one good example”

Thailand: “...sees potential value of the LOIPR procedure...should focus on pertinent

⁴ “Regarding the presentation of the periodic reports by the States parties, Spain considers positively the proposal of harmonising the practice of preparation of lists of issues prior to reporting to all the Committees, as it would guide the debate between the members of the Committee and the State party during the interactive dialogue. This allows the dialogue to be more focused and more concrete and dynamic, further facilitating the task of the State when it comes to preparing its response.”

	<p>thematic issues...avoid focusing on specific human rights cases which are already dealt with by the individual complaint procedure and the Special Procedures.”</p>
<p>Aligned interaction of treaty bodies with States parties, national human rights (NHRIs) institutions and civil society organizations</p>	<p>Norway: “agrees that the reporting process and individual communication procedures be as much as possible aligned through common rules of procedure and working methods among treaty bodies”</p> <p>Russian Federation (2): “The modalities of the unification of the dialogue process between TBs and NHRI and NGOs should be worked out by the TBs themselves in consultation with the SPs. The consultations should be wide in order to achieve a result that is acceptable for all participants. The involvement of OHCHR in the interaction between TBs and NHRI and NGOs appears not to be totally justified, since the goals, functions and the modalities of that involvement are not clear, nor what resources are available for that purpose. For these reasons and since there is no legal basis for such involvement, it should be excluded from further discussions”</p> <p>Portugal: “The aligned interaction of TBs with NHRIs and COSs is urgently needed...”</p> <p>Benelux: “More generally, a common set of procedural rules for handling States reports and individual communications should be adopted by Treaty Bodies...”</p> <p>Egypt: “The State Party concerned should be informed about the modalities of such interaction. Credibility of information has to be established. Information received should serve only as a complement to and not as a replacement of the information provided by the State Party.”</p> <p>Spain: “Consideramos que sería conveniente uniformar los procedimientos de los diversos Comités en el desarrollo del examen periódico y del dialogo interactivo. El conocer de manera general su funcionamiento por diferentes representantes del Estado, facilitaría el desarrollo de un “saber hacer” que redundaría en la calidad de las defensas de cada informe.”⁵</p>

⁵ “We consider it convenient to harmonize the proceedings of the different committees in the consideration of the periodic review and the interactive dialogue. The general knowledge of their functions by the different State representatives, would facilitate the development of a “know how” that would improve the quality at the time of defending each report.”

	<p>Islamic Republic of Iran: “The modalities of the aligned interaction of the TBs, SPs, NHRI and NGOs should be worked out by the TBs themselves in consultation with the SPs. The consultations should be broad to reach a result that is acceptable for all parties”; “The contribution of OHCHR in the Process should be solely procedural and remain as a facilitating role. The Process should be substantially handled by TBs members themselves.”</p> <p>Indonesia: “Although each treaty body has its distinctive and particular mandate, different treaty bodies should find ways and means to harmonize as much as possible their reporting procedure and modality.”</p>
Page limitation of States parties’ reports	<p>Russian Federation (1): “Strict page limitation on States parties’ reports is unacceptable”</p> <p>Norway: “The only way forward here for the treaty bodies is...to enforce page limits... Page limits strictly apply to all documents submissions in the UN system”</p> <p>United Kingdom: “supports the consistent use of page limits by the treaty bodies and Secretariat which should be strictly adhered to by states. Reports exceeding page limits should not be eligible for translation and processing”</p> <p>Chile: “Apoyamos, asimismo, el cumplimiento del límite de páginas en los informes, conforme a lo dispuesto en las directrices de armonización de los informes de tratados de DD.HH”⁶</p> <p>Russian Federation (2): “Limiting SP’s reports to 40 pages may lead to substantial loss of quality and the spirit of constructive cooperation between the SPs and the TBs. Introducing page limits while maintaining the quality and the spirit of constructive cooperation would only be possible if a number of conditions are met” (see the full</p>

⁶ “We also support the compliance with the provisions stated in the guidelines for harmonization of reports of the human rights treaties regarding the page limits.”

submission for the details)

Portugal: “SP officials need to change their mind-set and the page limitation “clause” may help them to do so faster.”

Ireland: “...stricter adherence to these page limits is important in improving the efficiency of the Treaty Body System.”

Suisse: « Au-delà de l’amélioration d’aspects techniques des rapports (par exemple par limitation du nombre de pages des rapports des Etats)... »⁷

Australia : « The introduction across all Committees of consistent page limits for reports would reduce the documentary and translation burden...” ; “If page limits are set, and States parties are asked to provide information on a very large number of issues, this diminishes the depth of information that can be provided.”; “Consideration would need to be given to how realistic reporting guidelines are in the context of page limits...It would be helpful in this context if Committees provided clear, realistic and consistent guidance on the desired or necessary balance between breadth and depth of information to be provided in a report.” ; “...the current harmonised guidelines permit the separate provision of additional information...Australia supports the continued availability of this option.” ; “The development by Committees of a common template for States parties to use when reporting on previous recommendations would also make it easier for States parties to prepare their reports, and lead to greater harmonisation and consistency.”

Liechtenstein: “Treaty Bodies should further encourage States Parties to adhere to the page limitation of periodic reports by addressing this issue in the introduction to the Concluding Observations. Additional action to this end could also be envisaged in the framework of meetings of States Parties.”

Republic of Korea: “...supports the proposals concerning page limits of reports and common core documents”

⁷ “Beyond the improvement of technical aspects of the reports (e.g. by limiting the number of pages of reports by States)...”

Finland: “supports the objective of page limitations, as recommended by the treaty bodies to the UN General Assembly (A/65/190)...”; “Excessively long reports should be returned to the State parties in question for condensing and resubmission. In this respect, UPR reporting constitutes a good practice.”; “proposes that the treaty bodies change over completely to electronic document management and cease to produce hard copies. Although converting all material into an electronic format will require a major lump-sum investment, investing for this purpose will be cost-efficient in the long-run. In the electronic transmission of documents, sufficient attention must be paid to data security considerations.”

Egypt: “Proposals that Egypt considers positively: Page limitation of States parties’ reports...Consequently the limitation of number of pages has to be commensurate with treaty-specific requirements.”

Spain: “...considera que no sólo los Estados deberían tratar de seguir las indicaciones y recomendaciones de los Comités al respecto, sino también los propios órganos de los tratados deberían ser estrictos en la limitación de número de páginas de los informes de los tratados y sencillamente rechazar un informe si este fuese, por ejemplo, un 15% más extenso de lo recomendado. El Estado debería resumir entonces su informe a lo esencial, pudiendo utilizarse así el tiempo de trabajo de los comités de manera más eficiente.”⁸

Indonesia: “...We are of the view that limitation of pages would enable focused, to the point, and effective reporting, while a mechanism to provide additional information as needed remains feasible”

Thailand: “...encouraged to strictly observe the page limitation as set out in the harmonised guidelines on reporting...should be strictly enforced by the Secretariat...it may be useful to set word limitations on both State reports and replies to the list of

⁸ “...considers that not only should the States try to follow the instructions and recommendations of the Committees, but the TBs themselves should also be strict regarding the page limit and simply reject a report if it was, for example, about 15 % longer than recommended. The State should summarise its report to the most essential, so that the working time of the committees could be used more efficiently.”

	issues prior to reporting.”
A predictable treaty body reporting cycle synchronized with the UPR	<p>Norway: “information provided for the UPR does not necessarily correspond with the treaty body specific information required”</p> <p>Chile: “Al mismo objetivo de coherencia y consistencia general del sistema, apuntan los pedidos de mejorar la secuencia de exámenes por los OT y en el marco del EPU”⁹</p> <p>Russian Federation (2): “Coordination, optimisation and regularisation of the reporting cycles would undoubtedly increase the predictability of the SPS’ reporting and would permit more efficient use of SPS’ and TBs’ resources. TBs should work out unified rules during Inter-Committee Meetings and Meetings of Chairpersons, with the mandatory participation of the SPs in the discussion”; “Taking into consideration that the main goal of SPS’ reporting is establishing constructive cooperation in order to implement the respective treaties most efficiently, reviewing reports in the absence of the SP’s delegation would destroy the existing dialogue practice and undermine the legal basis of the TBs. Therefore it would be in contradiction with TBs strengthening process.”</p> <p>Portugal: “Predictable cycles TB/UPR would greatly help SP in organising information and delegations for the dialogues, thereby leading to a more efficient use of human and material resources”</p> <p>Georgia: “The OHCHR...should coordinate a comprehensive reporting calendar...synchronised with the UPR...”</p> <p>Australia: “Such a master plan, especially if it is linked to the Universal Periodic Review (UPR) deadlines, would ensure States parties do not duplicate reporting and briefing processes.”</p> <p>Egypt: “A predictable treaty body reporting cycle synchronized with the UPR: This proposal should be merged with the proposal on ‘a fixed calendar based on 100%</p>

⁹ “That same goal of coherence and general consistency of the system, aims to with the requests to improve of the frequency of examinations by the TB’s and within the framework of the UPR.”

	<p>compliance rate'. Egypt agrees that such a proposal would lift part of the reporting burden and establish predictability both for the reporting State party on one hand, and the treaty bodies and the OHCHR on the other for better preparation for the interactive dialogue and the requisite allocation of resources and provision of conference services”</p>
<p>Addressing backlogs and coordinated requests for additional meeting time</p>	<p>Norway: “In light of member states increasing reluctance for more and additional funding to the UN regular budget, we question however the possibility to secure the necessary funding for these options”</p> <p>Russian Federation (2): “The issue of TBs’ backlogs is important and complex and can be solved only through a combination of measures. Approving additional meeting time requests would lead to doubling the TBs overall meeting time and would allow reviewing all outstanding reports. At the same time it would increase considerably the costs, which contradicts the “zero growth” approach adopted by the UN...One of the ways to deal with backlog would be for TBs to temporarily “freeze” all activities other than reviewing SPs’ reports and individual complaints; The periodicity of reports is established by the international treaties. One option would be to have a legal agreement between the TBs and the SPs for longer cycles - every 6 instead of every 4 years - or unifying reports and presentation at bigger intervals (CERD practice). Such approach would allow reducing the workload of the TBs and does not require additional financial resources.”</p> <p>Portugal: “All measures to deal with this basic imbalance...in a systematic and coordinated manner that avoids individual TB requests for additional meeting time, are urgent”</p> <p>Belarus: “...considers that the backlog of reports is problematic for the Committee on the Rights of the Child (52 reports), the Committee on the Elimination of All Forms of Discrimination against Women (44 reports) and the Committee on Economic, Social and Cultural Rights (43 reports). For the other treaty bodies the situation is not critical.”</p> <p>Finland: “supports the proposal made in the report of the Secretary-General (A/66/344) that the workload and resources of the treaty bodies should be reviewed periodically. The need to ensure sufficient resources and funding is connected with the</p>

	<p>obligation of the States parties to bear their responsibility, and they must get up-to-date information about the situation of the treaty bodies. A comparable example is the European Court of Human Rights, whose resources are being monitored regularly.”</p> <p>Egypt: “This proposal is better placed under the cluster of ‘resourcing the treaty body system’. Until the afore-mentioned proposals could be put in practice, the existing backlogs in some treaty bodies have to be addressed through positive response to requests for extra meeting times, while according equal treatment to all treaty bodies. This proposal has to take into consideration that treaty bodies strictly adhere to their mandated responsibilities as per each treaty specific provisions and dedicate all their meeting time to addressing the backlogs. In addition, the resourcing of treaty bodies has to be drawn from the regular budget, and on an exceptional basis from non-earmarked contributions.”</p>
<p>A fixed calendar based on 100% compliance rate (the “Master Calendar”)</p>	<p>Norway: “In light of member states increasing reluctance for more and additional funding to the UN regular budget, we question however the possibility to secure the necessary funding for these options”</p> <p>Suisse: « ...qu’il faut permettre une planification à long terme basée sur un calendrier fixe présupposant que tous les États parties soumettront à temps l’ensemble de leurs rapports »¹⁰</p> <p>Australia: “...a master calendar for all of the Committees would provide valuable assistance to States parties in engaging effectively with the treaty body system...include the due dates for States parties reports and appearance dates...ensuring, where possible, appearances before different treaty bodies and the Human Rights Council do not overlap.”</p> <p>Maldives: “The Maldives also proposes that consideration be given to creating a single treaty body secretariat which would allow for better scheduling of State reporting to ensure that States do not arrive at a situation where they are asked to present four or five reports one year, and no reports the next year.”</p>

¹⁰ “... a long-term planning should be allowed based on a fixed calendar that presumes that all States Parties submit on time all their reports”

Liechtenstein: “supports the proposal of a fixed calendar based on 100% compliance rate. Such reporting would help ensure the equal treatment of all States Parties. The introduction of a calendar would not necessarily entail more meeting time for Treaty Bodies if it is combined with complementary measures such as the format that Treaty Bodies meet in parallel chambers, where and when it is appropriate.”

Benelux: “With a view to rationalising the reporting procedures under the various treaties and ensuring consistently coherent Treaty Body output, Treaty Bodies should explore the possibility for State reports relating to different, but substantively related, treaties to be submitted and considered simultaneously, or in very close proximity (in clusters). Treaty Bodies should therefore formulate three or four clusters of human rights treaties” ; “are in favour of introducing a ‘master calendar’ that would take account of such clustering and would schedule the consideration of clusters of State reports four to five years in advance in order to guarantee periodicity and coordination between different reporting procedures. This calendar should be the basis for a predictable treaty body reporting cycle, synchronised with the Universal Periodic Review cycle, and made available online for States Parties.”

Republic of Korea: “...supports the options of interim and fixed meeting calendars of treaty bodies as proposed by the Secretary-General which, as he pointed out, are not incompatible. A reporting calendar should also be developed and integrated into the meeting calendar...”

Egypt: see under “A predictable treaty body reporting cycle synchronized with the UPR”

Spain: “Con respecto a las propuestas relativas al establecimiento de un calendario para la presentación de informes, España considera que puede resultar positivo en la medida en que contribuye a la organización interna del Estado responsable, facilitando el cumplimiento de sus obligaciones a los países que actualmente no presentan informes de cumplimiento o los presentan con retraso y espaciadamente.”¹¹

¹¹ “With respect to the proposals regarding the establishment of a Calendar for the submission of reports, Spain considers that this can lead to positive results as long as it contributes to the internal organisation of the State concerned, facilitating the compliance with their obligations by the countries which currently do not submit reports or submit them late or with too long gaps.”

	<p>Denmark: “supports the second proposal of the UN Secretary General’s report enabling long term planning through the establishment of a fixed master calendar based on 100% compliance, and allowing for in absentia examination of State Parties that do not submit reports. This proposal would lead to increased predictability and ability to plan for State Parties, as well as allow for a more precise allocation of resources.”</p> <p>Thailand: “...supports the alignment of the Treaty Bodies’ schedules...”</p>
<p>“A tool box” for reporting</p>	<p>Russian Federation (2): “The introduction of alternative accountability methods, such as country visits of experts, is only possible through the amendment of the existing international treaties or the development of new instruments (i.e. optional protocols). The practical realisation of such enlarged “tool-box” would lead to increase of the UN and SPs’ budget requirements and also might breach the principle of equality of the States, some of which may not be able to afford such innovations.”</p> <p>Algeria: “With regard to alternatives to standard reporting procedures, including the LOIPR, we think that more focused reports in compliance with the abovementioned harmonised guidelines takes into account a number of concerns”; “...country visits as an alternative to reporting should not be considered as a viable option since it is not provided for by the treaties.”</p> <p>Portugal: “...interesting idea, but difficult to put into practice....worth giving it some further thought”</p> <p>Benelux: “The possibility to alternate the process of state reporting between a desktop review and dialogue between the state party and the Treaty Body should be explored. The latter should take place at least every 10 years.”</p> <p>Egypt: “Rejected Proposals:...”</p> <p>Islamic Republic of Iran: “The introduction of alternative accountability methods, such as country visits of experts, is only possible through the amendment of the existing international treaties or the development of new instruments (i.e. optional protocols)”</p>

<p>Possible strategy for treaty body engagement with non-reporting States</p>	<p>China: “Deliberations in the absence of the State party has no basis in the treaties, nor are they conducive to cooperation between the treaty bodies and the States parties”</p> <p>Norway: “supports a coordinated approach by the treaty bodies concerned to address the situation of non-reporting States”</p> <p>Russian Federation (2): “The issue should be studied comprehensively; preliminary analysis of the reasons why SPs are not reporting should be conducted; the analysis should be discussed between the TBs and the SPs in order to determine the necessary measures.”</p> <p>Algérie: “...l’idée d’examiner la situation d’un pays vis-à-vis d’un traité en l’absence de son rapport national ne peut constituer une option”¹²</p> <p>Portugal: “It is a measure that should be taken only in extreme situations since it doesn’t favour the desired dialogue with the SP...”</p> <p>Ireland: “...supports increased provision of technical assistance and capacity building for non-reporting States in relation to the submission of reports, including through regional training”</p> <p>Suisse: Propose que « Dans le cas où l’Etat partie n’aurait pas soumis de rapport au comité respectif, le comité organise une session sur l’Etat partie en l’absence de ce dernier »¹³</p> <p>Republic of Korea: “The proposals to address the issue of non-reporting States, through the adoption of a coordinated approach by treaty bodies and the strengthening of OHCHR’s capacity building and technical assistance in this regard, are welcomed.”</p>
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¹² “...the idea of examining a country situation in respect of a treaty in the absence of its report cannot be an option. »

¹³ Suggests that "If the State party has not submitted a report to the respective committee, the committee organises a session on the State party in the absence of the latter"

	<p>Finland: "...the number of delayed periodic reports gives rise to concern, regarding especially those States which have not yet submitted even initial reports. This has a serious impact on the workload of the treaty bodies and undermines the opportunities to plan and forecast their activities. If the State party has not submitted its overdue report particularly requested by the treaty body, it is reasonable to review the implementation of a human rights treaty in the absence of a report. Finland appreciates the treaty bodies' efforts to conduct a constructive dialogue with non-reporting States, too."</p> <p>Egypt: "This proposal is better placed under the cluster of "enhancing the constructive dialogue between treaty bodies and states parties"...technical assistance and capacity building would be required, based on the request and identified priorities of the state party concerned."</p> <p>Islamic Republic of Iran: "The issue should be discussed between the TBs and the SPs to determine the necessary measures"</p>
Common Core Documents	<p>Russian Federation (2): "Common Core Documents (CCDs) as a rule are part of the initial SP report. Subsequent SP's reports contain information regarding developments in the SP, including on information contained in the CCD. Introducing a requirement to periodically update the CCD would require additional resources both by the SP and by the UN (translation, publication and other costs). Such requirement is not foreseen by the treaties. One possible option would be for the TBs to incorporate the information contained in the periodic reports in the CCD in coordination with the SPs. Such approach would have editorial/technical character and would not require new obligations for the SPs"</p> <p>Portugal: "Regular updating of the common core document is an essential feature of the system..."</p> <p>Belarus: "...Encourage the use of the common core document to simplify preparation and presentation of national reports."</p> <p>Canada: "...regular updates...will help to streamline periodic reports and again help treaty bodies to focus..."</p>

	<p>Georgia: "...should be duly updated on a regular basis..."</p> <p>Australia: "A consistent, clear policy on the use of the Common Core Document by Committees would greatly assist States parties. Standardising the use of a Common Core Document, with treaty-specific LOIPR from respective Committees, could be a good way to make the entire treaty body system more effective and efficient..."</p> <p>Maldives: "... strongly supports the use of Common Core Documents to constitute the backbone of the reporting process...can then be regularly updated by the States Parties and would be accompanied, for each convention, by shorter and more targeted treaty specific documents."</p> <p>Republic of Korea: "...supports the proposals concerning page limits of reports and common core documents."</p> <p>Egypt: "...agrees with the need for updating, where needed, the common core document."</p> <p>Thailand: "...is the backbone of the reporting process, which should be regularly updated by States Parties..."</p>
<p>Inclusive process of national consultations as part of the preparation of State reports</p>	<p>Russian Federation (1): "Issues of preparation of periodic reports...are solely with the authority of States parties"</p> <p>Norway: "agrees on the importance of a coordinated reporting procedure for the preparation of reports as well as the conduct of a national consultation process, involving relevant ministries, NHRIs and civil society"</p> <p>United Kingdom: "supports the proposal contained in OHCHR's 'non-exhaustive list of emerging proposals' that states should ensure that the process of preparation of reports for treaty bodies include consultation with all relevant government ministries and other authorities at central, regional and/or local level; "supports the call made at the civil society consultation in Seoul that states should include NGOs when preparing their reports to treaty bodies"</p> <p>Chile: "También parecería útil contar con un documento estandarizado que regule la</p>

	<p>forma de consulta de los informes nacionales su elaboración, con los organismos de la sociedad civil”¹⁴</p> <p>Russian Federation (2): “The methodology and the modalities of the preparation of national reports are not regulated by international treaties and are within the exclusive competence of the SPs. The latter determine the need to have internal consultations, including the creation of a special coordination mechanism”</p> <p>Portugal: “...essential element in the preparation of SP reports”</p> <p>Ireland: “...supports an inclusive process of national consultations as part of the preparation of State Reports”</p> <p>Republic of Korea: “...agrees that inclusive national consultations should be sought during the reporting process.”</p> <p>Egypt: “...is already being implemented by some States parties. Also, such a proposal has been voluntarily incorporated in the preparation of states national reports to the UPR at the HRC.”</p> <p>Spain: “...también asegura una participación importante y activa de la sociedad civil, a la que remite el borrador de informe antes de su presentación ante el Comité para facilitar su labor de control social del cumplimiento de las cláusulas de cada tratado.”¹⁵</p> <p>Denmark: “supports inclusive national consultations including NGOs, NHRIs and involving ministries across government.”</p> <p>Islamic Republic of Iran: “The methodology and the modalities of the preparation of</p>
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¹⁴ “It also would seem to be useful to have a standard document that regulates the form of consultation in the elaboration of the national reports and their production, together with civil society organizations.”

¹⁵ “...also ensures an important and active participation of civil society, with whom it shares the draft report prior to its submission to a Committee. This facilitates the task of social control of compliance with treaty provisions.”

	national reports are not regulated by international treaties and are within the exclusive competence of the SPs. The SP decides the format of the national mechanisms for consultations, in accordance with its national legislation and international obligations.”
Widespread dissemination of information about the work of treaty bodies and development of media strategies	<p>Russian Federation (2): “OHCHR is currently doing work at a good level on informing the civil society about TBs work through the media/internet/social media. The work on optimising the existing organisational and financial resources at OHCHR disposal for that purpose should continue. Considering the full schedule of the TBs it is inappropriate to burden them with additional functions, such as developing an information strategy.”</p> <p>Portugal: “OHCHR and TB could devise joint strategies to make better use of media, in particular electronic media”</p> <p>Ireland: “Dissemination of information about the work of the Treaty Bodies could help to increase visibility of the system...the adoption of media strategies...”</p> <p>Australia: “The current OHCHR website is a valuable tool...However, it can also be difficult to navigate and is at times out-of-date.” ; “Improvements to online resources so that treaty body outputs are accurately reported, up-to-date and easier to search would be valuable...content should be accessible to persons with disabilities...by providing html versions of all documents.”</p> <p>Egypt: “Proposals that Egypt considers positively...”</p>
Enhancing the constructive dialogue between Treaty Bodies and States parties	
Proposal	Excerpts of the written submissions by States parties
Preparation for the dialogue	Chile: “Respecto al dialogo constructivo con el Estado, parece razonable y compartimos la propuesta de que las preguntas del examen pudiera conocerlas el Estado unos días antes, en aras de preparar mejor la información al Comité – incluso

	<p>haciendo el esfuerzo de acercarse lo más a la recomendación - lo que redundaría en un avance de la finalidad misma de la revisión por el OT”¹⁶</p> <p>Russian Federation (2): “The suggestion that TBs should send their questions to SPs a few days in advance of the dialogue should be studied carefully. Such practice would increase the effectiveness of the dialogue...This seems to be a mutually beneficial approach.”</p> <p>Portugal: “Given the fact that the list of issues has already been sent in advance, we do not see the added value of sending another set of questions in advance.”</p> <p>Georgia: “...several days before the dialogue, treaty bodies should provide states with their questions...”</p> <p>Australia: “...supports the proposal for the Committee to prepare a specific list of questions that is provided to the State party delegation at least 24 hours before the appearance.”</p> <p>Maldives: “...supports the universal use of Lists of Themes to be communications to States prior to examination by the treaty body.”</p> <p>Egypt: “Proposals that Egypt considers positively:...”</p> <p>Thailand: “...willing to explore the proposal for the Treaty Bodies to provide the list of questions to the State Party at least 24 hours prior to the dialogue...”</p>
<p>A more structured constructive dialogue, including country rapporteurs and task forces</p>	<p>China: “The deliberations must maintain a constructive dialogue between the States parties and the treaty bodies. They must be based on State party reports, treat unverified information with caution, and appropriately address the division of work among different treaty bodies so as to avoid reduplication”; “The procedure for the selection of country rapporteurs must be transparent, democratic and impartial”</p>

¹⁶ “Regarding the constructive dialogue with the State, it seems reasonable and we agree with the proposal that the issues to be examined could be made known to the State a few days in advance, in order to better prepare the information to the Committee – including making the effort to make the most of the recommendation – resulting in redundancy in the improvement of the very purpose of the TB review.”

Russian Federation (1): “The allocation of time during the dialogue could only be taken on parity with the number and scope of questions posed by experts to States”, “does not support the suggestion to have country visits instead of a dialogue with a delegation on a State party”

Norway: “Questions posed by treaty body members, the constructive dialogue and concluding observations should focus on the obligations set out in the treaty under review and not outside the scope of the Convention”, “members’ interventions during the dialogue should be shorter and better coordinated”

United Kingdom: “supports proposals aimed at effective time management during session meetings, including ensuring a balanced exchange between treaty body members and the State delegation. The UK supports the suggestions made at the Dublin II meeting to introduce shorter time limits for treaty body and State interventions”

Russian Federation (2): “The proposal to create Country Task Forces is worth considering further. The practice of the Human Rights Committee could be taken as a model, because it has proved that it ensures better quality results than approaches of other TBs (i.e. appointing one/two country rapporteurs)...CEDAW’s practice of meeting SPs in parallel chambers appears to be unrealisable for other TBs, including because of the lower number of experts in other TBs. We believe it is important to include in the HC’s report and to continue discussing the issue of the strict compliance of the TBs’ experts with the time limits of their statements during the interactive dialogue...It is recommended that TBs supplement their working methods and rules of procedure with respective “time – regulators”.”

Algeria: “an appropriate and efficient management of the time available”; “...members of treaty bodies should coordinate among themselves to avoid repetitions; making efforts to pose focused questions based on credible and reliable information; a balance between the time dedicated to questions and the time dedicated to answers...”

Portugal: “...TB members should better coordinate among themselves...strengthening the role of the TF...role of the country rapporteur...”

Belarus: “Dialogue between the treaty bodies and the States must be based on the information prepared by the States...and if the international human rights instrument in question so provides, on information from international organisations of the United Nations system.”

India: “The strengthening of the Treaty Body System needs to enhance mutual trust and dialogue with the State Parties emphasizing on dialogue rather than a prescriptive and legal approach. To this end, the National Reports need to be read by the Treaty Body members themselves, rather than relying on other mechanisms to avoid the impression of premeditated outcomes. In particular, (i) advance circulation of list of questions to State Parties, (ii) allowing a break to State Parties for consultations prior to reply...”

Georgia: “Common practices should be adopted to manage time efficiently...balanced exchange between treaty body members and the State...shorter time limits.”

Ireland: “...favours stronger coherence...should include shorter time limits for both State interventions during session and Treaty Body members....clear understandings of issues falling under the remit of the Treaty under discussion and observations should be limited to this.”

Suisse: “...imposition d’une meilleure gestion du temps chez les organes de traités et concentration plus poussée du dialogue sur des questions spécifiques”; « Améliorer leurs méthodes de travail en attribuant des sujets ou Etats prioritaires aux membres de leurs comités. »¹⁷

United States of America: « ...welcome improved time management practices during the sessions...”

Australia: “Shorter appearances that make the most efficient use of time available may be possible if the Chairs at each session kept both members of the Committee

¹⁷ “...imposing better time management in the treaty bodies and further concentrating the dialogue on specific issues ”; “ Improving working methods by assigning topics or priority countries to members of their committees.”

and State party delegations to strict time limits.”; “Targeted, clearly-expressed questions that are focused on relevant treaty obligations (that is, by expressly referencing the relevant article of the treaty) would also help ensure the Committee receives relevant and appropriate information from States parties. Cooperation and coordination between Committee members to ensure there is no duplication in questions would also save on time.”; “...supports...proposal to establish task forces for the examination of States parties reports within Committees...”

Liechtenstein: “...Meeting in parallel chambers will also enhance the quality of discussion within Treaty Bodies and thus contribute to a stronger and more focused output.”

Republic of Korea: “Efficient time management during review sessions and close coordination among and within treaty bodies are also required”

Finland: “The constructive dialogue with the treaty bodies is a key element of the monitoring procedures”; “considers it important to continue this dialogue throughout the reporting cycle. The dialogue conducted during the session of a treaty body, attended by a delegation from the State party in question, enhances the mutual understanding of the commitments and measures required for the realization of the human rights in question”

Egypt: “...establishing time limits for questions directed by treaty body members and allocation of enough time for response of State party concerned. Ensuring coordinated preparation of questions among treaty body members to avoid duplication and repetition of questions. The practice of parallel chambers is questionable since it does not allow all treaty body members to attend the interactive dialogue and consequently might impair the required prior-informed consent of concluding observations/comments to be issued after the dialogue.”

Spain: “Para que un diálogo de un día sea eficaz, creemos que las delegaciones estatales deben tener una sólida preparación que les permita reaccionar con rapidez a las cuestiones del comité, que igualmente deberá realizar preguntas claras, concretas y concisas. Es por ello que disminuir el examen a una jornada de trabajo en todos los comités se considera una apuesta positiva”; “En concreto, en el diálogo con los miembros del Comité sería razonable prever un tiempo suficiente para que los

	<p>representantes del Estado parte examinado puedan preparar adecuadamente la respuesta, de forma que se cumpla eficazmente el objetivo de que el Comité reciba la información más fidedigna posible de la situación de los derechos humanos en ese Estado”; “ Para mejorar la gestión del tiempo en la defensa de los informes ante los tratados, creemos que el trabajo de la presidencia de cada comité es crucial...Trabajar por bloques de preguntas de manera estricta, y que ello sea respetado tanto por los miembros de los comités como por los Estados es importante, y ello dependerá de la preparación previa de todas las personas que participan en cada examen y, sobre todo, de la moderación de la presidencia.”¹⁸</p> <p>Islamic Republic of Iran: “The practice of appointing country rapporteurs should be transparent, impartial and democratic. It must guarantee that among the country rapporteurs there is at least one person from the same region as the State under review or from a country with a similar legal system. Once the country rapporteurs are selected, the States parties should be informed in a timely manner. The States under review have the right to request, once, that another person be named as the country rapporteur”</p> <p>Thailand: “...more focused and coordinated interventions by members of the Treaty Bodies would also contribute to a more constructive dialogue.” “...willing to explore the possibility of shortening the time for the dialogue as another cost-saving measure.”</p>
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¹⁸ “For a one-day dialogue to be effective, we believe that the state delegations should be properly prepared to be able to react quickly to the questions made by the Committee, who should pose clear, concrete and concise questions. This is why the reduction of the review to one working day in all the committees is considered a positive development”; “Specifically, in the dialogue with the members of the committee, it would be reasonable to allocate sufficient time for the representatives of the State party under consideration to adequately prepare the response, so that the Committee receives the most reliable information possible concerning the human rights situation in that State.”; “In order to improve the time management of the defence of the reports before the treaties, we believe that the work of the chairperson of each committee is crucial... Working with clusters of questions in a strict manner, and that this is respected by both the members of the committees as well as by the States is important, and this will depend on the preparation in advance of all persons participating in every examination, and, above all, the moderation by the chairperson.”

<p>Webcasting of public meetings of human rights treaty bodies and video conferencing</p>	<p>Norway: “We should further explore the possibility that a face-to-face dialogue be complemented by the use of communication technologies, like video conferencing”; “...future webcasting should be explored”</p> <p>United Kingdom: “suggests that greater use of video-teleconference (VTC) facilities could enhance the participation of delegations in treaty body meetings...UN country offices could be used to facilitate the use of VTCs if states do not have such facilities...”; “also supports further examination of the feasibility of regular webcasting of treaty body meetings”</p> <p>Russian Federation (1) and (2): “The option of introducing dialogue through modern communication technology, such as video conferences, should be considered in order to allow dialogue between TBs and national delegations of appropriate level (which may otherwise be prevented from coming to TBs sessions for financial or other reasons)”; “That should be allowed based on a SP’s request since it might have technical and financial implications.”</p> <p>Algeria: “it seems to be largely an issue of resourcing”</p> <p>Portugal: “Webcasting of the public meetings would considerably help overcome some of these obstacles.”</p> <p>Ireland: “...supports wider use of information and communications technology services, such as video-conferencing.”; “...additional wider use of...webcasting could be used...”</p> <p>Costa Rica: “Los países en desarrollo generalmente tienen problemas para enviar equipos multidisciplinarios a Ginebra o Nueva York para realizar la defensa de los informes o diálogo interactivo con los comités. Resultaría mucho más económico, y a su vez el ejercicio sería mucho más productivo si este proceso se realiza por medio de videoconferencias, cuando así sea posible. Las Oficinas Regionales del Alto Comisionado o las Oficinas del Programa de las Naciones Unidas para el Desarrollo</p>
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podrían prestar sus instalaciones y equipos”¹⁹

United States of America: “...use of the latest technologies deserves further discussion...pilot program, to conduct a limited number of reviews through digital video teleconferencing. Reviews and discussions of State Party reports could also be webcast...would encourage OHCHR to explore launching a pilot program in this area within existing resources.”

Australia: “...broadcasting of all public meetings of the Committees through media such as web casting would be a significant step...consideration would need to be given to the costs of providing this...explore the use of social media which would be a low-cost method...”; “ Video-conferencing may provide a cost-effective option to enable more high-level government experts to participate in appearances...consideration could be given to the use of such facilities in the OHCHR regional offices (where available).”

Maldives: “...supports the use of webcasting to allow greater participation...”

Republic of Korea: “supports the proposal to use videoconferencing facilities...Web-casting of dialogues between States-Parties and treaty bodies will contribute to raising awareness on the human rights treaties and the work of treaty bodies, if the cost is reasonably bearable.”

Finland: “If financial reasons prevent a State party from attending the session of a treaty body, the dialogue could be conducted by video conferencing. Country offices of the UN, or regional or country offices of the OHCHR, could provide technical support in these cases”; “supports the initiative to broadcast the sessions of the treaty bodies through the Internet (webcasting). The dialogue with each State party in connection with the review of its periodic reports is a public event, but participating in the dialogue may be difficult because of long distances and the ensuing costs.

¹⁹ “The developing countries generally have problems to send multidisciplinary teams to Geneva or New York to carry out the defence of the reports or the interactive dialogue with the committees. It would be much more economical and it would also make the exercise much more productive if this process was done through videoconferences, whenever that would be possible. The Regional Offices of the High Commissioner or the Offices of the UNDP could provide their facilities and equipment.”

Webcasting enables all authorities of the State party under review to follow the dialogue in real time, for financial reasons often impose restrictions on the size of the national delegation sent to the meetings. Webcasting also permits civil society to follow the review process and to get a clearer overall picture of the dialogue leading to the concluding observations”

Egypt: “A cost-benefit analysis should be made over the feasibility of implementation of this proposal versus the availability of written summary reports on the interactive dialogue, and the posting of audio and/or video podcasts instead of live webcasts.”

Spain: “Creemos que el mayor uso de nuevas tecnologías, en concreto videoconferencias, es necesario por el impulso que pueden aportar a una mejor información del Estado que defiende el informe, y por el ahorro que suponen”; “Podría sugerirse que en la primera defensa, la delegación del Estado obligado a la presentación del informe se desplazase a la sala de trabajo del comité donde se desarrollaría el diálogo de la defensa. En las ocasiones subsiguientes, no obstante, podría establecerse un sistema por el que, incluso, toda la delegación de un Estado estuviese en una sala en su propio país y los miembros del Comité correspondiente en otras salas (sin necesidad de haberse desplazado de sus respectivos países) conectadas por videoconferencia”; “...también apoya la difusión de cada examen por web casting, como en el Examen Periódico Universal, y que pueda consultarse en la página web de los comités de manera permanente, facilitando la transparencia del proceso, las respuestas y actuación de cada Estado miembro y el trabajo del comité.”²⁰

Indonesia: “In this era of globalized information and communication technology, reporting proceeding and contact should make the most of the technology and at the same time reduce the traveling cost”; “For future planning, priority should be given to

²⁰ “We believe that the best use of new technologies, concretely videoconferences, is necessary as it could contribute to improving the information provided by the State defending the report, and to save costs”; “It could be proposed that at the first dialogue with the Committee, the State delegation concerned be physically present during the presentation of the report. On following occasions, however, a system could be established whereby a State delegation could stay in its own country and interact with the members of the Committee through videoconferencing”; “also supports the broadcasting of every examination through webcasting, as in the UPR, which may be consulted permanently on the webpage of each committee, facilitating the transparency of the process, the responses and the performance of every Member State and the work of the committee.”

	<p>invest more on information and communication technology as an effective alternative to conventional conference/meetings.”</p> <p>Thailand: “...the use of ICT, especially webcasting may be explored...”</p>
Implementation of treaty bodies outputs and impact on the protection of rights holders	
Proposal	Excerpts of the written submissions by States parties
Treaty body sessions at regional level	<p>Norway: “The cost benefit of treaty body sessions at regional level should be further explored”</p> <p>United Kingdom: “considers that meetings of certain treaty bodies in New York (Human Rights Committee and CEDAW) do not represent the most efficient use of secretariat resources. The UK therefore proposes that meetings should be in Geneva only”</p> <p>Russian Federation (1) and (2): “The proposal to hold TBs’ sessions in different regions should also be subject to further study. It is necessary to have clear answers to the questions regarding the additional value of such events, the potential influence of the realisation of the TBs’ concluding observations “sur place” and the financial burden on the SPs and the TBs. It is important to note that such regional meetings may only take place in locations in which there are UN regional centers in order to keep the spending from the UN budget at the same level”</p> <p>Algeria: “...don’t have a strong feeling about this proposal except with regards to financial implications, including travel costs for a State party delegation...”</p> <p>Portugal: “All measures to bring the system closer to rights holders and make monitoring procedures relevant to ground realities merit full support.”</p> <p>Ireland: “....consideration should be given to organising Committees’ sessions in different regions, where a cost-benefit analysis has been carried out....”</p>

	<p>Australia: "...does not support...holding treaty body sessions at a regional level..."</p> <p>Benelux: "...the fact that not all meetings of all treaty bodies take place in Geneva, where the secretariat is situated, does not represent the most efficient use of secretariat resources"</p> <p>Republic of Korea: "...efforts to align the meeting calendar could make the proposal to hold treaty body sessions at the regional level more feasible..."</p> <p>Finland: "...For instance, sessions arranged in New York may be justifiable if they deal with reports from States parties located closer to New York than Geneva"</p> <p>Egypt: "An assessment of the value added of holding sessions at regional level, particularly in terms of costing and available meeting time. Formal sessions and interactive dialogues should remain as per the existing practice."</p> <p>Thailand: "encourage to consider holding their sessions solely in Geneva, taking into account that the OHCHR, secretariat of the Treaty Body system, is based in Geneva...organize sessions at the regional level...may not be a cost-effective option..."</p>
<p>Inter-committee meeting and Meeting of Chairpersons meeting at regional level</p>	<p>Norway: "supports the holding of inter-committee meetings and meetings of Chairpersons at regional level"</p> <p>Algeria: "...holding of inter-committee meetings and meetings of chairpersons outside Geneva....raises the problem of the participation of Geneva-based Missions"</p> <p>Portugal: Ibidem</p> <p>Ireland: "...supports the holding of Inter-Committee meetings and meetings of Chairpersons at the regional level from time to time..."</p> <p>Egypt: "If such a practice is to continue, its costs should be evaluated further. The proposal, however, is not to be included as part of the implementation of treaty bodies outputs but rather to be considered as part of the efforts to raise awareness about the work of treaty bodies at regional level."</p>

	<p>Thailand: "...skeptical about holding Inter-Committee meetings and Meetings of Chairpersons at the regional level in this climate of resource constraints...seek clarification on the necessity of having both the Inter-Committee Meeting and the Meeting of Chairpersons...explore the possibility of shortening the meeting time of these mechanisms."</p>
<p>More focused and shorter Concluding Observations (Recommendations)</p>	<p>China: "The conclusions of the deliberations must be relevant and practicable, and must be appropriate to the actual situation in the State party. They must not cite unverified, unofficial information"</p> <p>Norway: "supports the recommendation that treaty bodies reduce the length of their concluding observations in order to achieve greater efficiency"; "...crucial...that factual information provided by the state about positive actions to address problems and challenges is also recognized and reflected"; "important that the treaty bodies give States parties the opportunity to correct factual errors"</p> <p>United Kingdom: "In order to maximise the potential impact of concluding observations, [the UK] proposes that treaty bodies should adopt shorter, more focused concluding observations which identify steps which states can take in order to improve the implementation of their obligations under relevant treaties"</p> <p>Russian Federation (2): "The issue of the further perfection of the format of the concluding observations should be studied carefully in the context of TBs' strengthening. Having more focused and laconic concluding observations, taking due consideration of the LOIPR would result in shorter documents and accordingly in lowering the expenses."</p> <p>Algérie: «...En plus des commentaires formulés par les experts des différents comités, il doit également être fait référence aux arguments développés par l'Etat partie au cours du dialogue interactif/dialogue constructif. » ; « Par ailleurs, la formulation des observations finales devrait gagner en précision et être réduite en longueur...Le suivi</p>

des constatations relatives à l'examen des plaintes individuelles doit demeurer un processus séparé »²¹ ; "treaty bodies may wish to include a standard concluding observation in all reports inviting the State party to include information on the implementation of previous concluding observations in its next periodic report" ; « a balanced reflection in the concluding observations of the content of the dialogue...; attaching the State party's comments on the concluding observations to the annual report of the TB concerned to the GA »

Portugal: "...need to focus on priority issues and thereby shorten the number of COBs. We do not think the length the COB is in itself a problem..."

Belarus: "The concluding observations must be based on the States' periodic reports and other information submitted by them during the interactive dialogue. Recommendations must be concise and specific, and take into consideration the social and economic development level of the country and its cultural specificities, without contradicting the provisions of the international human rights instrument under consideration. When States send comments on the treaty bodies' draft concluding recommendations, they must be included in the reports of the treaty bodies to the General Assembly"

India: "... (iii) limiting the number and length of concluding observations, (iv) ensuring more precise and rigorous comments would substantially strengthen the Treaty Body System..."

Canada: "A focus on the most urgent issues could enhance domestic implementation..."

Georgia: "...ensure that Concluding Observations are country-specific and targeted....classify recommendations in short- and long-term categories...reduce the length...use cross-referencing..."

²¹ "...In addition to comments by the experts of the various committees, reference must also be made to the arguments developed by the State party during the interactive dialogue / constructive dialogue." "Moreover, the wording of the concluding observations should gain in precision and be reduced in length ... The follow-up to the views related to the review of individual complaints should remain a separate process."

	<p>Ireland: "...supports a reduction in the length of concluding observations..."</p> <p>Suisse: « que leur contenu soit plus précis et mieux adapté à la situation dans l'Etat partie mais aussi leur quantité considérablement réduite. »²²</p> <p>Syrian Arab Republic: "firmly believes in reforming the current system by including in the final reports issued by the different committees the actual course of the arguments made during the discussion on a country report as well as the state's answers and proposals in addition to the committee's remarks. The final reports should not include any matters or subjects not tackled during the report's discussions"</p> <p>United States of America: "...more limited and targeted conclusions and recommendations would result in further efficiencies throughout the process."</p> <p>Australia: "It is essential that concluding observations and recommendations reflect the issues discussed at the appearance and are clearly linked to the implementation of specific provisions of the treaties...it would also assist States parties with implementation if the treaty body recommendation was consistent with the special procedure mandate holder's recommendation." ; "...provide States parties with the opportunity to review concluding observations before their release to identify factual errors. A consistent policy on this across all Committees would be valuable."; "...refocusing and simplifying concluding observations to incorporate a more practical approach...more clearly identify priority areas for follow-up or set out short-, medium- and long-term goals...ensuring recommendations focus on achieving a limited number of high priority outcomes...sharing of best practice examples by the Committees may also help States parties with ideas on how to best implement recommendations... Recognition of the different domestic legal and political contexts of individual States parties in formulating concluding observations."</p> <p>Maldives: "...each treaty body should explore ways of reducing the length of the concluding observations..."</p>
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²² "that their content be more precise and better adapted to the situation in the State party and also that their quantity be significantly reduced."

Liechtenstein: "welcomes and supports the proposal for more focused and shorter Concluding Observations of the Treaty Bodies..."

Republic of Korea: "...supports the proposal for more focused and shorter Concluding Observations, including limitations on their length as well as on the action-oriented and concrete recommendations. To consider draft Concluding Observations and correct any errors that might be contained within the document, States should be given enough time to coordinate with their relevant government agencies."

Finland: "proposes that the treaty bodies reform the current format of their concluding observations by issuing clearly 3–5 recommendations that require immediate measures, and if necessary a reasonable number (max 10–15) of recommendations for a longer term. The treaty bodies should intensively follow up the recommendations calling for immediate measures, including by requesting the State party to provide its views on the adequate implementation measures"; "The concluding observations could be supplemented with a descriptive introduction describing those issues which are currently discussed in the concluding observations. Such an introduction would give an overall picture of the implementation situation, and the recommendations themselves would highlight the real problems to be addressed either immediately or in a longer term"; "...the bodies should better ensure that the concluding observations really raise those points on which the State party in question has had an opportunity to express its views during the hearing."

Egypt: "Proposals that Egypt considers positively: More focused and shorter Concluding Observations (Recommendations)..."

Spain: "Sobre las conclusiones finales, ...considera muy positivo que los miembros de los Comités trabajen en sus análisis a los Estados buscando la aplicación de medidas concretas, y por ello realizando conclusiones finales concretas, que faciliten su seguimiento y aplicación por parte de los Estados."²³

²³ "Regarding the concluding observations, ...considers positively that the members of the Committees focus their analysis of the States on identifying the implementation of concrete measures, and this would result in concrete concluding observations that would facilitate the follow-up and implementation by the States parties."

	<p>Denmark: “fully supports the proposal made by several other State Parties to have shorter and more focused concluding observations. This approach would strengthen the efficiency and impact of the Treaty Bodies without weakening the monitoring mandate thereof. Likewise, resorting to more focused concluding observations would not only cut costs associated with conference services, but would also facilitate the national implementation by State Parties of the concluding observations.”</p> <p>Islamic Republic of Iran: “Concluding observations must be relevant and practicable, and must be appropriate to the actual situation in the State party. They must not quote unverified, unofficial information. The treaty bodies must pay due attention to the clarifications and explanations given by the States parties in respect of the conclusions, and feedback from the States parties must be passed on to the United Nations General Assembly together with the conclusions of the deliberations”</p> <p>Indonesia: “Considering the importance of their recommendations, treaty bodies should limit the number of recommendations towards focused, implementable and realistic ones”</p> <p>Thailand: “...should also limit the length of their concluding observations by placing a clear focus on the issues raised and prioritising issues that require urgent attention and action...clear and concise concluding observations would also help States Parties in their implementation...”</p>
Action by States parties to implement treaty bodies’ recommendations	<p>Russian Federation (2): “The methodology and the modalities of the implementation of the concluding observations’ (COs) recommendations are not regulated by international treaties and are within the exclusive competence of the SPs.”</p> <p>Chile: “La idea de un plan de acción nacional relativo al cumplimiento de las recomendaciones u observaciones de los OT, puede constituir un instrumento idóneo para fijar y medir los compromisos del Estado y su cumplimiento en un horizonte de tiempo definido”²⁴</p>

²⁴ “The idea of a national plan of action regarding the fulfilment of the recommendations or the observations of the TB, could constitute a suitable instrument to set up and to measure the commitments of the State and its accomplishments in a foreseeable future.”

	<p>Algeria: “The State is the sole responsible (and accountable) for the implementation of its treaty obligations...” “the respect for the principle of non-retroactivity of the provisions of treaties”</p> <p>Portugal: “...important that there is a national coordinating body in place...that coordinates the reporting system...right from the preparation of reports to the implementation of the COBs...”</p> <p>India: “As the status of implementation of the recommendations can be monitored during the review of periodic reports, Treaty Bodies need to exercise caution in entering too deeply into the implementation process”</p> <p>Canada: “Given the federal nature of some states....developing national action plans as follow-up to concluding observations...would be particularly challenging...”</p> <p>Egypt: “Since this falls within the prerogative of the state concerned, it should be aligned with the wider national action on human rights issues”</p> <p>Islamic Republic of Iran: “The methodology and the modalities of the implementation of the concluding observations and recommendations are not regulated by international treaties and are within the exclusive competence of the SPs. The SP decides, within the existing institutional, political, socio-economic, cultural, religious and other particularities, the possibility and the need to adopt implementation plans on the activities on the realization of the TBs’ recommendations, in accordance with its national legislation and international obligations”</p>
Regional follow-up workshops	<p>Russian Federation (2): “The proposal to conduct regional workshops on follow-up to treaty body recommendations is a new working method and needs to be studied comprehensively, including in the context of compliance with the TBs mandates. Follow-up procedures were developed by TBs and are not foreseen by the international treaties and therefore the SPs have no legal obligation to cooperate with the TBs in follow-up procedures...”; “The resources implications of the above proposal also need to be studied further. Considering the existing TBs’ backlog and limited financial and time resources the introduction of new TB working methods appears premature.”</p>

	<p>Portugal: “The possibilities suggested merit full support”</p> <p>Ireland: “...regional and national follow-up meetings...could be carried out through webcasting...”</p> <p>Australia: “...does not support...regional follow-up workshops...”</p> <p>Egypt: “...reiterates that the establishment of any follow-up mechanisms does not fall within the scope or mandate of treaty bodies and remains within the prerogative of the state. Accordingly, regional workshops should be held for as part of the technical assistance and capacity building activities of the OHCHR, for the purpose of disseminating information and raising awareness about the role and functioning of treaty bodies to various stakeholders...”</p>
<p>Enhanced interaction with UN entities</p>	<p>Norway: “supports that the follow-up should be systematically included in the United Nations Development Assistance Framework (UNDAF) which would help the UN to be perceived as one”</p> <p>United Kingdom: “supports the proposal from the Dublin II meeting that the role of UN entities working through UN Country Teams should be strengthened with respect to the follow up of concluding observations”</p> <p>Russian Federation (2): “The proposal to develop a strategy on the interaction of TBs with UN entities with the aim to implement the TBs’ recommendations needs further study in the context of defining tasks, modalities ad the format of such cooperation.”</p> <p>Algeria: “more involvement of UN actors at the country level...for the implementation of TB recommendations...a systematic involvement does not seem to be advisable. The issue of ensuring a coordinated process for the implementation, at the country level, of recommendations of various TB does not seem necessary.”</p> <p>Portugal: “The role of UN entities in supporting the TB system as well as in capacity building for SP for the implementation of COBs is of crucial importance”</p> <p>Georgia: “...OHCHR country teams are vitally important in facilitating local, as well as</p>

regional/interregional processes aimed at the implementation of recommendations...”

Ireland: “...enhanced engagement and cooperation with other UN actors especially, UNDP and UN Country Teams would help to develop awareness....and increase human rights protection at the domestic level.”

Costa Rica: “Las Oficinas Regionales del Alto Comisionado, a solicitud del Estado interesado, puede colaborar en la implementación de las recomendaciones de los comités de cada uno de los tratados. A su vez, estas recomendaciones podrían incluirse dentro de los UNDAF de cada país para que el Sistema de Naciones Unidas se involucre también en la implementación.”²⁵

Suisse: Propose “Collaboration plus étroite des organes de traités avec les bureaux régionaux et locaux des Nations Unies et les mécanismes régionaux des droits de l’homme »²⁶

Maldives: « ...UN Country Teams should be forthcoming to help States in the implementation of concluding observations...UN to include relevant programmes in the UN Development Assistance Framework (UNDAF) that would implement concluding observations.”

Egypt: “Rejected Proposals:...”

Islamic Republic of Iran: “The interaction of the SPs with the UN entities is regulated by the respective agreements in the framework of the coordinated modalities of the cooperation. The needs for assistance by UN entities are determined by the SPs. The proposal to develop a strategy on the interaction of TBs with UN entities with the aim to implement the TBs’ recommendations needs further study in the context of defining tasks, modalities and the format of such cooperation”

²⁵ “The Regional Offices of the High Commissioner, at the request of the State concerned, could help with the implementation of the recommendations of the committees from each treaty. In turn, these recommendations could be included in the UNDAF of every country in order for the UN system to also be involved in the implementation.”

²⁶ Suggests "Closer collaboration of treaty bodies with regional and local offices of the United Nations and regional human rights mechanisms."

Complementarity with the UPR	<p>Norway: “supports that the UPR process and the work of the treaty bodies work in concert to improve human rights on the ground and that if concluding observations were crafted with specificity, this would increase their effectiveness as contributions to the UPR, as would prioritization of treaty bodies recommendations overall”</p> <p>Chile: “El cruce de información y referencias por parte de los diversos órganos de monitoreo – universales y regionales -, que debemos apoyar. A este respecto, sería atendible considerar que los Presidentes de los OT contarán con facultades para promover esta armonización e intercambios dentro de sus reuniones inter-sesionales. Ello permitiría mejoras procedimentales concretas para superar las limitaciones que enfrenta el sistema”²⁷</p> <p>Russian Federation (2): “The goals, mandates, modalities and methods of work of the UPR and the TBs differ considerably. We consider “besides the purpose” to adopt measures on the unification of the goals, mandates, modalities and methods of work of the UPR and the TBs”</p> <p>Cuba: “De igual forma, muchas de estas propuestas resultan ilegales e inaceptables, toda vez que entrañan por ejemplo: ...El soslayo de la diferencia de mandatos entre los órganos de tratado, por un lado, y los procedimientos especiales y el Examen Periódico Universal, por otro”²⁸</p> <p>Algeria: “...TBs have no mandate as to the implementation of UPR recommendations...”</p> <p>Portugal: “The use of TB COBs by the HRC is a welcome step and the synergies between both systems need to be increased”</p>
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²⁷ “We must support the exchange of information and references between the different monitoring bodies, both universal and regional. In this regard, it would be expected that the Chairpersons of the TB’s could count with the instruments to promote the harmonization and the exchange during the inter-sessional meetings. This would allow concrete procedural improvements to overcome the limitations that the system faces.”

²⁸ “Equally, many of these proposals are illegal and unacceptable, since they involve for example: ...The neglect in recognising the mandates of the different treaty bodies, on the one hand, and the special procedures and the UPR, on the other”

	<p>Canada: “During the UPR review...reference could be made to specific treaty body recommendations that would complement or enhance a given UPR recommendation”; “Procedures should be put in place that will ensure regular exchange of information between the UPR and the treaty bodies”</p> <p>Ireland: “...supports the development of greater synergies and communication between Treaty Bodies and other human rights mechanisms including the Special Procedures and UPR.” ; “...ensure the integrity, resources available to, and role of the Treaty Body System is not undermined by the UPR...”</p> <p>Egypt: “...follow-up of implementation of UPR recommendations and those of treaty bodies is the responsibility of the state concerned and could be made compatible at the national level...”</p>
<p>Strengthened cooperation with the Special Procedures</p>	<p>Norway: “supports further interaction between special procedures and treaty bodies”</p> <p>Russian Federation (2): “The goals, mandates, modalities and methods of work of the SRs and the TBs differ considerably. Mandating the TBs to monitor the implementation of the SRs’ recommendations is only possible through the amendment of the existing international treaties or the development of new instruments (i.e. optional protocols). Considering the existing TBs’ backlog and limited financial and time resources the introduction of new TB working methods appears premature.”</p> <p>Algeria: “...necessity to preserve the specificity, the mandate, the scope, and the identity of the work of each mechanism....”</p> <p>Portugal: “...ample scope for strengthening such cooperation...”</p> <p>Georgia: “More systematised two-way communication channels should be established...the systematic sharing of priority issues....is critical.”</p> <p>Ireland: Ibidem</p> <p>Egypt: “Rejected Proposals:...”</p> <p>Islamic Republic of Iran: “The goals, mandates, modalities and methods of work of the</p>

	<p>SRs and the TBs fluctuate significantly. Mandating the TBs to monitor the implementation of the SRs' recommendations is only possible through the amendment of the existing international treaties or the development of new instruments (i.e. optional protocols). The SRs are also not mandated to monitor the implementation by SPs of the TBs' COs' recommendations. Giving them additional functions is only possible through the amendment of their respective mandates"</p>
Cooperation with regional and sub-regional organizations	<p>Norway: "supports stronger linkages with regional and sub-regional organisations"</p> <p>Russian Federation (2): cf. above under "Strengthened cooperation with the Special Procedures"</p> <p>Cuba: "De igual forma, muchas de estas propuestas resultan ilegales e inaceptables, toda vez que entrañan por ejemplo: ...La subordinación a mecanismos regionales de derechos humanos, cuando ésta no ha sido una obligación aceptada como Estado Parte de un tratado"²⁹</p> <p>Portugal: "Stronger linkages between TB and regional and sub-regional human rights institutions are very important..."</p> <p>Suisse: Propose "Collaboration plus étroite des organes de traités avec les bureaux régionaux et locaux des Nations Unies et les mécanismes régionaux des droits de l'homme »"³⁰</p> <p>Egypt: "Further information is required on the value-added and functionality of this proposal, taking into consideration that treaty bodies are guided by treaty-specific provisions that might differ from regional human rights mechanisms."</p>
Added value of treaty body follow-up procedures	<p>China: "Follow-up procedures should not burden the States parties with extraneous obligations"</p>

²⁹ "Equally, many of these proposals result illegal and unacceptable, since they involve for example: ...The subordination of regional human rights mechanisms, when this has not been an accepted obligation of a State party to a treaty."

³⁰ Suggests "Closer collaboration of treaty bodies with regional and local offices of the United Nations and regional human rights mechanisms."

Norway: "...all treaty bodies should adopt the same procedure to monitor the implementation of specific concluding observations in between two reporting cycles"

United Kingdom: "supports greater attention by the treaty bodies to the issues of follow up to, and impact of, the reporting process. The UK encourages those treaty bodies who have not established follow-up mechanisms to do so, building on the good practice which already exists within the treaty body system"

Russian Federation (2): "Taking into consideration that the provision of follow-up information requires resources and is usually not of urgent character, we strongly recommend that use of the regular periodic reporting procedure should be maximised. The issue of unification of all TBs' follow-up procedures requires further study in the context of the existing international treaties"; "...OHCHR constitutes part of the UN Secretariat with a respective mandate, which does not foresee monitoring of implementation by the SPs of their obligations under the international treaties. The proposals to create new units within OHCHR to monitor SPs implementation of their obligations and to appoint staff responsible for such questions in the field presences might lead to the factual substitution of the TB unique institute."

Portugal: "All follow-up procedures are indispensable to make the system relevant to rights holders..."

Canada: "...suggests that treaty bodies should request interim reports only sparingly...the urgency of the issue could be one criterion..."

Georgia: "...formal procedures to monitor more closely the implementation of specific concluding observations in between two reporting cycles can further contribute to the effective implementation..."

Ireland: "Effective and ongoing constructive dialogue between States Parties and Treaty Bodies is essential to the effective implementation of the Concluding Observations..."

	<p>Suisse: “considère ces mécanismes utiles et nécessaires pour assurer un suivi adéquate des observations finales.”³¹</p> <p>Liechtenstein: “...welcomes and supports the proposal for...harmonized Treaty Body follow-up procedures with a view to strengthen implementation.”</p> <p>Finland: “The follow-up practices of the treaty bodies should be harmonized, and the information produced by the follow-up should be shared among all treaty bodies”</p> <p>Egypt: “Rejected Proposals:...”</p> <p>Islamic Republic of Iran: “Follow-up procedures were developed by TBs and are not foreseen by the international treaties and therefore the SPs have no legal obligation to cooperate with the TBs in follow-up procedures”; “OHCHR represents part of the UN Secretariat with a respective mandate, which does not foresee monitoring of implementation by the SPs of their obligations under the international treaties. The recognition of the proposal would require the creation of respective legal basis and giving OHCHR such monitoring functions is not likely to contribute to the strengthening of the national capacity for implementation of the international treaties”; “...follow-up procedures should not burden the States parties with extraneous obligations”</p>
<p>Effective follow-up of treaty body concluding observations and decisions/Views</p>	<p>Portugal: “The establishment of a follow-up coordination unit at the OHCHR for joint follow-up of the recommendations of TB, Special Procedures and UPR...”</p> <p>Australia: “A consistent policy across all the Committees on the general approach to reviewing follow-up action by States parties would also be useful.”</p> <p>Republic of Korea: “The practice of requesting to submit follow-up plans and progress before the next report should be made more common.”</p> <p>Egypt: “Rejected Proposals:...”</p>

³¹ “considers these mechanisms useful and necessary to ensure adequate follow-up to the concluding observations.”

<p>Qualitative assessment of the implementation by States parties</p>	<p>Russian Federation (2): “International treaties do not foresee a procedure for the evaluation of the implementation of the concluding observations’ recommendations in between the TBs’ sessions...The institutionalisation of intra-session accountability procedure for SPs is only possible through the amendment of the existing international treaties or the development of new instruments (i.e. optional protocols)...”; “ For the TBs reviewing such additional information would also constitute a wasteful procedure from the point of view of resources and time and would lead to an increase of their backlog.”</p> <p>Portugal: “We do not see the need for yet another specific questionnaire to be sent to SP on this issue...”</p> <p>Egypt: “Rejected Proposals:...”</p> <p>Islamic Republic of Iran: “International treaties do not foresee a procedure for the evaluation of the implementation of the concluding observations’ recommendations in between the TBs’ sessions. NGOs present shadow reports in which they can provide their evaluation of the implementation of concluding observations and recommendations. The institutionalisation of intra-session accountability procedure for SPs is only possible through the amendment of the existing international treaties or the development of new instruments (i.e. optional protocols).”</p>
<p>Enhanced cooperation with national parliaments/Dedicated legal service at the national level</p>	<p>Chile: “Se menciona entre las propuestas las vistas de los OT a los países y a los parlamentarios, difundiendo su labor y recomendaciones en los Parlamentos así como los estándares internacionales. Es un frente donde una constante pedagogía parece ciertamente útil, tratándose especialmente de observaciones de los OT que requieren acción legislativa”³²</p> <p>Russian Federation (2): “Mandating the TBs to...establish direct dialogue with the</p>

³² “It is mentioned among the proposals, the visits of the TB:s to the countries and parliamentarians, disseminating their work and recommendations within parliaments as well as international standards. It is an area where a constant pedagogy seems likely to be useful, especially regarding the observations of the TB:s that require legislative action.”

	<p>different branches of the powers within the SP is possible only through the amendment of the existing international treaties or the development of new instruments (i.e. optional protocols).”</p> <p>Cuba: “De igual forma, muchas de estas propuestas resultan ilegales e inaceptables, toda vez que entrañan por ejemplo: ...La intromisión en las actividades parlamentarias, en los mecanismos nacionales de examen y aplicación de las recomendaciones realizadas por los referidos órganos y en la nominación nacional de candidatos”³³</p> <p>Portugal: “The relationship between TB members and national parliaments also offers room for improvement”</p> <p>Egypt: “Rejected Proposals:...”</p> <p>Islamic Republic of Iran: cf. above under “Action by States parties to implement treaty bodies’ recommendations”; “The SP decides...whether to undertake any legislative initiatives and/or create legal mechanisms”; “Mandating the TBs to conduct country visits and to establish direct dialogue with the different branches of the powers within the SP is possible only through the amendment of the existing international treaties or the development of new instruments (i.e. optional protocols).”</p>
Treaty body follow-up visits	<p>China: “To gain an understanding of how the State party is implementing the treaty on the ground, committee members should be encouraged to visit States parties on the basis of agreements with those States parties”</p> <p>Chile: “Lo relativo a la implementación de las recomendaciones ha ocupado un gran espacio en las propuestas. En términos generales, la idea de Misiones de los OT a los países para entrarse con los distintos actores, podría contribuir a su conocimiento de la situación. Lo anterior, debe ser considerado en línea con el interés de los</p>

³³ “Equally, many of these proposals result illegal and unacceptable, since they involve, for example: ...The meddling in the activities of members of parliament, in the national review mechanisms and the application of the recommendations made by the referred organs and the nomination of candidates at a national level.”

procedimientos especiales – relatores varios – de realizar también tales visitas y sin caer en una proliferación de la mismas”³⁴

Russian Federation (2): “Current treaties do not foresee country visits by TBs. Mandating the TBs to conduct country visits is possible only through the amendment of the existing international treaties or the development of new instruments (i.e. optional protocols).”

Cuba: “De igual forma, muchas de estas propuestas resultan ilegales e inaceptables, toda vez que entrañan por ejemplo: La ampliación de las funciones y capacidades de monitoreo de los órganos de tratado, incluso al prever como casi obligatorio las visitas in situ, aunque un país no haya aceptado obligaciones al respecto”³⁵

Portugal: “Follow-up visits for closer monitoring...are faced with 2 major constraints – financial resources and the readiness of the SP to accept such visits...”

Ireland: “Follow up *in situ* visits....can enhance the effectiveness....”

Costa Rica: “Después del diálogo interactivo y de la emisión de las recomendaciones por parte del Comité, podría comisionarse a uno de los miembros, preferiblemente alguno que domine el idioma del país bajo examen, para que se desplace al país y se reúna con Altas Autoridades, sobre todo parlamentarios, para promover la implementación de las recomendaciones”³⁶

³⁴ “A large proportion of the proposals have been related to the implementation of the recommendations. In general terms, the idea of the visits of the TB:s to the countries is to meet the different actors, could contribute to their knowledge of the situation. The previous should be considered in line with the interest of the Special Procedures – various rapporteurs – to also visit the countries but without falling into the proliferation of such visits.”

³⁵ “Equally, many of these proposals result illegal and unacceptable, since they involve, for example: ...The extension of the functions and the monitoring capacities of the treaty bodies, including making the visits in situ almost mandatory, even when a State has not accepted any such obligation.”

³⁶ “After the interactive dialogue and the issuing of the Committees’ recommendations, it could be commissioned to one of the members, preferably one that masters the language of the State under consideration, to be able to visit the country and meet with senior officials, especially members of parliament, to promote the implementation of the recommendations.”

	<p>Suisse: “Le suivi des observations finales sont au cœur des activités également lors des visites in situ”³⁷</p> <p>Australia: «...does not support...treaty body follow-up visits. »</p> <p>Liechtenstein: “Follow-up visits (by specific members of the Treaty Bodies and on the invitation of interested States Parties) could provide an important avenue for Treaty Bodies’ continued dialogue with States Parties and the various other stakeholders.”</p> <p>Egypt: “Rejected Proposals:...”</p> <p>Islamic Republic of Iran: “Current treaties do not foresee country visits by TBs. Mandating the TBs to conduct country visits is possible only through the amendment of the existing international treaties or the development of new instruments (i.e. optional protocols).”</p>
Independence and expertise of treaty bodies’ members	
Proposal	Excerpts of the written submissions by States parties
Open and transparent national nomination and election procedures	<p>China: “The structure of the committees must scrupulously adhere to the provisions of the treaties, taking into consideration the principle of equitable geographical distribution as well as the representative nature of variations among cultures and major legal systems”</p> <p>Russian Federation (1): “...the modalities of putting forward candidatures of experts are solely with the authority of States parties”</p> <p>United Kingdom: “The effectiveness of each treaty body is dependent on its</p>

³⁷ “The follow-up to concluding observations is central to the activities, including during visits in situ.”

membership”; “The UK endorses the recommendation made at the Dublin II meeting regarding an open and transparent selection process”; “The UK believes that such an open and transparent national selection process should involve National Human Rights Institutions and civil society actors”

Cuba: “Hay una clara sobre-representación de los expertos provenientes de los países industrializados”; “Por lo tanto, se propone: El establecimiento de sistemas de cuotas por regiones geográficas u otros procedimientos, con carácter flexible, para elegir a los miembros de los órganos de tratado, a fin de asegurar el objetivo primordial de la distribución geográfica equitativa en la composición de dichos órganos de derechos humanos”; “Incluir la necesidad de lograr una distribución geográfica equitativa en el programa de todas las reuniones y conferencias de los estados partes de los instrumentos respectivos”³⁸

Portugal: “...need to reinforce the transparency of the process for selection of TB members...”

Belarus: “...a quota of members in each treaty body proportional to the number of States parties in the corresponding international human rights instrument should be reserved for each of the five regional groups. The current practice of submission of candidacies to the treaty bodies exclusively from States parties to the corresponding international human rights instruments should be maintained.”

Ireland: “...supports the selection of Treaty Body members through an open and transparent selection process...”

United States of America: “...would welcome additional voluntary transparent mechanisms for interested civil society organisations, national human rights institutions, and academic experts to be able to provide input and analysis on candidates.”

³⁸ “There is a clear over-representation of the experts from industrialized countries. Therefore, we propose: The establishment of the system of quota for geographical regions or other procedures, of a flexible type, to elect the members of the treaty bodies, in order to secure the overriding interest of an equal geographical distribution in the composition of the human rights organs; Including the necessity to achieve an even geographical distribution in the program of all meetings and conferences of the state parties of the respective instruments.”

	<p><u>Australia</u>: “The adoption of a standard resume template would assist this by clarifying the kind of expertise and experience that candidates should have.”</p> <p><u>Liechtenstein</u>: “considers it important that States Parties create open and transparent national election processes and broadly share information with national stakeholders on the overall process”; “also supports the idea of providing platforms for candidates standing for election”</p> <p><u>Finland</u>: “The credibility of the treaty bodies depends on the quality of their work. This quality, in turn, is influenced by motivated and competent members of the bodies. It is crucial that the members act independently, in their personal capacity. In addition to these criteria, an equal geographical and gender distribution must be underlined in proposing and selecting candidates. Furthermore, the need to ensure the representation of different legal systems must be taken into account in this context. Legally binding treaties naturally require legal expertise of the treaty bodies, but the participation of experts in other fields relevant to the scope of the treaties enriches the interpretation work of the treaty bodies...”</p> <p><u>Egypt</u>: “Proposals that Egypt considers positively:...”</p> <p><u>Spain</u>: “Por otra parte, consideramos igualmente necesaria la difusión, a escala nacional, de la posibilidad de presentar candidaturas a los diferentes órganos de los tratados, de modo que la sociedad civil esté plenamente informada y tenga la posibilidad de sugerir candidatos, enriqueciendo el abanico de opciones y por lo tanto facilitando una competitividad que redundará en la calidad de las candidaturas”³⁹</p> <p><u>Islamic Republic of Iran</u>: “The requirements towards the candidate for TB membership and the mechanisms for their nomination and election are established by the international treaties and are within the exclusive power of the SPs...”; “The introduction of any criteria and/or mechanisms (consultative committees) for the selection of the candidates of the SPs through the adoption of decisions,</p>
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³⁹ “On the other hand, we consider equally necessary the dissemination, at a national level, of the possibility to present candidates to the different treaty bodies, so that the civil society is sufficiently informed and have the possibility to propose candidates, enriching the spectrum of options and therefore facilitating a competitiveness that would raise the quality of the candidatures.”

	<p>recommendations or guiding principles by the TBs would exceed their respective mandates”; “The structure of the committees must carefully adhere to the provisions of the treaties, taking into consideration the principle of equitable geographical distribution as well as the representative nature of variations among cultures and major legal systems.”</p>
<p>Independence and eligibility of members of human rights treaty bodies in terms of independence and expertise</p>	<p>Norway: “supports the proposal of elaboration of guidelines on the eligibility and independence of experts”</p> <p>Chile: “El punto de la independencia de los expertos, creemos, es una cuestión substantiva pero central del proceso, que no conviene obviar aunque merezca más consideración intergubernamental. Se cita al efecto el modelo de elección de los jueces de la Corte Europea que parece un buen modelo. En el ámbito de los DD.HH, se debe privilegiar esencialmente el reconocimiento y trayectoria en la materia de que goce el candidato, so pena de desvirtuar completamente la finalidad de hacer avanzar la causa de los DD.HH. La afirmación de estos requisitos, fiel a los tratados que crearon estos OT, es el objetivo hacia el cual hay que marchar. La directiva que al respecto quieren elaborar los presidentes de los OT mediante un grupo de trabajo podría contribuir a dar más objetividad y transparencia a este proceso”⁴⁰</p> <p>Russian Federation (2): “The requirements towards the candidate for TB membership and the mechanisms for their nomination and election are established by the international treaties and are within the exclusive power of the SPs. Amending the existing procedures is possible only through the amendment of the existing international treaties or the development of new instruments (i.e. optional protocols). The introduction of any criteria and/or mechanisms (consultative committees) for the selection of the candidates of the SPs through the adoption of decisions, recommendations or guiding principles by the TBs would exceed their respective mandates.”</p>

⁴⁰ “The question of the independence of the experts, we believe, is a substantive one, but it is central to the process. It is not convenient to neglect it even if it deserves more intergovernmental consideration. To this effect, the model used by the European Court to appoint its judges seems to be a good example. In the field of human rights, it is essential to privilege the recognition and experience of the candidate, in order not to undermine completely the advancement of the cause of human rights. We have to strive towards the fulfilment of the affirmation of these requirements, faithful to the founding treaties of the TB’s. The guidelines that the chairpersons would like to prepare through a working group could contribute to provide more objectivity and transparency to the process”

	<p>Algeria: “Relevant provisions of the treaties are sufficiently clear in that regard and with regards to the criteria of independence, expertise,...”; “...the bureau of each TB should for example pay careful attention when designating rapporteurs for the consideration of a periodic report”</p> <p>Portugal: “...conflicts of interests for government officials...does not apply as a blanket assumption for all levels of government officials irrespective of their roles...”</p> <p>Georgia: “one of the corner stones...must be the adoption of a document providing guidelines on the eligibility and independence....”</p> <p>Ireland: “...supports the preparation of guidelines on eligibility and independence of experts...”</p> <p>Suisse: “les modalités d’élections actuelles prévues dans les traités sont adéquates et ne nécessitent pas de modifications”⁴¹</p> <p>Syrian Arab Republic: «There is a need to formulate clear job descriptions and standards for experts of Human Rights treaty bodies when examining country reports, to be applied in an unbiased, objective and non-politicized manner. These standards and job description have to be published for all to know”; “The establishment of an accountability system for experts”</p> <p>Liechtenstein: “...it is crucial to improve the process of nomination and selection of treaty body members in order to strengthen the independence, quality, efficiency and impact of the Treaty Body system”; “supports the recommendation made at the Poznan meeting that the chairpersons of the Treaty Bodies prepare and adopt guidelines on eligibility and independence of experts.”</p> <p>Republic of Korea: “...supports the proposals to ensure the expertise and independence of treaty body members through initiatives such as developing guidelines on the eligibility and independence of experts as well as preparing an</p>
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⁴¹ The current election modalities provided for in the treaties are adequate and do not require change."

information note on the work of treaty bodies by the OHCHR.”

Finland: “regards as positive the decision of the chairpersons of the treaty bodies to prepare a guidance document on eligibility and independence of the members, and wishes visibility for the document”

Egypt: “Rejected Proposals: Establishment of a working group to prepare guidelines on eligibility and independence: It has to be noted that treaties provide for the criteria of nomination and election.”

Spain: “...estamos de acuerdo con diferentes propuestas realizadas a lo largo de este proceso como la posibilidad de elaboración de líneas directrices o buenas prácticas sobre la elegibilidad y la independencia de los expertos”; “Estas líneas directrices pueden basarse en el seguimiento orientativo de listas de control que deben considerar los Estados a la hora tanto de proponer a candidatos como en el momento de su elección”; “Así, las listas de control deberían contener parámetros sencillos para verificar las cualificaciones de las personas propuestas, sus publicaciones y la calidad de las mismas; la capacidad de comunicación y exposición oral de cada candidato; una serie de conocimientos específicos sobre la materia en la que vaya a trabajar, que puede estar basada en una experiencia demostrada mínima de 10 años en el ámbito de los derechos humanos y conocimiento del sistema internacional de Naciones Unidas; igualmente, debería poder verificarse la reconocida competencia de los candidatos y experiencias similares de análisis de situaciones de derechos humanos que fuese a desarrollar en el comité. Será importante, igualmente, verificar la disponibilidad de tiempo del candidato para poder cumplir sus funciones correctamente.”⁴²

⁴² “...we agree with different proposals made throughout this process, including the possibility to elaborate on guidelines or best practices regarding the eligibility and independence of the experts”; “These guidelines could be based on monitoring checklists for guidance to be considered by the States when proposing candidates as well as at the time of election”; “So, the checklists could contain simple parameters to verify the qualifications of the proposed persons, their publications and the quality of such publications; the capacity of communication and eloquence of each candidate; specific knowledge in the field in which they would work, that could be based on proven experience of at least 10 years in the field of human rights and his/her knowledge of the international UN system; equally, one should be able to verify the acknowledged

	<p>Denmark: “It is crucial that members of treaty bodies have proven expertise in the area covered by the treaty at hand. In this regard, many of the treaties refer to the need for “recognised competence” in the relevant field. Putting forward unqualified Treaty Body members for election serves to undermine the quality of the outcome of the Treaty Bodies and weakens the quality of the dialogue with State Parties”; “...Treaty body members must also be able to allocate sufficient time to fulfil their responsibilities as Treaty Body members in an adequate way. It is therefore important that State Parties inform potential candidates of the time and commitment required on their part.”</p>
<p>Other proposals regarding membership</p>	<p>United Kingdom: «...individuals holding positions in the Executive Branch of Government are ineligible”</p> <p>India: “On the issue of Treaty Body member selection, in order to reinforce the objective and impartial nature of a Treaty Body, there should be a limit on the number of tenures of an expert for a particular Treaty Body”</p> <p>Suisse: «...de présenter d’anciens hauts fonctionnaires d’un Etat partie comme candidats à l’élection des membres des organes de traités n’est pas une bonne pratique et devrait être découragée. »⁴³</p> <p>Syrian Arab Republic: “Capacity-building for committee experts (provide committees with advisors), with the possibility of increasing the number of experts to make them commensurate with the number of states parties to the concerned convention”; “Limiting the terms of the experts to two consecutive mandates at the most.”</p> <p>United States of America: “...candidates should be independent and should therefore not be employed or directly affiliated with any government at the time of their candidacy or while serving on a treaty body...”</p> <p>Australia: “...also supportive of the recommendation that Committee members serve</p>

competence of the candidates and similar experiences of analysing human rights situations that might be required and developed within the committee. It will be equally important to verify the availability of the candidate to fulfil his/her tasks appropriately.”

⁴³ “...to present former high-level officials of a State Party as candidates for the election of members of treaty bodies is not a good practice and should be discouraged...”

	<p>a maximum of two terms and agrees that persons currently serving as government officials or diplomats should not be eligible for nomination.”</p> <p>Benelux: “...agree with the High Commissioner that the treaty bodies’ independence guarantees an objective and non-selective approach to all human rights and that its legal nature keeps it removed from risks of politicisation. Independence and expertise of Treaty Body experts are crucial, and should be ensured. The requirement of independence would, in our view, imply that individuals holding positions in the Executive Branch of Government are ineligible.”</p> <p>Republic of Korea: “...agrees that government officials who are currently serving in their government roles should not be nominated as candidates for treaty body membership...a limitation of membership terms should also be put into practice. The work records of members, including the attendance rate, should be available publicly or upon request by States.”</p> <p>Denmark: “It is also of key importance that members of Treaty Bodies are independent from Government. Having serving government officials on Treaty Bodies undermines the independence of the Treaty Bodies and may put into question the objectivity as well as the credibility of the Treaty Body system. It is the responsibility of State Parties to elect qualified and independent experts to the Treaty Bodies.”</p> <p>Thailand: “...States Parties should prepare their candidates by ensuring that they are fully informed of what is required of them as members of Treaty Bodies and the workload to be expected....members of Treaty Bodies should serve a maximum of two consecutive terms and diplomats and Government officials should not be eligible for nomination as members of the Treaty Bodies.”</p>
Individual communications	
Proposal	Excerpts of the written submissions by States parties
Improvement and visibility of	Russian Federation (2): “In relation to individual communications, the current

individual complaints mechanisms	<p>international treaties foresee only the involvement of the TBs, the SPs and the complainants themselves. Therefore the issue of the involvement of NHRI or NGOs in individual communications' procedures should be discussed only after the creation of appropriate legal basis – i.e. after amending the international treaties" ...; "Taking into consideration the nature of the TBs' work, decisions adopted by them do not have binding legal force and only have a recommendatory nature. Publishing or any other type of making available to the public the materials of the communication, its review process and its results would only be possible with the agreement of both the SP and the complainant..."; ".....International treaties foresee that the SP should inform the TB within a certain time period (usually 6 months) of the steps taken to implement a TB's decision. In that regard the proposal to review decisions on individual communications in the framework of the defence of the SP's periodic reports goes against the practice established by the international treaties. It could be considered introducing a time limit for the review of individual communications by TBs, not more than 2-3 years."</p> <p>Australia: "...focus on practical steps that would make individual communications more efficient and sustainable...contribute to reducing lengthy delays faced by complainants...Committees deciding on admissibility submissions provided by State parties before merits arguments are required and considered...clearer scheduling of timeframes for consideration by Committees and setting appropriate limits on the number of times complainants and States parties can make additional submissions and arguments."</p> <p>Benelux: "Further avenues for closer institutional cooperation between Treaty Bodies should be explored, amongst others the establishment of one common Working Group composed of representatives of Treaty Bodies for the consideration of individual communications."</p> <p>Republic of Korea: "Measures to increase visibility and accessibility of individual communications procedures should be considered and taken. Information on the individual communications procedures, the status of registered communications and the Views/Opinions should also be made available."</p> <p>Finland: "considers individual communications as an important contribution to the monitoring of the implementation of human rights and as a useful tool for improving human rights at national level. However, the processing of individual communications</p>
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	<p>should be developed further in respect of processing delays and reasoning for the decisions”; “...The treaty bodies should prioritize urgent cases and process them in an accelerated procedure”; “During the processing of the communications, the State party concerned should be given an opportunity to comment on the substance of the complainant's response to the Government's observations during the so-called second round”; “The reasoning for the decisions of the treaty bodies is sometimes too general or imprecise. More detailed reasoning would facilitate the State party's consideration of implementation measures required by the decision, and also thereby promote consistent interpretation”</p> <p>Islamic Republic of Iran: “The individual communications’ procedures are established by the respective international treaties. The review of individual communications is confidential and is conducted in closed hearings. Taking into consideration the nature of the TBs’ work, decisions adopted by them does not have binding legal force and only have a recommendatory nature. Publishing or any other type of making available to the public the materials of the communication, its review process and its results would only be possible with the agreement of both the SP and the complainant”; “In relation to individual communications, the current international treaties predict only the contribution of the TBs, the SPs and the complainants themselves. Therefore the issue of the contribution of NHRI or NGOs in individual communications’ procedures should be discussed only after the establishment of appropriate legal basis (after amending the international treaties)”</p>
National, regional and international jurisprudence	<p>Algérie: « Cette interaction doit se faire dans le respect des mandats respectifs de chaque mécanisme. Les organes des traités ont certes accès aux rapports élaborés par ces mécanismes....mais ne sont pas compétents pour en assurer le suivi »⁴⁴</p> <p>Portugal: “The call for TB to take on board national and regional jurisprudence in developing views and GC is well taken...”</p> <p>Finland: “More logical references to the case-law of regional human rights courts should also be considered”</p>

⁴⁴ "This interaction must occur in compliance with the respective mandates of each mechanism. The treaty bodies have indeed access to reports prepared by these mechanisms....but do not have the competency to undertake follow-up to these reports."

<p>Various recommendations by the expert meeting on petitions</p>	<p>Portugal: "...strengthening the current mechanisms on follow-up to individual communications merit more consideration and best practice information...would be very useful"</p>
<p>Mutual cross-referencing/Treaty Body Jurisprudence Database</p>	<p>Chile: "En lo relativo a las comunicaciones individuales, parece indispensable que el sistema cuente y provea una base de datos de las mismas"⁴⁵</p> <p>Russian Federation (2): "When creating an electronic database for individual communications one should be guided by the confidential character of the information. In order to store and process such sensitive information the agreement both of the complainant and the SP should be obtained in the context of the relevant national legislation. The issue of the creation of an electronic database on individual communications and the access to such database merits further study with the view of its resource implications. In light of the above the question of TBs' exchange of information on individual communications merits further study in order to ensure the best protection of the personal data and the compliance with relevant national legislation."</p> <p>Portugal: "...cross-referencing of COBs and findings also needs to be strengthened"</p> <p>Finland: "To the extent possible, the reasoning should also contain cross-references to corresponding case-law of other treaty bodies"; "A user-friendly legal database of decisions and case-law should be introduced in order to permit searches for both up-to-date and historical information by different search criteria."</p> <p>Spain: "Con respecto a las comunicaciones individuales, resulta imprescindible, para facilitar el cumplimiento y respeto de las resoluciones de los Comités, disponer de una base de datos de su jurisprudencia."⁴⁶</p>

⁴⁵ "Regarding the individual communications, it seems indispensable that the system records and provides a database of them."

⁴⁶ "Regarding the individual communications, it is essential to provide a database of their jurisprudence in order to facilitate the fulfilment of and respect for the decisions of the committees."

Recommendations calling for structural change	<p>Algérie: "...le processus d'élaboration ou de révision des règlements intérieurs ou méthodes de travail applicables aux plaintes individuelles devrait néanmoins bénéficier de consultations régulières avec les Etats parties. Les règles applicables par exemple à l'examen séparé et préalable de la recevabilité de celui du fond de ces plaintes ou à la motivation des décisions prises dans ce cadre..."⁴⁷</p> <p>Portugal: « There is a lot of space to work on the mutually reinforcing links between policy formulation and views on violations... »</p> <p>Belarus: "The treaty bodies should consider only thematic issues related to compliance of the State party's legislation and enforcement practices with the provisions of the corresponding international human rights instrument"; "individual cases must not be considered in the periodic reporting by States on their implementation of the international human rights instruments."</p>
Resourcing the treaty body system	
Proposal	Excerpts of the written submissions by States parties
Strengthened Secretariat	Norway: "supports that OHCHR enhance and further consolidate the secretariat support to the treaty bodies"
Adequate resources	<p>Pakistan: "would be willing to extend its full support and cooperation to any efforts to provide treaty bodies the resources and meeting time they need to do their work efficiently and effectively"</p> <p>Norway: "With or without increased budget resources, we should look at how we can</p>

⁴⁷ "...The process of developing or revising rules of procedure and working methods applicable to individual complaints should nevertheless have the benefit of regular consultation with the States Parties. The rules applicable to such separate examination of the admissibility prior to the examination of the merits of these complaints or to the motivation of the decisions taken in this context..."

maximise the use of existing resources to match a steady increase of the work of the treaty bodies and related work. Suggested measures include: treaty bodies work in parallel chambers; strictly limit document length; except for initial reports, periodic reports should only be a focused half day discussion; reduce the number of working languages; eliminating paper distribution of documents; issuing of papers only in English; explore the possibility of video conference as replacement of face-to-face interactions”

United Kingdom: “welcomes the fact that some treaty bodies have been proactive in seeking to maximise the most efficient use of resources in order to address their workloads and endorses the recommendation made at the Dublin II meeting that the ‘OHCHR and the treaty bodies themselves should consider how to make better use of existing resources.’ In this context the UK believes that the treaty body system should be a priority for the OHCHR when allocating resources...”; “...The United Kingdom believes that the task of allocating meeting time according to need, on an equitable basis should fall to the High Commissioner for Human Rights.”

Russian Federation (2): “The issue is important and it merits thorough and comprehensive discussion among the SPs, taking into consideration the preliminary expert study by OHCHR of the possible measures and steps in that regard.”

Cuba: “se propone: Limitar todo lo posible las reuniones que involucran a los diferentes comités y a sus miembros y presidentes, en particular cuando se pretenda discutir cuestiones que van más allá de la coordinación y que están fuera de los mandatos intergubernamentales generados por los tratados, las conferencias de los Estados Parte o resoluciones de los órganos especializados de la ONU en derechos humanos”; “Desalentar todas las medidas y acciones fuera de las orientaciones intergubernamentales correspondientes y el mandato específico de los respectivos órganos de tratado, que generen un incremento de los costos de funcionamiento de estos órganos.”⁴⁸

⁴⁸ “we propose: to limit every possible meeting that involves the different committees and their members and chairpersons, especially when the intended discussion are issues that go beyond coordination and that are outside of the intergovernmental mandate of the treaties, the conferences of the State parties or resolutions of the special

Algérie: “Le financement des activités des organes de traités et des services de secrétariat qui leur sont fournis...ne peut se faire par le biais de contributions volontaires. Il doit exclusivement résulter du budget régulier des Nations unies «⁴⁹ ; « it is important to make sure that available resources are used for the performance of mandated activities of TB »

Portugal: “One recurrent issue is that of translation of national reports...”; “SP need to be reminded of their responsibilities in funding the OHCHR.”

Belarus: “Additional time for meetings and the funding of the activities of the treaty bodies should be decided on an individual basis.”

India: “The central issue is the inability of the Treaty Body System to deal with the workload, which is linked to the two key factors of resources both financial and manpower. It is, therefore, crucial that the issue of financial resources for the Treaty Body System, address maximizing existing resources through appropriately enhanced financial support solely through the regular UN budget. In this context, a separate session in Geneva exclusively on resourcing of Treaty Bodies would be salient. The background notes for such a session, needs to be circulated well in advance.”

Canada: « Proposals that require a significant amount of additional funds, such as requests for additional meeting time, additional treaty body visits, and establishing new mechanisms are not feasible given the current fiscal realities »

Ireland: “...adequate resourcing ...should be a priority for OHCHR and the wider UN system...has to be addressed in a global manner.”

organs on human rights of the UN”; Discourage every measure and action outside the relevant intergovernmental guidelines and the specific mandate of the respective Treaty Bodies, which generate an increase of the functioning costs of these Bodies.”

⁴⁹ “Financing the activities of the treaty bodies and the secretariat services provided to them ... cannot be done through voluntary contributions. It should be drawn only from the regular budget of the United Nations.”

Suisse: propose « Effectuer une analyse détaillée des besoins de chaque organe de traité et de son retard dans l'examen de rapports périodiques»⁵⁰

United States of America: «Recognising the profound budgetary implications...welcome proposals that encourage and allow for the treaty bodies to increase the percentage of time spent working on responding to States Parties' reports and individual communications, and reduce the amount of time spent on other activities.»

Australia: "...priority should be given to those ideas and proposals to strengthen the treaty body system that result in resource savings or are cost-neutral."

Liechtenstein: "Resourcing the Treaty Body System in an adequate manner to allow for the timely consideration of States' reports is indispensable and a core responsibility of the General Assembly under its human rights agenda. A detailed and comprehensive cost analysis of the Treaty Body System should provide the basis for the adequate provision of resources. Questions of financing should be addressed in a comprehensive manner. In particular, it has to be taken into account that documentation represents the most substantial cost driver, pointing to the limited saving capacities in other areas. Innovative measures to strengthen the efficiency of treaty bodies leading to a significant reduction of documentation and paperwork (including the above-mentioned) should therefore be considered as a matter of priority."

Republic of Korea: "Page limitations of States' reports and Concluding Observations, efficient time management, adoption of videoconferencing, and cessation of distribution of printed copies of documents could be points of priority among the range of cost-saving options."

Finland: "The treaty bodies, too, are responsible for working cost-efficiently. They must prioritize and deprioritize their tasks and look for more efficient practices. Active efforts are needed for finding new ways to save costs, and practices must be re-examined for their improvement"; "Some of the measures to improve the efficiency of

⁵⁰ Suggests "To undertake a detailed analysis of the needs of each treaty body and of its delay in the consideration of periodic reports."

the treaty body system, also those proposed by Finland, require additional resources (e.g. webcasting)”; “The principle in funding the treaty body system must be that the funds come from the regular budget of the UN. The repeated *ad hoc* proposals of the treaty bodies for extra sessions in recent years cannot solve the problem sustainably. Discussions on resources must be conducted within the competent body, i.e. Committee V of the General Assembly”; “...invites the OHCHR to consider the prioritization of the treaty bodies in the allocation of its resources”

Egypt: “Resourcing the Treaty Body System should come from the regular budget. This has to be complemented with a process of rationalization and therefore, any proposals suggested during the review of the working methods of the treaty body system should be evaluated in terms of their cost-effectiveness as part of the evaluation of feasibility of implementation.”

Spain: “Por otra parte, España cree que la OACNUDH puede jugar un papel importante en la distribución del tiempo de trabajo necesario de cada comité en función de sus necesidades y cargas.”⁵¹

Denmark: “acknowledges the growing structural problems of the Treaty Body system related to the expansion of the Treaty Body system itself and the lack of sufficient resources. Denmark therefore believes that every effort should be made to make the work of the Treaty Bodies more cost-effective, whilst not compromising the quality and impact of the work of the Treaty Bodies”; “Adequate resourcing of the Treaty Body system should be a top priority for the UN system as a whole...However, the budget allocations to the promotion and protection of human right are highly disproportional to the other main priorities of the UN. Adequate resourcing should be funded through the regular budget”; “Adequate resourcing contributes to furthering the predictability of the work of the OHCHR, not least if the OHCHR upholds the authority and flexibility required for allocating the resources. On that basis, the OHCHR can consider the requirements for meeting time of the various Treaty Bodies in accordance with their respective individual needs – including the number of

⁵¹ “On the other hand, Spain believes that OHCHR could play an important role in the distribution of the necessary meeting time for each committee according to their needs and workloads.”

	<p>outstanding reports and individual communications.”</p> <p>Islamic Republic of Iran: “It is essential that the issue of financial resources for the Treaty Body System, address maximizing existing resources through improving the efficiencies in the existing budget and through appropriately enhanced financial support solely through the regular UN budget. In this context, a separate session in Geneva exclusively on resourcing of Treaty Bodies would be relevant. The background notes for such a session, needs to be circulated well in advance”</p> <p>Indonesia: “Taking into account the current financial crisis, any initiative to increase budget and other resources of the treaty bodies are unfeasible. Therefore, improving the efficiency and effectiveness of the current system is the only reasonable option”</p> <p>Thailand: “...work of the Treaty Bodies...should be primarily funded from the regular budget...”</p>
Other issues	
Proposal	Excerpts of the written submissions by States parties
Enhanced role of treaty body chairpersons on working methods and procedural matters	<p>Norway: “supports the suggestion of providing the treaty body chairperson with decision making powers to procedural issues”</p> <p>Cuba: “De igual forma, muchas de estas propuestas resultan ilegales e inaceptables, toda vez que entrañan por ejemplo: ...El otorgamiento a los presidentes de los órganos de tratados y a las reuniones intercomités de potestades y autoridades que no tienen. No cuentan con mandato intergubernamental alguno para asumir funciones más allá de coordinación”⁵²</p>

⁵² “Equally, many of these proposals result illegal and unacceptable, since they involve for example: ...The granting of powers and authority, to the chair-persons of the TB:s and the inter-committee meetings, that they do not have. They cannot assume functions beyond the intergovernmental mandate of coordination.”

	<p>Algérie: « Les méthodes de travail et les règlements intérieurs adoptés par les organes de traités ou leurs protocoles facultatifs doivent s’inscrire en cohérence avec les dispositions des traités concernés et ne pas aboutir à leur contradiction » ; « L’harmonisation des méthodes de travail des organes de traités doit se faire pour autant que la spécificité de chaque traité le permet »⁵³</p> <p>Portugal: « ...difficulty underlying all these efforts is the lack of decision making capacity... »</p> <p>Liechtenstein: “welcomes proposals to strengthening the Meeting of the Chairpersons while acknowledging that Treaty Bodies have the competence to decide upon the mandate of their chairpersons.”</p>
General comments	<p>United Kingdom: “...suggests that the Office of the High Commissioner for Human Rights should look into innovative ways to ensure that treaty body members are able to discuss issues, such as the elaboration of General Comments outside of formal sessions by making good use of available technology (e.g. IT discussions boards, VTCs)”</p> <p>Russian Federation (2): “The preparation of General Comments should be done by TBs in close coordination with SPs with the aim of taking into consideration in the best possible way the social, economic, political, religious, cultural particularities of the SP.”</p> <p>Finland: “considers the general comments adopted by the treaty bodies as a useful additional tool for developing the implementation of human rights treaties. General comments provide new perspectives on the implementation, for responding to challenges of today”; “encourages the treaty bodies to prepare jointly thematic general comments and to harmonize their style and structure”</p>

⁵³ “The working methods and rules of procedure adopted by treaty bodies or their optional protocols must be in line with the provisions of respective treaties and not result in contradicting these treaties,” “The harmonization of working methods of the treaty bodies has to be done to the extent that the specificity of each treaty permits it.”

Academic research focus groups	Portugal: “the suggestion for academic focus research groups is very valid.”
Additional proposals by States parties not covered above	
Proposal	Excerpts of the written submissions by States parties
Harmonization of working methods	<p>United Kingdom: “supports efforts taken in recent years to harmonise working methods among treaty bodies. The UK considers that this contributes to a more effective system by improving the ability of states, NGOs, NHRIs and other actors to understand and access the system. The UK supports further steps towards harmonisation of working methods”</p> <p>Chile: “La cuestión de armonizar y estandarizar, en la medida de lo posible, los procedimientos y métodos de trabajo de los distintos comités en sus relaciones y/o comunicaciones con los Estados, ONG, institutos nacionales y otros actores y entre ellos, parece ser una aspiración generalizada, en orden a dar claridad y transparencia al sistema, sin atentar, por cierto, a la especificidad que pueda corresponder a cada órgano según su propio tratado y la situación o los derechos humanos por él resguardado”⁵⁴</p> <p>India: “On the issue of coherence in working methods, it is important that these methods be harmonized. Furthermore, the strengthening of the Treaty Body System requires to take care in avoiding overlap of mandates of the Treaty Bodies concerned, with the mandates of other related institutions such as OHCHR, UPR etc.”</p> <p>Canada: “harmonise reporting and constructive dialogue procedures among the treaty</p>

⁵⁴ “The issue of harmonization and standardization, insofar as possible, of the procedures and the working methods of the different committees in their relation and/or communications with the States, NGO:s, national institutions and other actors and between themselves, seems to be a general aspiration, in order to give clarity and transparency to the system, without damaging, of course, the specificity corresponding to every Body following its own treaty and the situation or the human rights it is protecting.”

	<p>bodies, to the extent possible”; “Efforts to streamline and standardise procedures...and to reduce duplication and redundancies should be fast-tracked.”</p> <p>Georgia: “enhanced coordination of working methods and modalities involving both member state reporting and individual communications....would greatly contribute to the efficiency and effectiveness of the system.”</p> <p>Syrian Arab Republic: “Not to adopt recommendations from other committees in order to prevent conflicts in the tasks and to limit the overlap in mandates”</p> <p>Liechtenstein: “continues to support additional harmonization and coordination of the working methods and procedures of the Treaty Bodies to the extent possible, while taking into account their specific characters. Such measures should be aimed at enhancing the efficiency, effectiveness and visibility of the Treaty Body system as a whole, reducing the workload of States Parties and improving the access of States, NGOs and other stakeholders to the system.”</p> <p>Finland: “encourages the treaty bodies to reform their practices internally, independently and impartially. Although the efforts to harmonize different practices have already produced good results, e.g. the harmonized guidelines on reporting, there are still room for developing and harmonizing some practices. Harmonized working methods would further strengthen the treaty body system and facilitate the cooperation between the States parties and the treaty bodies. However, the working methods must remain sufficiently flexible in order that individual treaty bodies may develop and assess new practices and share their experience of them with the other treaty bodies.”</p>
<p>A reporting cycle focused on key issues</p>	<p>Suisse: “souhaitable que chaque cycle de rapports se concentre sur les thèmes prioritaires correspondants (grandes priorités stratégiques) et se base de façon plus systématique sur les résultats du cycle précédent (préoccupations et recommandations précédentes) qui pourraient servir de point de départ du nouveau cycle. »; « La Suisse considère la transmission de « lists of issues » assez tôt avant la</p>

	<p>considération du rapport périodique de l'Etat partie concerné très important et suggère de limiter ces « lists of issues » à un certain nombre de sujets. »⁵⁵</p> <p>Benelux: "While respecting the universality, indivisibility and equal significance of all human rights, the Treaty Bodies should concentrate in their constructive dialogue with States Parties, merely on three or four issues per reporting cycle. This focus would be instrumental to improving the quality and detail of input by States. It would also allow for a more in-depth analysis of the report by Treaty Bodies. This could in turn result in more specific recommendations, facilitating their implementation at the State level and their usability in other contexts, such as the Universal Periodic Review. More focused reporting would also help alleviate the problem of limited capacity, time and resources on the part of Treaty Bodies, the Secretariat of the OHCHR and States Parties."</p>
Conferences of the States parties	<p>China: "It is proposed that a general debate item be added to the agendas of conferences of States parties, enabling the States parties to express their opinions and comments on the work of the committees"</p> <p>Suisse: « l'ajout d'un point de discussion à l'agenda de la Conférence des Etats parties pour discuter du travail effectué par les organes de traités n'est pas acceptable »⁵⁶</p>
Informal meetings of treaty bodies with States parties	<p>Algérie: "Ces réunions constituent une excellente opportunité d'interaction....Il serait toutefois utile que les Etats parties puissent introduire des points qu'ils souhaitent aborder dans l'ordre du jour des réunions avec les organes de traités. Un point</p>

⁵⁵ "...desirable for each reporting cycle to focus on the corresponding priority topics (main strategic priorities) and to be based more systematically on the results of the previous cycle (previous concerns and recommendations) that could serve as a starting point for the new cycle. "" Switzerland considers it very important to transmit the "lists of issues" sufficiently in advance of the consideration of the periodic report of the State Party concerned and suggests to limit these "lists of issues" to a number of topics."

⁵⁶ "Adding a discussion item on the agenda of the Conference of States Parties to discuss the work undertaken by the treaty bodies is not acceptable."

	permanent pour aborder ces questions devrait en outre être inclus dans l'ordre du jour...en plus des points relatifs à l'élection des membre des comités » ⁵⁷
UN languages	<p>Norway: "...reduce the number of working languages"; "issuing of papers only in English"</p> <p>Belarus: "Interaction between the treaty bodies and States must take place in all six official United Nations languages..."</p> <p>Liechtenstein: "In addition, Treaty Bodies could be encouraged to consult and agree on their own standard working languages in addition to the language in which reports are submitted."</p> <p>Finland: "Interpretation and translations of documents into the working languages of the treaty bodies amount to a substantial item of expenditure. The bodies should consider the possibility of limiting their working languages into one language or the two languages used by the UN in Geneva (English and French)"</p> <p>Thailand: "...encourages the adoption of the English language as the standard language for all documentation...encouraged to discuss and adopt working languages, which would include English and one other UN official language."</p>
Participation of NGOs in the work of the treaty bodies	<p>China: "Participation by NGOs must adhere to the general rules of the United Nations system as set forth in United Nations Economic and Social Council resolution 1996/31, entitled "Consultative relationship between the United Nations and non-governmental organizations". Every treaty body must also maintain an objective and impartial position and rigorously screen information submitted by NGOs. Information from NGOs is only provided for reference during the committee's deliberations; unless the country under review has given its consent, such information should not be made public on committee websites or distributed by committees to the public in some other form"</p>

⁵⁷ "These meetings are an excellent opportunity for interaction It would anyway be useful if the State parties could introduce points they wish to address in the agenda of the meetings with the treaty bodies. A standing item to address these issues should also be included in the agenda ... in addition to items relating to the election of committee members."

Cuba: “se propone: ...Basar los análisis de los países esencialmente en la información aportada en sus informes nacionales y la información complementaria que den estos Estados en adición a los referidos informes. Cualquier otra información a utilizar (en correspondencia con las pautas del tratado de que se trate) requeriría que el Estado examinado ofreciera su perspectiva y acotar esta información a las áreas específicas del mandato del tratado en cuestión”; “Los comités que prevén la utilización de listas de cuestiones antes de la presentación de informes, estipularán que estos listados sólo incluyan aspectos concretos de los informes nacionales en los que se requiera alguna aclaración y actualización, y no abordarán cuestiones que están fuera de los mandatos específicos de esos órganos. Otras informaciones tendrían que ser excluidas, toda vez que desviarían la atención de las delegaciones de los temas reales a atender de acuerdo con las obligaciones contraídas, y contribuirían así a posibles manipulaciones y politizaciones de estos ejercicios”⁵⁸

Algérie: “...il est important de respecter les règles minimales régissant les relations de ces ONG avec d’autres mécanismes onusiens des droits de l’homme, notamment celles découlant de la résolution 1996/31 de l’ECOSOC”⁵⁹

Syrian Arab Republic: “The current practice followed regarding the participation of non-governmental organizations during the discussion of country reports should remain unchanged – NGOs should only be allowed to be present and file their respective written shadow reports. NGOs who do not have consultative status with ECOSOC should not be present in the proceedings of the discussions of country

⁵⁸ “We propose: Base the country analyses exclusively on the information provided in the national reports and the complementary information given by these states in addition to the referred reports. To use any other information (in conformity with the guidelines of the relevant treaty) should require that the State under examination would offer its perspective and narrows this information to the specific areas of the mandate of the treaty in question; The committees that anticipate the use of lists of issues before the presentation of the report, stipulate that these lists only include specific aspects of the national reports where clarifications and updates are required, and not address issues outside of the specific mandate of those bodies. Other information would have to be excluded, since it would divert the attention of the delegations from the real topics at hand in accordance with its obligations, and thus contribute to possible manipulations and politicizations of these exercises.”

⁵⁹ “... It is important to respect the basic rules governing the relations of these NGOs with other United Nations human rights mechanisms, in particular those resulting from resolution 1996/31 of ECOSOC.”

	<p>reports, not should they be allowed to present shadow reports”; “Establish quality standards for shadow reports without relying on them in their totality”</p> <p>Islamic Republic of Iran: “Participation by and acceptance and use of information from non-governmental organizations (NGOs) must stick to the general rules of the United Nations system as set forth in United Nations Economic and Social resolution 1996/31...”; “Every treaty body must also maintain an objective and impartial position and meticulously monitor information submitted by NGOs. Information from NGOs is only provided for reference during the committee’s deliberations; unless the country under review has given its consent, such information should not be made public on committee websites or distributed by committees to the public in some other form”</p>
“Code of conduct” for treaty body members	<p>China: “The States parties should negotiate and conclude a code of conduct for committee members, referring to the practice in other United Nations bodies, to prevent abuse and misconduct”</p> <p>Cuba: “se propone: Evaluar el establecimiento de pautas intergubernamentales generales que para conformar un Código de Conducta aplicable a los miembros de estos comités para enfrentar las posibles actitudes politizadas que pueda asumir algún miembro de órganos de este tipo”⁶⁰</p> <p>Suisse: « L’établissement d’un code de conduite pour les membres des organes de traités n’est pas acceptable »⁶¹</p> <p>Islamic Republic of Iran: “The States parties should negotiate and conclude a code of conduct for committee members, referring to the practice in other United Nations bodies, to prevent abuse of authority and misconduct”</p>
Reprisals	United Kingdom: “condemns any reprisals carried out against individuals for engaging

⁶⁰ “We propose: to assess the establishment of intergovernmental general guidelines in order to shape a Code of Conduct applicable to the members of the committees to face the possible politicized attitudes that any member of a body of this type could take.”

⁶¹ “The establishment of a code of conduct for members of treaty bodies is not acceptable.”

	<p>with the UN human rights system, including the treaty bodies. The UK supports the wording in the Dublin II outcome document on the issue of reprisals”; “further proposes that treaty bodies should take all necessary steps to minimise the risk of reprisals for those engaging with the treaty body reporting system, including, when necessary, by facilitating the submission of information from NGOs and human rights defenders without disclosing their identity”</p> <p>Ireland: “emphatically supports the statement in the Dublin II Outcome Document with regard to reprisals.”</p> <p>Finland: “In the context of the treaty bodies, intimidation, threats and reprisals against human rights defenders, victims and witnesses must be taken up. Finland supports the proposal made in <i>the Pretoria statement...</i>to designate in each treaty body a focal point responsible for conveying information about such alleged acts”</p>
Appointment of treaty body regional focal points	<p>Costa Rica: “Dentro del seguimiento de las observaciones y recomendaciones también es conveniente que exista un contacto más directo entre el comité y los países. En este orden de ideas, se podría nombrar relatores regionales dentro del comité, puntos de contacto o enlace en los países y visitas regionales por parte del Comité”⁶²</p>
Voluntary trust fund for small island developing states	<p>Maldives: “...proposes that a mechanism be established...to support small island developing states (SIDS) to travel to and stay in Geneva to participate in the treaty review.”</p>
Lists of issues	<p>Finland: “In traditional periodic reporting, long lists of issues are sent to the States parties with a relatively short notice. The bodies often request supplementary information in the form of statistics. In practice, replying to the lists of issues amounts to a new report and unreasonably increases the workload of both the UN system and the States parties. Finland proposes that the lists of issues be abandoned even in cases where a review of the report is considerably delayed. Instead, the treaty bodies should update the information during the dialogue, when necessary”</p>

⁶² “Within the follow-up of the observations and recommendations it is also convenient if a more direct contact existed between the committees and the States. In this vein, regional spokes-persons within the committee could be nominated and focal points or links within the States and regional visits by the committee.”

<p>Focused and rationalised reporting</p>	<p>Denmark: “supports the view that more focused and rationalised reporting would help alleviate the problem of limited capacity, time and resources on the part of Treaty Bodies, the Secretariat and State Parties”; “Extended periodicity of State Parties’ obligation to report to the Treaty Bodies is also a time and hence cost saving measure that Denmark would support in view of strengthening the work of the Treaty Bodies. In this connection it is worth to note that as much as 2/3 of the costs involved in sustaining the TB system cover conferences services. Maintaining focused and rationalised reporting by State Parties would help to address some of the high costs related to the translation of documents.</p>
<p>Capacity-building for the preparation of reports</p>	<p>Spain: “...considera que los seminarios de buenas prácticas sobre la preparación y defensa de informes organizados por la OACNUDH, pueden seguir siendo una muy buena medida para favorecer la implicación de la administración de cada Estado en la preparación y defensa de los informes. Se conseguirá, de este modo, que los informes sean de mayor calidad, que la delegación que los defienda esté bien preparada, la sociedad civil más implicada y las medidas de control y la aplicación, en definitiva, de las obligaciones de cada Estado en materia de derechos humanos, internamente, sean mejores.”⁶³</p>

⁶³ “considers that the seminars on best practices regarding the preparation and presentation of reports organized by OHCHR, could continue to be a very good way to stimulate the participation of the State administration in the preparation and presentation of reports. In this way, the quality of reports would be improved, the responding delegations would be well prepared, the civil society more involved and the monitoring measures and the implementation of every State’s human rights obligations would improve.”

General observations on the treaty body strengthening process

Russian Federation (1): “The process of strengthening or reforming treaty bodies should primarily be subject to an interstate discussion within the appropriate format”; “some of our acute concerns are not always properly reflected in the non-exhaustive list of proposals”; “The current situation is also a direct consequence of treaty bodies assuming responsibilities not envisaged in the relevant international treaties”

China: “recommends establishing an open-ended intergovernmental working group to discuss this topic in depth and strive for a broad consensus”

Pakistan: “is of the view that the utility and effectiveness of the process will remain in doubt unless there is greater clarity on its legal status and on the nature of its end result...it is, in the end, the states parties who are responsible for implementing the treaty, abiding by its provisions and reporting on compliance”; “therefore supports the idea of more extensive and in depth consultations with States in the treaty body strengthening process...”

Sénégal: « Je voudrais vous assurer de la disponibilité du Groupe africain, à accompagner de manière active, ce processus dont le succès réside dans la transparence et l’ouverture qui doivent le caractériser, avec comme finalité le renforcement des organes de traités susmentionné. »⁶⁴

Algérie: “reconnaisant des efforts déployés par le Haut-Commissariat aux droits de l’homme afin d’assurer un secrétariat de qualité...” “salue le souci de Mme Navi Pillay...de trouver les réponses idoines aux défis...en particulier en terme de manque de ressources nécessaires...”⁶⁵

⁶⁴ "I wish to assure you of the availability of the African Group to actively support this process whose success lies in the transparency and openness that must characterize it, with the aim of strengthening the treaty bodies mentioned above."

⁶⁵ "Grateful for the efforts of the Office of the High Commissioner for Human Rights to ensure a high quality secretariat ..." "welcomes the concern of Ms. Navi Pillay for finding suitable answers to the challenges ... especially in terms of the lack of required resources..."

	<p>Monaco: «...estime pertinentes les propositions continues dans la liste. Il leur apportera son appui, tout en souhaitant qu'un accent particulier soit mis sur le respect du multilinguisme dans l'ensemble des activités menées par le Organes de Traités. »⁶⁶</p> <p>Belarus: "The reform of the United Nations treaty bodies should be considered in the framework of inter-governmental consultations. Decisions concerning the reform of the treaty bodies must be taken by consensus."</p> <p>India: "For acceptability, the strengthening of the Treaty Body System should be through an inclusive process, involving consultation amongst State Parties with inputs from independent experts and other stakeholders. All options must be considered carefully before deciding the course of strengthening of the Treaty Body System. To this end, India concurs with the suggestion of most State Parties for the creation of a Working Group to deliberate on the strengthening of the Treaty Body System that would provide an important forum, for formal Intergovernmental discussions, on this important subject. The final decision on strengthening the Treaty Body System should be based on consensus"</p> <p>Canada: "Treaty body reforms should be considered in the context of the larger question of the rationalisation of the UN human rights system as a whole..."</p> <p>Ireland: "...very much appreciates the initiative of the High Commissioner in commencing this timely process of reflection..." ; "...appreciates the many constructive contributions made so far at consultations..."</p> <p>Suisse: «estime que des améliorations sont possibles à courte et à moyenne échéance, et que le processus lancé par la Haut-Commissaire se concentre à juste titre sur cet horizon temporel. Il ne faut pas pour autant perdre de vue les objectifs institutionnels plus ambitieux»⁶⁷</p>
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⁶⁶ "...Considers relevant the proposals contained in the list. Provides its support to them, while hoping that particular emphasis is placed on the respect of multilingualism in all activities of the Treaty Bodies."

⁶⁷ "Believes that improvements are feasible in the short and medium term and that the process launched by the High Commissioner rightly focuses on this time horizon. At the same time, one must not lose sight of the more ambitious institutional objectives."

Syrian Arab Republic: "considers that any review or reform process must not introduce issues that would affect the actual implementation of the provisions of the treaties and conventions establishing the treaty bodies, and should not lead to imposing obligations on a contracting state other than the ones agreed to by the concerned state"

United States of America: "...thanks OHCHR for leading a process of extensive consultations on measure to strengthen the treaty body system...The comprehensiveness and thoroughness of this process is essential to its success...While ultimately decisions...are a matter for States Parties to decide, it is important that OHCHR's work inform such deliberations." ; "...discussion of proposals requiring treaty amendments should be avoided." ; "...encourages OHCHR to provide potential budgetary implications for each of the proposals".

Australia: "...commends the United Nations High Commissioner for Human Rights for her leadership on this significant issue...also acknowledges the efforts of the Committees and their members..."

Maldives: "Reform and enhancement of the treaty body system of the United Nations should be premised on the overall strengthening of human rights protection on the ground. It should address all points of the reporting process...the Maldives is extremely disappointed that only two consultations have been held with States Parties, the primary duty bearers." "...general lack of awareness and understanding of the particular challenges facing small island developing states..."

Liechtenstein: "Strengthening the Treaty Body system is a shared responsibility of Treaty Bodies themselves, States Parties of UN human rights treaties, the UN system and other stakeholders, in particular civil society, in accordance with their relevant competencies"; "Accordingly, Liechtenstein holds the view that the strengthening process has to be transparent and inclusive, involving all relevant stakeholders. Liechtenstein welcomes recent initiatives to deepen substantive dialogues between Treaty Bodies and States Parties and looks forward to productive discussions in this regard"; "For the strengthening of the treaty body system to be firmly anchored in the relevant legal framework, it will be of utmost importance to strictly adhere to the legal competencies of the various stakeholders involved. Any politicization of the highly

complex technical questions must be avoided and the continued independence of Treaty Bodies guaranteed.”

Republic of Korea: “recognizes and appreciates that the treaty body strengthening process has involved a broad range of stakeholders in a way that is open and transparent.” “The proposals put forward...are valuable, although they need to be assessed in terms of priority as well as the availability of resources...”

Egypt: “Such a process should also serve to rationalise the resources used for its functioning and it should respect and be fully in line with the provisions of the existing treaties.”; “...states parties, as the main stakeholders, should be fully engaged and the outcome should be subject to the analysis and approval of an intergovernmental process and framework.”

Denmark: “fully supports the Treaty Body strengthening process facilitated by the OHCHR and looks forward to the publication of the High Commissioner’s report on strengthening the Treaty Body system. The Report of the High Commissioner should form the basis upon which the Treaty Body strengthening process should be developed”; “The Treaty Body strengthening process involves a number of stakeholders. It is important that the competencies of the relevant stakeholders are respected throughout the reform process. State Parties bear the central responsibility to ensure the respect for human rights is upheld and to maintain and strengthen the Treaty Bodies – including the obligation to respect the independence of the Treaty Bodies. Accordingly, State Parties are only in a position to make recommendations on certain aspects of the work of the Treaty Bodies, as the Treaty Bodies themselves have the mandate and competency to agree on their own working methods.”

Islamic Republic of Iran: “We share the need and are in favor of strengthening and improving, not reforming, the system of treaty bodies as such to work more effectively. We commend respective efforts taken so far by the OHCHR to that aim. However, we maintain that there is an essential need for more clarity on the legal status of this process and the nature of its end result”; “We strongly believe that, strengthening the treaty body system should be an intergovernmental, transparent and inclusive process. To this end we fully support the proposal of the most State Parties for the creation of an open-ended Intergovernmental Working Group to deliberate in-depth on the strengthening of the treaty body system, the final decision

of which should be based on consensus”; “The process of strengthening treaty bodies should strictly respect the principles of International Treaty Law. Therefore proposals should not go beyond the standards and norms of ITL”

Indonesia: “As a mechanism which is established by State Parties, it is only logical that the strengthening process of treaty bodies has to be inclusive and be carried out through a state-driven process. While aware of the increasing role and contribution of other stakeholders, Governments remain the main actor in the promotion and protection of human rights”; “Recognizing the inclusive nature of treaty bodies, its strengthening process should be conducted through an open-ended Working Group, established by the UN General Assembly while taking into account the expertise of Geneva-based process and New York-based Fifth Committee. The Working Group should have a specific mandate and definite timeframe to address substantive/technical and funding/resources aspects of treaty bodies”; “The outcome of the Working Group should be adopted by consensus to reflect broad and inclusive ownership of the process.”

Thailand: “...welcome the consultation process led by the United Nations High Commissioner for Human Rights on this important issue, and highly appreciate the inclusive and transparent manner in which she has conducted this process to date.”