

**CONSULTATION FOR STATES  
ON TREATY BODY  
STRENGTHENING  
NEW YORK, 2-3 APRIL 2012**




UNITED NATIONS  
**HUMAN RIGHTS**  
OFFICE OF THE HIGH COMMISSIONER

# What are human rights treaty bodies?

- There are nine [core international human rights treaties](#).

All UN Member States have ratified at least one core international human rights treaty, and 80 percent have ratified four or more

- There are currently ten [human rights treaty bodies](#), which are committees composed of independent experts.
- The treaty bodies are created in [accordance with the provisions of the treaty](#) that they monitor. OHCHR supports the work of all treaty bodies

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- Treaty bodies experts are elected by States parties – they are independent = “shall serve in their personal capacity”
  - Treaty bodies are independent = “the Committee shall establish its own rules of procedure”
  - Key functions:
    - Consider SP reports
    - Review individual communications (petitions)
    - Issue General Comments, organize discussion days
    - Country visits or inquiries, etc.

# 1. The ongoing growth of the treaty body system

**Doubled in size in less than one decade**

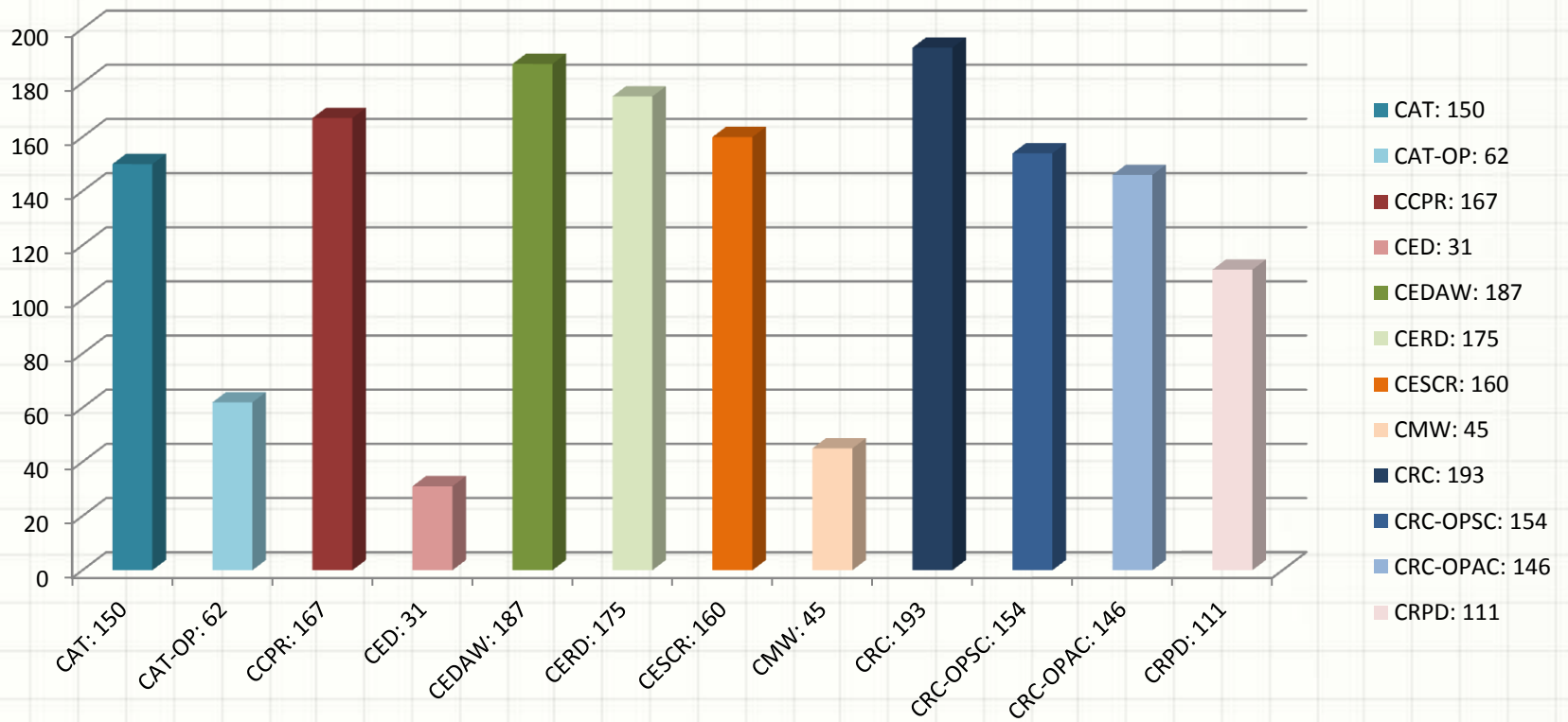
- Ratification/accession of int. HR treaties:

2000: 6 core int. HR treaties = 927 ratifications

2012: 9 core int. HR treaties 3 OPs (2 CRC ones with reporting procedure and OPCAT with visiting procedure) = 1 581 ratifications

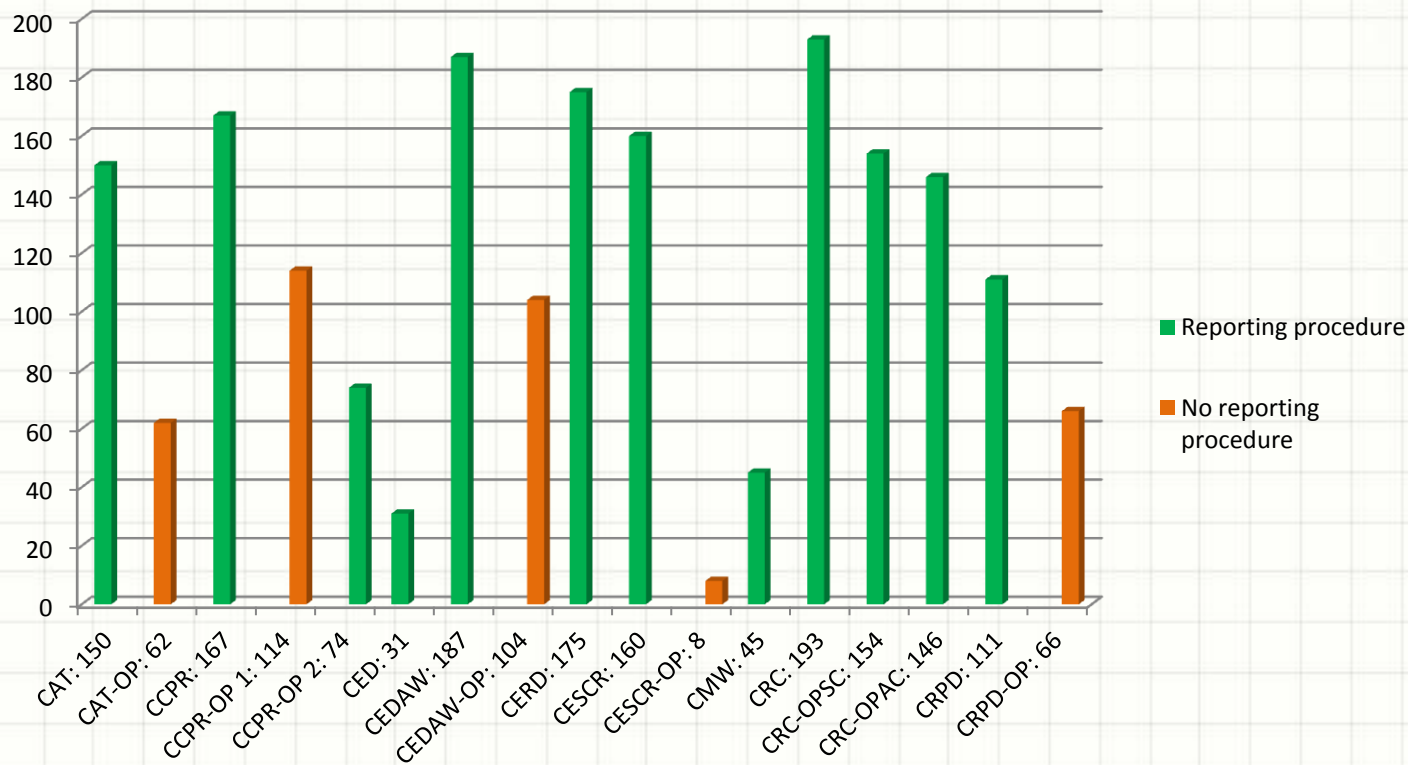
➤ **Increase: 59%**

## Ratifications: 1581



# Nearing universality

Overall ratifications: 1947



# Increased number of Optional Protocols

- 2000: 5 (ICCPR 1 & 2, CRC-OPSC & OPAC and CEDAW)
- 2012: 9 (ICCPR 1 & 2, CESC, CAT, CEDAW, CRC OPSC & OPAC & OPIC, CRPD)
- Individual communication procedure:
- 2000: ICCPR, CAT, and CERD
- 2012: nine TBs have the procedure, three not yet entered into force

# The growth of human rights treaty system

- 2000: 6 treaty bodies
- 2012: 10 treaty bodies
- 20xx: x treaty bodies ?

Work of a treaty body is gradually expanding along the increase of ratification of the treaty and related OPs – dynamic process





## Treaty Bodies membership:

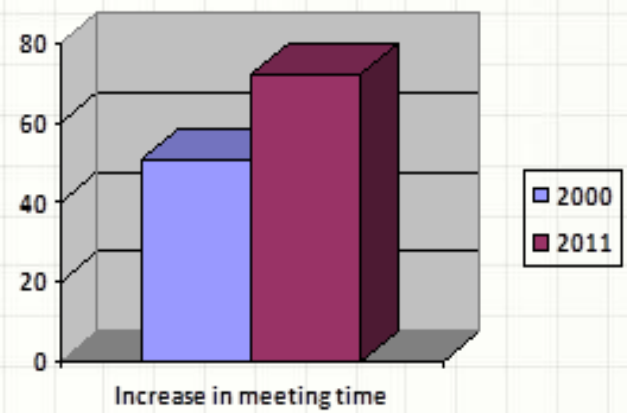
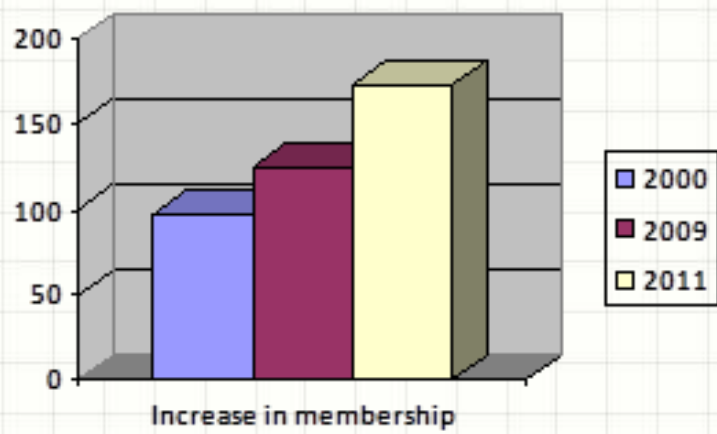
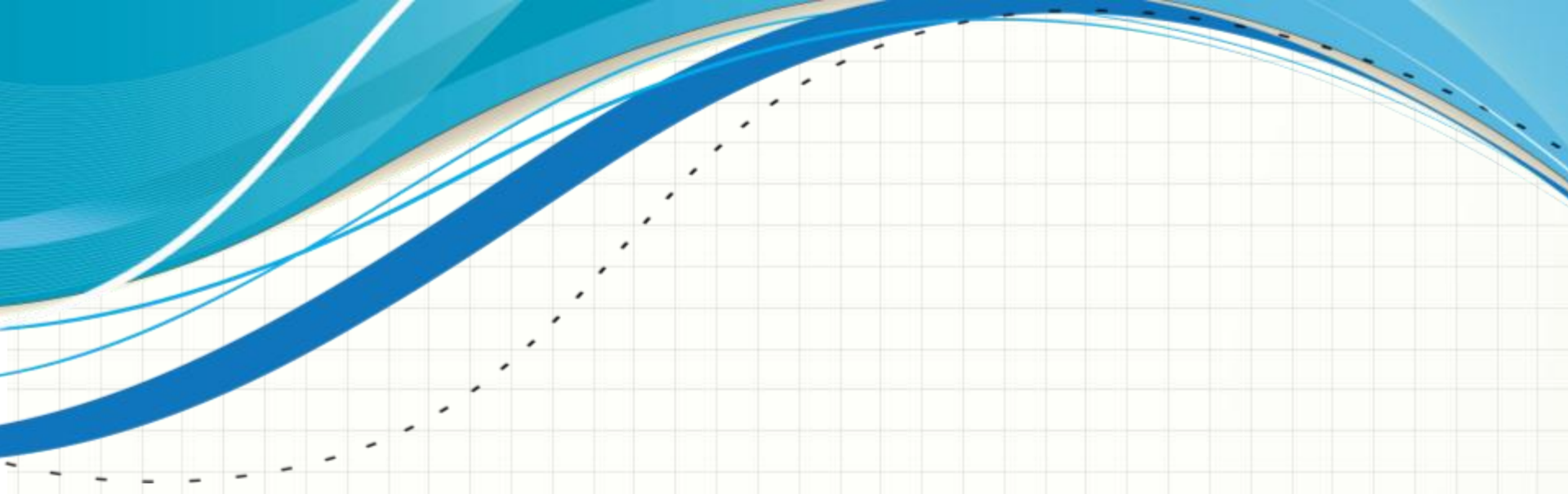
2000: 97 TB members

2012: 172 TB members

## Treaty Bodies meeting time:

2000: 51 weeks

2012: 73 weeks





# **SUBCOMMITTEE ON PREVENTION OF TORTURE – OPCAT**

**2010: 3 COUNTRY VISITS PER YEAR (10 MEMBERS)**

**2012: 6 COUNTRY VISITS PER YEAR (25 MEMBERS)**



**AVERAGE TIME REQUIRED:**

**CONSIDERATION OF STATES PARTIES' REPORTS:**

2 DAYS = 1/2 DAY LIST OF ISSUES – 1 DAY

CONSIDERATION – 1/2 ADOPTION OF CO

**CONSIDERATION OF INDIVIDUAL**

**COMMUNICATIONS:**

1/2 A DAY IN PLENARY

- States Parties reports submitted:

2000: 102

2011: 136

- Number of concluding observations adopted:

2000: 68

2011: 118

- ✓ With current levels of ratifications, and if every State party would report as per pre-scribed periodicity, treaty bodies should review at average 320 State party reports annually
- ✓ In addition, annually the treaty bodies adopt an average 120 decisions on merits of individual communications

# Backlogs and delays

## SP reports pending examination

- 2000: approx. 200
- 2012: 281 (as at 21/03/12)
- Average waiting time in 2012: 2-4 years with CRPD 6-7 years

## Individual communications pending examination

- 2000: 214
- 2012: 478 (as at 1/2/12)
- Average time between registration and final decision on the case:

Human Rights Committee: 3 and a half years

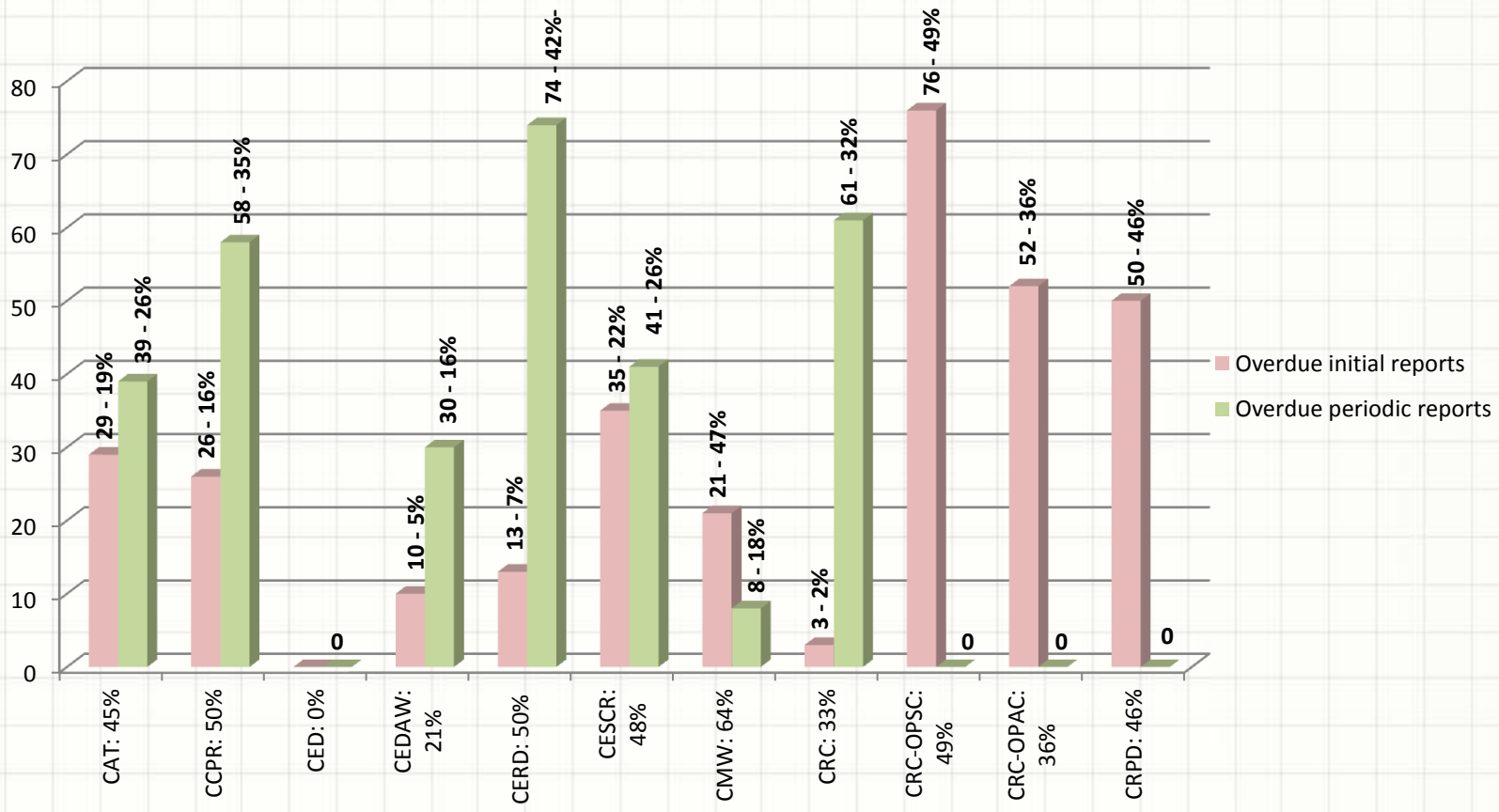
CAT: 2 and a half years

CEDAW: 2 years

CERD: one and a half years

# Number of States parties that have overdue reports

Treaty Body	Overdue initial reports	Percentage of overdue initial reports	Overdue periodic reports	Percentage of overdue periodic reports	Total number of overdue reports	Percentage of total number of overdue reports
CAT	29	19%	39	23%	63	45%
CCPR	26	16%	58	35%	84	50%
CED	0	0%	0	0%	0	0%
CEDAW	10	5%	30	16%	40	21%
CERD	13	7%	74	42%	87	50%
CESCR	35	22%	41	26%	76	48%
CMW	21	47%	8	18%	29	64%
CRC	3	2%	61	32%	64	33%
CRC-OPSC	76	49%	0	0%	76	49%
CRC-OPAC	52	36%	0	0%	52	36%
CRPD	50	46%	0	0%	50	46%
<b>TOTAL NUMBER OF OVERDUE REPORTS</b>	<b>315</b>		<b>311</b>		<b>626</b>	





# Timely submission of SP reports 2010-2011

TB	Reports received in 2010	Reports submitted on time in 2010	Percentages
CAT*	16	2	13%
CCPR	10	2	20%
CEDAW	28	3	11%
CERD	18	2	11%
CESCR	17	5	29%
CMW	4	0	0%
CRC	20	2	10%
CRC-OPSC	8	1	13%
CRC-OPAC	11	2	18%
CRPD	9	3	43%
<b>TOTAL</b>	<b>141</b>	<b>22</b>	<b>16%</b>

\* CAT Reports submitted on time had accepted the new optional procedure LOIPR

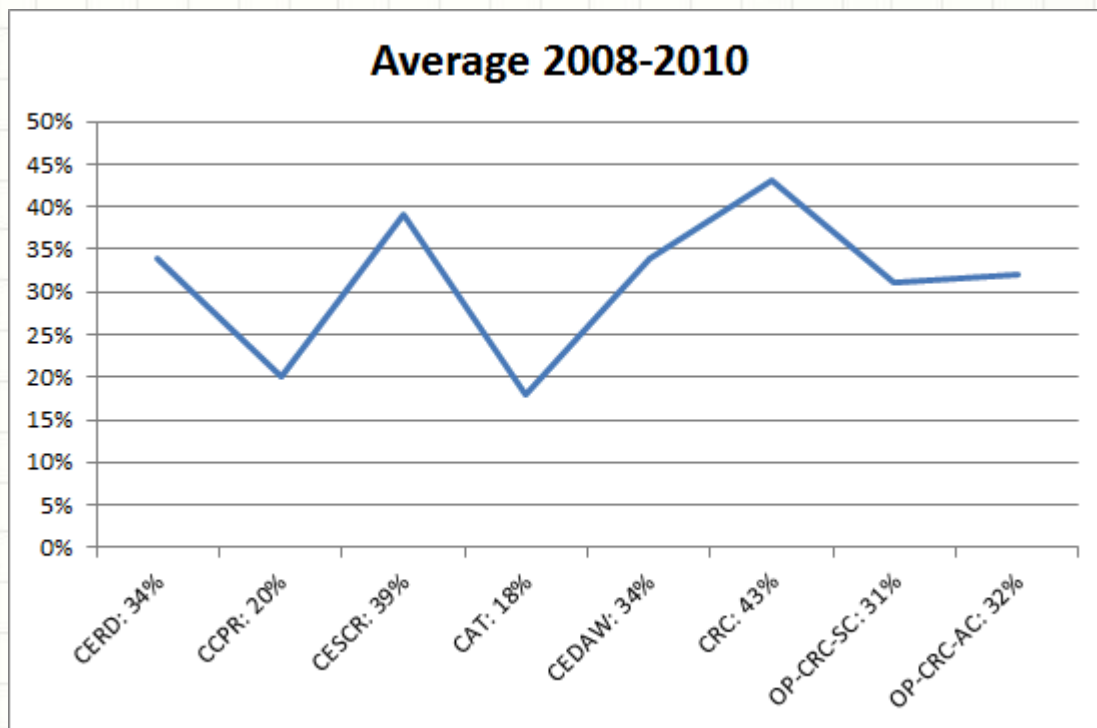
TB	Reports received in 2011	Reports submitted on time in 2011	Percentages
CAT*	13	4	31%
CCPR	13	2	15%
CEDAW	27	4	15%
CERD	15	1	7%
CESCR	15	2	13%
CMW	5	0	0%
CRC	14	2	14%
CRC-OPSC	8	0	0%
CRC-OPAC	10	1	10%
CRPD	17	6	35%
<b>TOTAL</b>	<b>137</b>	<b>22</b>	<b>16%</b>

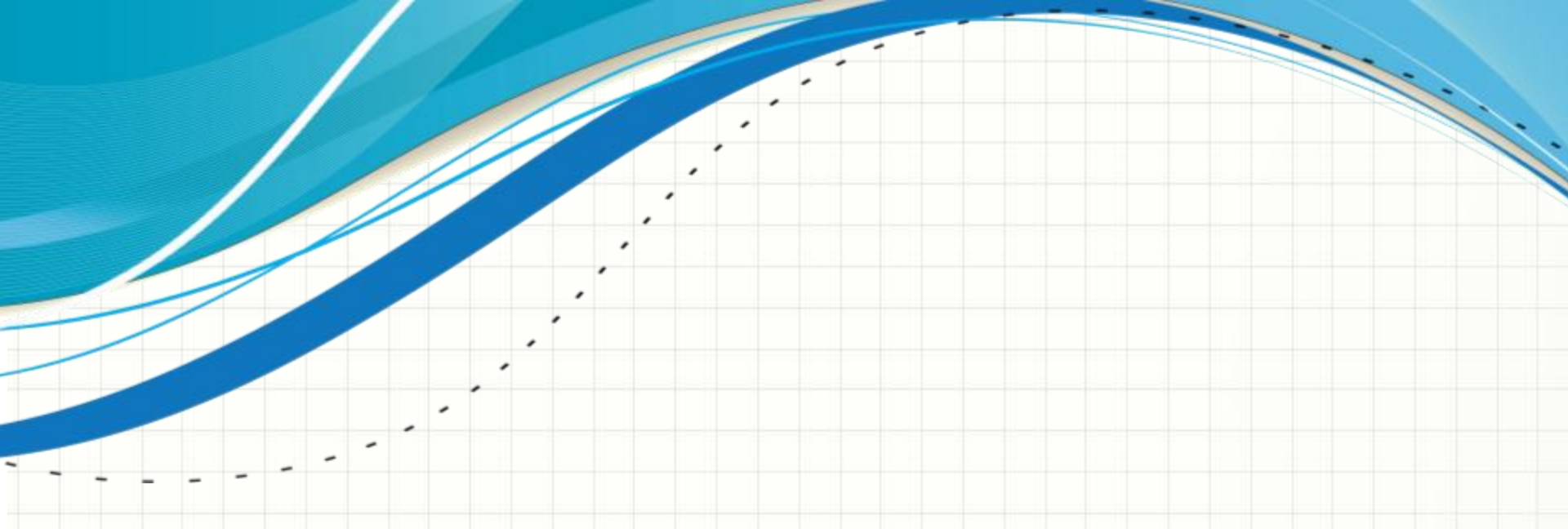
\* CAT Reports submitted on time had accepted the new optional procedure LOIPR

# Average timely submission (with one year flexibility)

For the three-year period 2008-2010, the average timely submission is as follows (one year flexibility) :

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- CERD: 34%
- CCPR: 20%
- CESC: 39%
- CAT: 18%
- CEDAW: 34%
- CRC: 43%
- OP-CRC-SC: 31%
- OP-CRC-AC: 32%
  
- New bodies: CMW  
- CRPD





**AVERAGE PERCENTAGE OF TIMELY  
SUBMISSION TO ALL TREATY BODIES:**

- STRICT COMPLIANCE: **16%** (2010-11)
- ONE YEAR FLEXIBILITY: **33, 6 %**  
**(2008-2010)**

## 2. Financing the treaty bodies

- **OHCHR** is the UN entity responsible for supporting the human rights treaty bodies
- **Division of Conference Management (DCM)** of UNOG provides conference services to the treaty bodies, as well as to other clients
- The majority of resources (some US \$ 60 million in 2010-2011) provided to the treaty bodies relates to the provision of conference services, whereas some US \$ 40 million were provided through the human rights programme
- **Total annual cost: approx. US\$ 50 million** = 20 million OHCHR and 30 million DCM/UNOG

2010-2011 biennium support by  
**OHCHR to treaty bodies:**

- **United Nations regular budget (US \$29.7 million) = 76%**
- **Voluntary contributions from donors (US \$9.6 million) = 24%**

# Human Rights Treaties Division at OHCHR

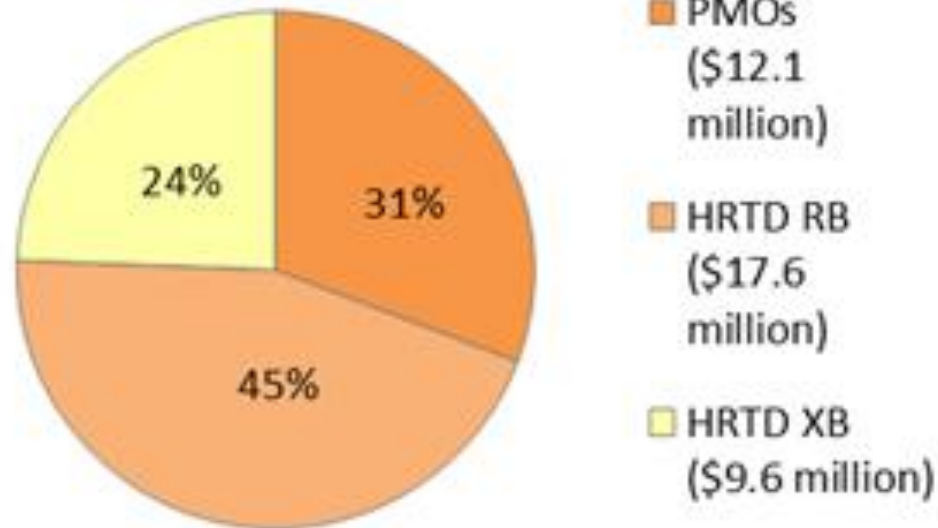
- 57 Professionals and 21 General Service posts
  - 40 Professional posts (1 D-1, 4 P-5, 13 P-4, 17 P-3 and 5 P-2) and 16 General Service posts funded from the regular budget (RB posts)
  - 17 Professional posts (2 P-4, 14 P-3 and 1 P-2) and five General Service posts funded from voluntary contributions (XB posts)

# Funding travel of TB experts (through OHCHR)

- Regular budget allocation to OHCHR: US \$14 million fund (**biennium 2012-13**) **travel of treaty body experts** to treaty body sessions, under the “Policymaking Organs”
- 2000: US \$4.3 million 74 experts for 5 TBs
- 2012: US \$14 million 172 experts for 10 TBs

# OHCHR funding for travel of experts (31%) and TB staffing (69%)

**2010-2011**





# Documentation of Treaty Bodies

**2000: 4 433 pages submitted by 68 States parties**

**2005: 10 348 pages submitted by 67 States parties**

**2010: 11 294 pages submitted by 92 States parties +  
3 255 pages submitted and reproduced in original  
languages but not translated, such as Responses to  
List of Issues submitted late**

**2011: 13 436 pages submitted by 115 States parties + 2 173  
pages submitted and reproduced in original languages  
but not translated, such as responses to lists of issues**

# Documentation (cont'...)

Other key documents relating to the work of treaty bodies for 2010 were (estimations):

Individual communications:	1 015 pages
Concluding observations:	1 310 pages
Annual reports to GA: (partly compilation of already translated documents)	2 000 pages
List of Issues:	500 pages

# Cost estimations of TB documentation

- The total cost of formatting, editing, referencing, translating, reproducing of one page of text into 5 other languages is of **1 900-2000 USD**)
- ✓ A State Party report of 60 pages translated into all 5 other UN languages cost US\$ 110.000; US \$190.000 for 100 pages; US \$ 560.000 for 300p.
- ✓ Estimated total amount of working days to translate all treaty bodies documentation in 2010 amounts to **7 900 working days equalling 45, 5 years** or the work of 45, 5 staff members over one year
- The total cost of treaty body documentation in 2010 can be estimated at **25 740 000 USD**

# Potential savings – TB documentation

- Strict page limitation of SP reports, as required under CCD:
  - 60p for initial reports; 40 for periodic reports

2011: 115 SP reports reviewed = 64 reports over page requirement (56%)

If the requirement would have been strictly applied in 2011: approx. 5 million USD savings

# Potential savings – TB documentation

- LOIPR instead of standard procedure = one document required instead of two

CAT experience with 18 SPs/LOIPR:  
saving 15.000 USD per SP report

# SG report to GA 66/344

- Two proposals and one recommendation:
  1. Short term: reduce backlogs through bi-annual adjustment of meeting time (avoiding yearly ad-hoc single requests)
  2. Long-term: fixed calendar based on 100% compliance
- Recommendation: Comprehensive review of the resources for the treaty bodies as a whole - for current and projected needs

Thank you!



*Bolivia presenting its report before CERD*