Annex III, A/72/256

Position paper of the Chairs of the human rights treaty bodies on the future of the treaty body system

Introduction

The present position paper, which represents an agreed position among the Chairs of 10 human rights treaty bodies present at the thirty-first meeting of Chairs of human rights treaty bodies, builds on the achievements made under General Assembly resolution [68/268](https://undocs.org/en/A/RES/68/268), including its funding formula, in order to further strengthen the treaty body system. We consider this position to be realistic and affordable. Furthermore, in accordance with the treaty mandates; the paper addresses key issues raised by, and emerging thinking among, member States and other stakeholders concerning the effective and efficient operation of the treaty body system.

In the process of preparing the position paper, consultations were held among all treaty bodies on key elements of the treaty body system, including several international workshops and discussions among the Chairs held over a period of several years. The guiding principle that has underpinned this process has been the increased protection of rights holders through strengthened implementation of the treaties.

The Chairs agree to recommend the proposals contained in the position paper to their Committees. These proposals could be implemented over a period of 1 to 2 years, provided that there is support for them from the Committees, the Office of the United Nations High Commissioner for Human Rights and other relevant departments of the Secretariat.

General alignment of working methods

Simplified reporting procedure

All treaty bodies agree to offer simplified reporting procedures to all States parties for periodic reports and may do so for initial reports. All treaty bodies offering such procedures for initial reports will develop a standard list of issues prior to reporting.

Reduction of unnecessary overlap

All treaty bodies will coordinate their list of issues prior to reporting to ensure that their dialogues with State parties are comprehensive and do not raise substantively similar questions in the same time period. List of issues prior to reporting will be limited to 25 to 30 questions.

Interaction with stakeholders

All treaty bodies currently receive alternative reports and undertake private meetings with stakeholders, including national human rights institutions, national preventive mechanisms, non-governmental organizations and others. Within the context of reporting procedures, the suggested formats of alternative reports will be aligned, including the deadline for their submission and the scheduling of private meetings. Private meetings may be conducted by videoconference, if necessary.

Reporting cycle

The Covenant Committees (Committee on Economic, Social and Cultural Rights and the Human Rights Committee) will review countries on an 8‑year cycle and will synchronize the timing of their reviews.

The Convention Committees will review countries on a 4-year cycle, unless the provisions of a particular Convention provide otherwise.

Timing of reviews

All treaty bodies will schedule reviews with State parties in accordance with the reporting cycle. The review will take place as scheduled irrespective of whether a report has been submitted (i.e. review in the absence of a report). This will ensure the regularity of reviews as provided for in the treaties.

The treaty bodies will ensure that should a State party be scheduled for review by a number of treaty bodies within a relatively short period, the scheduling of the reviews in question shall be altered to ensure that an appropriate period elapses between reviews by Convention Committees. Covenant Committees may wish to conduct back-to-back reviews.

Reports

A single consolidated report may be submitted to both Covenant Committees if they choose to offer this option to States parties. The Convention Committees may wish to continue to receive separate reports in order not to dilute the Convention-specific focus.

Format of dialogues in Geneva

All treaty bodies agree to follow the same general format for the consideration of reports during their Geneva sessions, that is 6 hours in total, distributed over two sessions within a 24 hour period. In addition, written replies could be provided by the State concerned within 48 hours of the conclusion of the oral dialogue, if needed and appropriate. Exceptionally, the dialogue may take place by videoconference.

Format of concluding observations

The treaty bodies agree that concluding observations will follow the same aligned methodology, as endorsed by the Chairs in the concluding observations of their 2014 meeting (see [HRI/MC/2014/2](https://undocs.org/en/HRI/MC/2014/2)) in order to ensure that they are short, focussed, concrete and prioritized, balancing immediate with longer terms priorities and objectives.

Follow-up procedure

All treaty bodies engaging in follow-up to concluding observations will adhere to the process previously endorsed by the Chairs in the procedures of the human rights treaty bodies for following up on concluding observations, decisions and views (see [HRC/MC/2018/4](https://undocs.org/en/HRC/MC/2018/4)), with a maximum of four urgent recommendations being selected by each Committee from the concluding observations, and the State party will be requested to respond follow-up within a fixed period from the date of the review.

Review capacity of the treaty bodies

The treaty bodies consider that Committee members cannot be expected to contribute more than three months a year of their time (that is, a maximum of three sessions of four weeks each). As a result, increasing the capacity of the treaty bodies necessitates changes in working methods.

All treaty bodies agree to increase their capacity to review the reports of States parties and individual communications, for example by working in chambers, working groups or country teams. This will facilitate the need to review up to 50 reports per year for the Convention Committees, and 25 reports per year for the Covenant Committees.

Reviews in the region

All treaty bodies agree that there are considerable benefits in conducting dialogues with States parties concerning their reports at a regional level, and that this option should be offered to States on a pilot basis by those Committees wishing to do so, with a view to permanent implementation. Such dialogues may be conducted by a delegation of the treaty body, with concluding observations being adopted by the Committee as a whole.

In conclusion

The Chairs of the treaty bodies agree to align procedures and working methods as specified above. The Chairs believe that these proposals, which aim to focus, coordinate and streamline the reporting process and the dialogues, will facilitate enhanced interaction between States parties and other stakeholders and the treaty bodies.

The introduction of a coordinated schedule of country reviews, in accordance with fixed cycles, in the absence of a report, if necessary, will be implemented in a phased manner in order to ensure the continuation of the regular reviews of all States parties.