**Pakistan’s inputs in relation to UNGA Resolution 68/268**

**Strengthening and enhancing the effective functioning of the human rights treaty body system**

1. **Comments by States on the implementation of UNGA resolution 68/268 including those provisions addressed to States**

* The Government of Pakistan is party to seven, out of nine human rights Conventions. Preparation of obligatory reports on these Conventions is continuous process which involves coordination and consultation with relevant stakeholders (Federal and Provincial Government, UN Agencies, INGOs and NGOs. Presently, obligatory reports on each Convention except Pakistan’s initial report on UNCRPD has been submitted and reviewed by the concerned Committees. Whereas, Pakistan’s initial report on UNCRPD has also been prepared and is being finalized in consultation with the relevant stakeholders. During 2016-17 Pakistan presented and defended five obligatory reports (Combined 21st, 22nd & 23rd periodic report on ICERD, 5th periodic report on CRC, initial reports on CAT, ICESCR and ICCPR). These reports were presented by high level delegations led by Federal Minister having representation of all the relevant Departments. Pakistan’s initiatives in response to these conventions were appreciated by the concerned committees.
* The Government of Pakistan has established Treaty Implementation Cells at the Federal and Provincial levels for the implementation of ratified human rights conventions. Besides, focal persons have also been identified for few conventions in addition to CEDAW Committees and a national Committee for implementation of UNCRPD. Consultative meetings are held with Government Departments, UN Agencies, INGOSs, NGOs and Civil Society Representatives for preparation of reports. Besides, UN concluding recommendations/observations are reviewed and communicated to all the relevant stakeholders for taking required policy, legislative and administrative measures. Moreover, awareness raising and capacity building of the relevant departments on human rights conventions is also done regularly.

1. **Comments by State on the state of human rights treaty body system in view of the upcoming review by 9 April 2020.**

* Recommendation/observation on each convention should be in line with parameter of the convention. Duplication of work by the treaty bodies is an issue of concern. The same topics and issues are taken up by different treaty bodies, sometimes infringing eachothers space. Such duplication results in wastage of useful time and resources allotted to a particular review. Often the response to a particular issue has already been provided by the State under review to another treaty body. Therefore, better coordination is required for avoiding such duplication of work.
* The time table of report review of States for different treaty bodies needs to be better managed, coordinated and streamlined. It has been observed that a state reviewed in any particular year by 3-4 treaty bodies and then for the coming few years that State is not reviewed by any treaty body. Due to such uneven distribution of treaty body report reviews, the States sometime come under greater work load, hampering their capacity to effectively present their reports.
* All human rights are interconnected and interrelated and therefore must be given equal importance in the working of the treaty bodies.
* ‘Code of Conduct’ for treaty body experts must be developed in order to enhance their effectiveness, transparency, impartiality and independence. Moreover, regular update may be provided regarding this aspect. Currently, self-regulatory ‘Addis Ababa Guidelines’ exist which must be augmented by ‘Code of Conduct’.
* Concluding observations should be shorter, clear and concise as well as more focused on key issues raised in the review and tailored to the situation of the State party.
* Cases under individual complaint procedure should not be referred in case of review of those States who have kept reservation on that article of the Convention.
* The work of the treaty bodies should be guided by the principles of objectivity, impartiality, constructive cooperation, non-selectivity and non-politicization.
* While considering information from various sources, the treat body experts must follow an objective approach of looking at the credibility, reliability and transparency of the source of information. The information must be cross-checked to the best extent possible. If any expert acts or speaks on the basis of unchecked reports and inaccurate information, then that mandate holder is hurting the cause of promotion and protection of human rights.
* The report review must be a dialogue and two way process and committees must take into account the information provided by the State parties, especially in the drafting of the Concluding Observations.
* State Parties are not at par with civil society and national human rights institutions, as State Parties are signatories and duty bearers and therefore, they should be considered with particular status, respect and responsibility.
* Although follow-up procedure in terms of follow up report to Concluding Observations is useful to ensure a continuous constructive dialogue towards effective implementation of the recommendations, however, situation and the complexity of the issue at hand must be taken into consideration regarding the time line of implementation of the recommendations.
* List of issues/questions should be sent well before the review to give the opportunity to state parties’ delegations for proper and better preparation for dialogue.
* The issues raised during the review by the Committee should remain within the scope of the treaty obligations to make the dialogue more structured and focused and to avoid politicization and selective attitude keeping in view, different culture, political and legal system.
* Speaking time of both experts and state parties should be managed properly for focused intervention from the treaty bodies and member states to improve the overall quality of the concluding observations.
* While drafting Concluding Observations, the committees must take into consideration different culture, religious sensitivities, history, political and legal systems of States. One size fits all policy should not be applied. Moreover, those notions should be applied by experts which fall under internationally agreed human rights legal framework.