Treaty Body Reform

Statement on key principles and recommendations in relation to 2020 reform process



# Human Rights House Foundation

Human Rights House Foundation (HRHF) is an international human rights organisation. We

protect, empower and support human rights defenders and their organisations through Human Rights Houses, which are collaborative projects of non- governmental organisations working in partnership to promote and advance human rights at home and abroad. Within a Human Rights House, human rights defenders and their organisations remain independent and address the rights and issues that matter to them and the society they live in, while they benefit from cooperation, shared resources, solidarity, expertise, visibility, and strength in advocacy.

# Introduction

The Treaty Body reform process comes at an important moment for the United Nations and for the system of international human rights mechanisms. Demands are being made by states for greater efficiency in the system, to do more, often with fewer resources. Nevertheless, at the same time there has never been a greater demand on the system by its users: states themselves as well as from the rights holders they represent.

The reform process allows a chance to streamline much of the work of the treaty bodies. It also provides a strategic opportunity to bring greater relevance of their work to domestic audiences by engaging, educating and encouraging greater numbers of people toward implementation of the covenants and conventions. In order for this to happen, working methods are needed for a far more expansive conversation to take place between committees and states, as well as their civil societies and the public. The tools for communication and technology need to be upgraded, and the committee’s processes, tracking tools, and committee information made much more accessible.

# Engagement with the committees

The committees have already made some effort toward collaboration and aligning their working methods. More work must be done to ensure the system as a whole is accessible to those who need to use it. Even for many of HRHF’s in-country partners (themselves human rights organisations with a general understanding of the international system), the treaty body system is at best difficult to navigate, and at worst inaccessible. Without the ability to regularly scan the applicable webpages of all applicable treaty bodies, key non-state actors are liable to miss critical information and subsequently lose their opportunity to contribute to stronger review processes. Streamlining clear entry points for civil society across all the treaty bodies, with consistent dates, deadlines, submission requirements etc would go some way to helping to address this comprehension gap. Combined with this should be the implementation of a clear, consistent, and reliable long-term calendar. The review process should not rely on state punctuality and the submission of national reports; rather, it can be seen from the UPR process that longer-term, agreed, immovable dates help to aid state planning and increase engagement levels.

Opportunities for civil society to contribute information has increased over time, and particularly with some of the newer treaty bodies. Nevertheless, the opportunities have not increased in a way which takes advantage of opportunities afforded by new technologies. Aside from written submissions, travel to Geneva or New York to meet face-to-face with committee members during a review presents rights holders with huge barrier to engagement with the committees. For most this is impossible, not least because the rights violations faced by people can accentuate the difficulties in undertaking such travel. Video submissions and remote participation by civil society through the use of technology should become standardised and straightforward. Where a digital divide is a key issue, the UN should help to overcome this, by opening its facilities and offices in-country, to better allow access to such processes.

**Recommendations:**

* **Align all treaty body working methods, including with a standardised calendar and synchronise the entry points for all stakeholder engagement;**
* **Ensure remote access for non-state actors to participate in review processes, including through UN-facilitated access in-country.**

# Access to information

The ability to access information in relation to the treaty bodies in a timely fashion is critical to the success of their work. To begin, a simple online case management system would help to reduce frustrations, particularly where individual communications are concerned, and ensure that all appropriate parties are able to keep abreast of case work. Indeed, stakeholders have advocated for this for many years.

The online portal by which all stakeholders access information in relation to the treaty bodies requires a significant upgrade. Modern web design should be employed to ensure that information is easily accessible. Stakeholders should have clear entry points based on country, thematic issue and nature of engagement. Work is being done to cross-reference the work of various international human rights mechanisms, including the UPR process and the work of the Special Procedures. Nevertheless, it is of first-and-foremost importance that anyone engaging with those other mechanisms be able to quickly find relevant information in relation to the treaty bodies when accessing these pages.

Finally, more should be done to encourage the online sharing of treaty body related information. Neither the treaty bodies nor the Secretariat will ever be in a position to do justice to communications work, and therefore the tools to communicate should be made available to everyone to do this communication work themselves. It should be much easier for outsiders to share video clips of the public proceedings of treaty bodies, to upload them to other media, and to share outcome documents and letters.

**Recommendations:**

* **Implement a case management system for individual communications;**
* **Upgrade treaty body website using modern website design, and in an accessible fashion, and ensure that all publicly available materials, including video clips and feeds, can be easily shared.**

# Country visits

HRHF has witnessed first-hand the utility of unofficial visits of committee members to states as part of the follow-up process after a state’s review. The presence of even just one committee member can help to encourage attention from a much wider range of state officials and enable direct engagement with civil society in a much more powerful way than is currently possible in either Geneva or New York. The process of implementation is further strengthened when a committee has time to engage in more in-depth discussions with the state officials who will actually be responsible for key components of the implementation process, and even more so when tripartite discussions include a range of diverse civil society actors and stakeholders. Such discussions, when undertaken with sensitivity and energy, can help to reduce conflict between key actors, including between state officials and civil society, help to drive home an understanding of where key responsibilities lie, and set a framework for implementation that is much more likely to be successful over the course of a review cycle.

Furthermore, such engagement need not be limited to unofficial visits. It can and should be part of the official review process of a state. Having committee representation in the country during the review process can ensure a more diverse range of key stakeholders are not just “present” during a review but are more participatory too. This should not only include independent civil society, but participants from other branches of the state that are critical to implementation, including the judiciary. It will also help to provide greater exposure of a committee’s work to the general public, including through allowing more opportunities for coverage in domestic media, helping to drive up interest in the work of the committee domestically, and therefore it is hoped, generally driving engagement with a treaty body higher in a state’s priorities.

**Recommendations**

* **Have country visits as part of the formal review process, including during the review itself;**
* **To more systematically hold follow-up visits to states after they are reviewed, and to assist in facilitating domestic discussions around implementation.**