**Review of the Human Rights Treaty Body System**

Written contributions from

**THE REPUBLIC OF THE PHILIPPINES**

1. The objectives of the Human Rights Treaty Body System review:
2. **Integrity and independence** of the Treaty Bodies as human rights mechanisms and non-interference with their mandate
3. **Coherence** of the Treaty body system
4. States Parties’ **compliance** with review processes
5. Stronger **implementation** by States Parties of human rights obligations
6. **Synergy** among the human rights mechanisms, including the UPR and the SPMH
7. Key considerations:
8. Insignificant outcomes in the implementation of actions mandated in the 2014 resolution.
9. The integrity of the treaties must be preserved. States have no appetite for re-negotiating instruments. There is space for enhancing coherence through strengthened coordination, in processes that respect the independence, authority and expertise of the Treaty Bodies. The extent and nature of the review should be clear: this is not a re-negotiation of treaty obligations or a review of the role of the human rights treaty bodies. Rather, it is a review of the measures adopted in Resolution 68/268. This may include the strengthening of treaty bodies, if appropriate, but legal competencies must be respected.
10. At the rate that work is being done, it will take years to address backlogs and manage actions on communications received. Even with additional resources, system inefficiencies will remain unless structural issues are addressed strongly.
11. Success in promoting compliance and the visibility of Treaty Bodies in the human rights system will have the effect of exacerbating pressure on the available resources and existing backlogs in national reviews and actions on communications.
12. Addressing structural issues will mean substantially increasing resources, which is not an acceptable option to many states in a post-pandemic world where public budgets are under strain.
13. The post-pandemic situation and its impact, which will persist for the next years, enable States to define the parameters of enhancing the Treaty Body system in ways not previously considered. The UN’s adaptation of new means of conducting its work enabled by new technologies indicate feasible modalities for the functions of the Treaty Bodies. There exist unprecedented options to use web-based tools in the review process with States, in data management for coherence and harmonization, in upgrading and harmonizing methodologies, in increasing accessibility, and in monitoring implementation.
14. The Treaty Bodies’ engagement with the civil society, accessibility to the public, transparency, efficiency and effectiveness of working methods, and visibility are critical to strengthening their role in the global architecture for human rights promotion.
15. The review of the Treaty Bodies takes place within the bigger context of multilateral efforts to achieve greater synergies and efficiencies (1) among the human rights mechanisms, such as the Universal Periodic Review (UPR) and the Special Mandate Holders (SPMH), and (2) within the UN’s development system. There are efforts among States to integrate and track the recommendations from Treaty Bodies and the UPR to facilitate the implementation. In the UN system, especially at the country level, there are also efforts to pay more attention to assisting states in better implementing the human rights recommendations.
16. States as duty-bearers are key to fully realizing the mandate of the Treaty Bodies. The end of measures to strengthen universalization and compliance should be to visibly manifest transformation that attest to the positive and robust impact of this human rights mechanism on the ground. States Parties must be supported, including in the periodic submission of relevant reports, to enable them to meaningfully engage the Treaty Bodies and implement their obligations, and to do so organically within their national processes. There should be genuine cooperation and dialogue with States Parties. Resolution 68/268 recognizes the significance of technical assistance and capacity-building, with the State’s consent, to assist States in complying with their legal obligations under the treaties they are parties to.
17. The treaty body system review should be a State-led process, although the valuable contribution of civil society and national human rights institutions, where they exist, should be recognized.
18. Future action to strengthen Treaty Bodies should:
19. **outline time-bound deliverables** from the OHCHR and the Treaty Bodies i.e., reforms to be implemented within the next period
20. **while identifying practical measures in the short term** (current period), **provide directions for a phased approach of implementing comprehensive longer-term measures** to address core issues and upgrade and harmonize working processes of the Treaty Bodies, including through the use of secure new technologies.
21. **envision outcomes in the next 5-10 years** of a unified review process, common procedural rules, common case management system for communications, coherent national monitoring and implementation systems (and how they relate to the UN Resident Coordinator [UNRC] programs) and institutionalizing interface with the Resident Coordinator (RC) and regional mechanisms.
22. **report on status of implementation of new mandate from the General Assembly** every year.
23. The Philippines has carefully studied practical measures identified, and considers the following feasible for implementation in the next 4-6 years:
24. Revalida/ Oral dialogue with States
25. The schedule should be coordinated and predictable with review calendars (“master calendar”)
26. Clustered reviews
27. Simplified reporting formats (further simplified)
28. Web-based modalities (pilots can be rolled out in next 2 years for States under review, in a voluntary manner)
29. Reducing List of Issues (LOI) to 20 questions
30. Reducing duplications of recommendations (could be addressed in clustered review)
31. Application of due diligence measures on use of information received from stakeholders to facilitate the tracking and implementation of recommendations from across treaty bodies
32. Assist States, upon their request, to establish IT-enabled monitoring and implementation platforms
33. Streamlining of working methods of treaty bodies
34. Regular inter-committee/joint meetings. Meetings of Chairs should be rationalized, and make use of available technology to avoid unnecessary costs.
35. Harmonized working methods, towards developing common rules and reporting procedures, as appropriate
36. Common procedural rules for actions on communications, including a unified case management system
37. Web-based tracking of status of communications
38. Web-based platforms for coordination, including shared databases for recommendations
39. Common database on Treaty body jurisprudence
40. Strengthening synergies
41. Stronger horizontal coordination with the Special Procedures of the Human Rights Council, through the OHCHR. The work of many treaty bodies and Special Procedures mandate holders especially on thematic mandates can complement (e.g. Special Rapporteur on Migrants with the Committee on Migrant Workers). Mandate holders can raise awareness on the work of the Treaty Bodies. The work of Treaty Bodies may also be enriched with the thematic studies of mandate holders.
42. Mechanism to mainstream human rights promotion in the UNRCprogram, defined in consultation with State concerned. The UN Secretary-General's Call to Action on Human Rights, based on his statement at HRC43, acknowledged the UPR as an essential tool for the UN's work in countries. He announced that he would be releasing new practical guidelines for each UN representative in countries to strengthen UN platforms for cooperation using the power and potential of the UPR. The implementation by States of the recommendations from Treaty Bodies may form part of the cooperation framework with UN at the country level. The UN High Commissioner for Human Rights affirmed the need for promoting greater engagement between and among the UN system, governments, regional institutions and stakeholders through technical cooperation and "practical actionable solutions based on sound human rights norms."
43. Strengthening dialogue processes between Treaty Bodies and regional organs and Institutions, with the dynamic involvement of States
44. Maximizing the role of the secretariat assigned by OHCHR to each treaty body, without breaching the principles of independence of the Treaty Bodies and non-interference in their mandates.
45. Other proposals
46. Unified Secretariat – a central Secretariat could reduce costs, streamline work and reduce duplication of work
47. State Parties are encouraged, in line with para 13 of 68/268, to give due consideration, as stipulated in relevant human rights instruments, to equitable distribution, balanced gender representation and the participation of experts with disabilities in the membership of human rights treaty bodies and in the election of treaty body experts.
48. A Code of Conduct or Standards of Professional Conduct for treaty bodies could be beneficial.

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