**UN Human Rights Treaty Body Review**

**Introduction**

1. The United Kingdom welcomes the invitation made by the H.E. Mr. Jürg Lauber, Permanent Representative of Switzerland to the United Nations and H. E Mr. Omar Hilale, Permanent Representative of Morocco to the United to provide written contributions regarding the review process of the UN human rights treaty body system.
2. The UK strongly supports the work of the treaty bodies and regards them as central to the international human rights system. Having a strong, independent and effective treaty body system is essential to ensuring the implementation of the human rights obligations undertaken by states and achieving improvements in the promotion and protection of human rights throughout the world.
3. The overarching aim of the current process should therefore be to enhance the protection of human rights at the national level, including by assisting States to give effect to their treaty obligations, and by making the system more accessible to rights-holders. It should preserve the independence and integrity of the treaty bodies and guard against attempts to weaken the system. The review should be an open and inclusive process, drawing on the expertise of those in New York and Geneva, as well as civil society and members of the Treaty Bodies, whose experience and suggestions will be invaluable. The review should also explore new, innovative and flexible ways of working, building on the recent practices of the treaty bodies themselves.
4. The UK looks forward to participating fully and constructively in the review process, and to supporting proposals that will help to strengthen further the treaty bodies, in a resource-neutral way, identifying efficiencies to make the system as a whole more effective, accessible, and sustainable.

**Implementation of UNGA resolution 68/268**

1. Since the adoption of UNGA Resolution 68/268 in April 2014, a number of positive changes have been implemented. Among other measures, the treaty bodies themselves have taken several steps to align their working methods. For example, the increased use of the simplified reporting procedure for States parties was a valuable innovation that has increased efficiency. However, its use now needs to be made consistent and treaty bodies should ensure the questions that form the list of issues prior to reporting are targeted, clear and limited in number. Other positive steps include: the introduction of webcasting, which has also helped enhance the accessibility and visibility of the treaty body system; the development of capacity-building programmes to provide training and support to States; and further action in response to the issue of reprisals, such as the appointment of focal points on reprisals in each Committee.
2. The resolution also refers to the challenges that the treaty body system faces, many of which remain, including in relation to the interactive dialogue on the implementation of treaty obligations; the nomination of members to the treaty bodies: and the backlog of individual complaints and State reports. The UK therefore believes that further improvements are necessary to ensure the effective functioning of the treaty body system, and that it better delivers for rights holders.

**Elements for consideration**

Greater alignment and harmonisation of working methods

1. The UK recognises that the treaty bodies themselves have made positive efforts to align and harmonise their working methods, but believes more can be done as practices at the committee level continue to vary unnecessarily. Distinct working methods can make engagement with the treaty bodies, both for States and civil society, unnecessarily difficult. Greater efficiency, predictability and a more user-friendly system could be achieved through the implementation of standard processes and practices.

1. The Treaty Body Chairpersons’ Position Paper on the future of the treaty body system provides a good working basis for achieving this aim, including by offering the simplified reporting procedure to all States and agreeing that concluding observations will follow the same aligned methodology, in order to ensure that they are short, focused, concrete, and prioritised. We encourage the treaty bodies to take these proposals forward and replicate best practices across the system. In particular, more can be done to avoid unnecessary duplication across the work of the Committees, through improved cross-committee coordination, the consistent implementation of the various guidelines that have been adopted by the meeting of the Chairpersons, and through the greater use of information and communications technology.

Reporting

1. There is a need to provide greater predictability by putting in place a coordinated and fixed calendar among the treaty bodies that also takes into account the review of the States under the Universal Periodic Review. A fixed predictable calendar will enable States to better engage with the treaty bodies, encouraging State compliance with reporting requirements, enhance coordination among treaty bodies themselves, and enable civil society actors to better follow and engage in treaty body processes.
2. The UK agrees with the idea of putting in place a coordinated and fixed reporting calendar among the treaty bodies, to improve transparency, coordination and predictability. For example, a fixed 8-year review cycle could have a significant positive impact on the treaty body system’s effectiveness and sustainability, as well as potentially improving reporting compliance.
3. The UK sees value in the Treaty Body Chairpersons’ proposal that reviews should 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, and may help to mitigate the serious problem of non-compliance with reporting obligations.

Dialogue

1. There is ongoing scope to improve the dialogue between the treaty bodies and States. In particular, the UK would support proposals aimed at ensuring a balanced and constructive exchange between treaty body members and the State delegation. In order to avoid the overlapping of questions and issues, a harmonised approach to dialogues across the Committees would be beneficial. Further consideration should also be given as to how to improve follow-up between sessions. For example, additional informal contact, via virtual meetings could be useful to improve the quality of the dialogue and promote deeper understanding of the issues at hand.

Improving accessibility and visibility

1. Effective engagement by NGOs and National Human Rights Institutions (NHRIs) is vital to the functioning of the treaty bodies, both through the provision of information to the Committees as to States’ implementation of their human rights obligations, but also the advocacy around and monitoring of implementation of concluding observations at the national level. All treaty bodies have formalised working methods for engagement with NGOs, yet these still vary greatly, and NGOs and NHRIs often face difficulties in obtaining information about the treaty body system and using or accessing existing instruments.
2. Greater harmonisation of working methods as set out above would support NGO and individual engagement with the treaty body system. The treaty bodies should also continue to consider other ways in which NGO engagement can be facilitated and strengthened at all stages of the review process. For example, whilst some treaty bodies have held civil society consultations through remote participation, these practices are still ad hoc, and we consider that the treaty bodies could make more frequent use of technologies to ensure remote participation for civil society representatives. The UK therefore welcomes and encourages the continuation of new, innovative, and flexible ways of working, building on the recent practices of some of the treaty bodies themselves.
3. The UK notes the recommendation of the Chairs of the Treaty Bodies and a number of NGOs to hold sessions at a regional level to improve accessibility and engagement between the treaty bodies and States, NGOs, and rights holders, and recognises the potential benefits. There are, however, potentially significant resource implications for such an approach, which would need to be carefully considered, evaluated, and offset by efficiencies elsewhere.

Membership

1. The effectiveness of each treaty body is dependent upon its membership. Independence, competence, and impartiality of the members of the treaty bodies are indispensable prerequisites for an effective treaty body system. The United Kingdom considers that the treaty body system would be significantly strengthened by States parties taking steps to ensure an open process for selecting candidates for treaty body elections aimed at ensuring the greatest level of expertise and independence in all treaty bodies.
2. A number of key elements should make up such a process. First, that the call for nominations to be a State’s treaty body candidate should be made widely, for example in the national press and/or on government websites, and particularly be brought to the attention of NHRI’s and civil society. Second, individuals holding positions in the executive branch of government are ineligible. And thirdly, candidates should be sifted and then interviewed as part of an open competition. While the decision for choosing a candidate remains the prerogative of the State party, in the United Kingdom’s experience open processes have proved highly beneficial in helping to select treaty body candidates with the highest levels of expertise and with full independence from government.