



TB-Net Statement on the 31st meeting of Chairpersons of the Human Rights Treaty Bodies

June 2019

1. Introduction

This is a joint statement on behalf of seven organizations¹, which form the NGO Network on UN Treaty Bodies (TB-Net). Created in February 2017, TB-Net is an informal group of international NGOs and networks who work closely with 7 of the UN treaty bodies (CERD, CCPR, CESCR, CEDAW, CAT, CRC, CRPD) and have specialised expertise on their procedures and substantive work. Our mission is to support and enhance the effectiveness of the treaty bodies so that they can better contribute to the realisation of the human rights of all persons.

2. 2020 Review of the Human Rights Treaty Body System

TB-Net believes that the treaty bodies should be seen as one system, all on an equal footing with each other while respecting their independence and the specificity, scope and full set of rights of each treaty. Based on the objectives and principles set out in the joint NGO calls in [2018](#) and [2019](#), and most recently in [May this year](#), we recommend that the treaty bodies:

- Support an open and transparent review process that allows for direct contributions by civil society and other relevant stakeholders;
- Propose/ support measures in the 2020 review which will increase the promotion and protection of human rights at the national level through increased compliance by States with their human rights obligations;
- Protect and support civil society's role in informing and supporting the work of treaty bodies as a vital part of the system;
- Explore further alignment of working methods through piloting initiatives and inter-committee exchanges and prioritise initiatives that increase the predictability of State reviews (for instance a fixed and co-ordinated calendar of reviews) and which increase the accessibility of the system for all users; and
- Adopt joint guidelines on follow-up and assessment procedures as recommended in the report of the expert meeting on follow-up to treaty body recommendations (HRI/MC/2018/CPR.2).

Together with colleagues from Amnesty International and International Service for Human Rights (ISHR), TB-Net is hosting an NGO consultation process on treaty body strengthening. The objective is to reach out to NGO colleagues at the national and regional level, who engage with the treaty bodies, to keep them

¹ Centre for Civil and Political Rights (CCPR-Centre), Child Rights Connect, the Global Initiative for Economic, Social and Cultural Rights (GIESCR), the International Disability Alliance (IDA), the International Movement Against All Forms of Discrimination and Racism (IMADR), International Women's Rights Action Watch Asia Pacific (IWRAP-Asia Pacific) and the World Organisation Against Torture (OMCT)

informed about the 2020 review process and incorporate their perspectives into the NGO reflections. This is an important consultation as, unlike any of the other positions and processes on treaty body strengthening, it seeks to obtain the perspectives of users of the system, and the experiences of rights holders. We will hold a meeting in early July and then produce a report in September, which we will share with treaty body members.

3. Quality, Independent and Diverse Treaty Body Membership

Since 2017, TB-Net has been leading the discussion in Geneva² and New York³ on promoting quality, independent and diverse treaty body membership through open and participatory nominations and elections processes. Building on the successful events in 2017, we organised a roundtable discussion with States on Treaty Body Elections on 15 November 2018, together with Amnesty International, the Permanent Mission of Switzerland and the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland.⁴ The event found a general agreement among State representatives from all regions that a more formalised and transparent process for nomination of treaty body members is desirable, and would lead to strong pools of quality, independent and diverse candidates. In this regard, multi-stakeholder cooperation among States, civil society, the OHCHR and the treaty bodies is essential. We reiterate our recommendations in the previous statement⁵ in 2018 that the treaty bodies should:

- Call on States to organise open, participatory, transparent and structured national nomination processes to ensure public scrutiny of the candidates prior to their nomination;
- Encourage States to ensure in both nominations and elections that the candidates are persons of high moral standing, have recognised competence and experience in the human rights field covered by the relevant treaty, and are independent. States should also give consideration to equitable geographic distribution, balanced gender representation, and a diversity of backgrounds and experiences; and
- Assist States in identifying the most appropriate candidate by recalling the key requirements for treaty body membership before every election i.e. availability to dedicate time, sensitivity to cultural differences, etc., and by encouraging States to take into account the current composition of the concerned treaty body and its outgoing members as well as the current and potential gaps in expertise, geographical representation and gender balance.

4. Implementation of the Guidelines against Intimidation or Reprisals (the San José Guidelines)

TB-Net expresses our appreciation for the opportunity to support the Workshop on reprisals held in December 2018. We welcome the creation of a dedicated page on intimidation and reprisals for cooperation with the treaty bodies on the OHCHR website, following the workshop.⁶ We call for further implementation of the recommendations contained in the outcome report (HRI/MC/2019/CRP.2).

5. Financial sustainability of the treaty body system

TB-Net is pleased to hear confirmation that the third 2019 sessions of the treaty bodies will go ahead this year. Nevertheless we remain deeply concerned by the recent UN budget shortfall in fully supporting the

² EVENT REPORT: "Promoting Quality, Independence and Diversity in Treaty Body Membership", 2 November 2017, https://www.facebook.com/notes/tb-net/event-report-promoting-quality-independence-and-diversity-in-treaty-body-members/2017859365128158/?_tn=HH-R

³ Promoting quality, independence and diversity in Treaty Body membership: Introducing the civil society questionnaire to candidates, 1 June 2018, <http://webtv.un.org/search/promoting-quality-independence-and-diversity-in-treaty-body-membership-introducing-the-civil-society-questionnaire-to-candidates/5792569288001/?term=membership%20treaty&sort=date>

⁴ Summary Report – "TB-NET Event on Treaty Body Elections", <https://www.facebook.com/notes/tb-net/summary-report-tb-net-event-on-treaty-body-elections/2267479453499480/>

⁵ TB-Net Statement on the 30th meeting of Chairpersons of the Human Rights Treaty Bodies, https://tbinternet.ohchr.org/Treaties/CHAIRPERSONS/Shared%20Documents/1_Global/INT_CHAIRPERSONS_NGO_30_27303_E.pdf

⁶ <https://www.ohchr.org/EN/HRBodies/Pages/Reprisal.aspx>

work of the treaty bodies,⁷ which reportedly continues to threaten the system in following years. Together with a large group of NGOs we recently wrote to States to remind them of the important and unique role of the human rights treaty bodies, as the independent monitoring and accountability mechanisms for the human rights system at the international level. We urged States to properly support the work of the treaty bodies, financially and politically and by taking seriously implementation of the treaty bodies' recommendations and views. We will continue to advocate for the financial sustainability of the treaty body system.

We encourage the treaty bodies to request sufficient funding for their work in order to meet with the growth of the system such as the increasing number of ratifications and individual complaints.

Lastly, we wish to express our commitment to work with you, the Chairs, towards the full realisation of the effective operation of the treaty body system.

Thank you,

NGO Network on UN Treaty Bodies (TB-Net)

⁷ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24621&LangID=E>