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## Seventy-fourth session

Item 72 (a) of the provisional agenda\*

### Promotion and protection of human rights

## Implementation of human rights instruments

### Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Chairs of the human rights treaty bodies on their thirty-first annual meeting, held in New York from 24 to 28 June 2019, pursuant to Assembly resolution [57/202](#).

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\* [A/74/150](#).



## Report of the Chairs of the human rights treaty bodies on their thirty-first annual meeting

### *Summary*

The present report of the Chairs of the human rights treaty bodies on their thirty-first annual meeting, held at Headquarters from 24 to 28 June 2019, is submitted pursuant to General Assembly resolution [57/202](#), in which the Assembly requested the Secretary-General to submit the reports of the Chairs of the treaty bodies on their periodic meetings, convened annually pursuant to Assembly resolution [49/178](#). The meeting was convened in New York in response to the call by the Assembly, in its resolution [68/268](#), for strengthened interaction with States. The Chairs held focused discussions, including, in particular on the review by the Assembly of the human rights treaty body system in 2020, including the formulation of a position paper on the future of the treaty body system. They met with the Secretary-General and the Deputy Secretary-General and held meetings and consultations with States, United Nations entities and civil society organizations. The decisions and recommendations of the Chairs are set out in section V of the report.

## Contents

	<i>Page</i>
I. Introduction .....	4
II. Organization of the meeting .....	4
III. Summary of the discussions .....	6
A. General Assembly review of the treaty body system in 2020 .....	6
B. Reporting compliance by States parties .....	6
C. Implementation by the treaty bodies of the guidelines against intimidation or reprisals (the San José guidelines) .....	6
D. Implementation by the treaty bodies of the guidelines on the independence and impartiality of members of the human rights treaty bodies (the Addis Ababa guidelines)	7
E. Progress made on the alignment of working methods and practices of the treaty bodies, including with regard to the simplified reporting procedure .....	8
F. Modalities and organization of future meetings of Chairs and other intersessional activities .....	8
G. Additional issues arising in the work of the treaty bodies .....	8
IV. Meetings and consultations .....	9
A. Meetings with high-level United Nations officials .....	9
B. Consultation with States parties .....	9
C. Consultation with United Nations entities .....	10
D. Consultation with civil society organizations .....	11
V. Decisions and recommendations .....	11
A. General Assembly review of the human rights treaty body system in 2020 .....	11
B. Reporting compliance by States parties .....	11
C. Implementation by the treaty bodies of the guidelines against intimidation or reprisals (the San José guidelines) .....	11
D. Implementation by the treaty bodies of the guidelines on the independence and impartiality of members of the human rights treaty bodies (the Addis Ababa guidelines)	11
E. Progress made on the alignment of working methods and practices of the treaty bodies, including with regard to the simplified reporting procedure .....	12
F. Modalities and organization of future meetings of Chairs and other intersessional activities .....	12
G. Role of the Chairs .....	12
H. Agenda and location of the thirty-second annual meeting of the Chairs of human rights treaty bodies .....	12
 Annexes	
I. Provisional agenda and revised programme of work .....	14
II. Possible elements for a common aligned procedure for the simplified reporting procedure ...	17
III. Position paper of the Chairs of the human rights treaty bodies on the future of the treaty body system .....	19

## I. Introduction

1. The thirty-first meeting of the Chairs of the human rights treaty bodies was held in New York from 24 to 28 June 2019. The Chairs held 10 formal meetings, five of which were either public or public in part. All public meetings were webcast.
2. The annual meeting of the Chairs is a forum for the exchange of information, including the maintenance of communications and dialogue among the Chairs on common issues and challenges.<sup>1</sup>
3. The Chairs held focused discussions, including, in particular on the review by the General Assembly of the human rights treaty body system in 2020.
4. In paragraph 38 of its resolution [68/268](#), the General Assembly encouraged the human rights treaty bodies, with a view to accelerating the harmonization of the treaty body system, to continue to enhance the role of their Chairs in relation to procedural matters, including with respect to formulating conclusions on issues related to working methods and procedural matters, promptly generalizing good practices and methodologies among all treaty bodies, ensuring coherence across the treaty bodies and standardizing working methods.
5. The meetings of the Chairs are convened annually pursuant to General Assembly resolution [49/178](#). In 2019, the meeting was held in New York on the basis of the recommendation made by the Chairs at their 2017 meeting. That recommendation was made in the light of resolution [68/268](#) and to strengthen interaction between treaty bodies and States parties in view of the upcoming 2020 review of the treaty body system by the Assembly.<sup>2</sup>
6. The following documents served as background to the meeting:
  - (a) Provisional agenda and annotations ([HRI/MC/2019/1](#));
  - (b) Note by the Secretariat on the role of treaty body focal points and rapporteurs with respect to reprisals against persons and groups engaging with United Nations human rights treaty bodies ([HRI/MC/2019/2](#));
  - (c) Note by the Secretariat on the simplified reporting procedure: possible elements of a common aligned procedure ([HRI/MC/2019/3](#));
  - (d) Note by the Secretariat on the workshop on the simplified reporting procedure ([HRI/MC/2019/CRP.1](#));
  - (e) Note by the Secretariat on the workshop on reprisals ([HRI/MC/2019/CRP.2](#)).

## II. Organization of the meeting

7. The Chairs held focused discussions, including, in particular, on the upcoming review by the General Assembly of the human rights treaty body system in 2020. The meeting was attended by the Chairs of the 10 human rights treaty bodies: Nouredine Amir, Chair of the Committee on the Elimination of Racial Discrimination; Hilary Gbedemah, Chair of the Committee on the Elimination of Discrimination against Women; Jens Modvig, Chair of the Committee against Torture; Ahmadou Tall, Chair of the Committee on the Protection of the Rights of All Migrant Workers and

<sup>1</sup> The meeting of the Chairs of the United Nations human rights treaty bodies was first called for by the General Assembly in its resolution [38/117](#). The Assembly, in its resolution [57/202](#), requested the Secretary-General to submit to the Assembly the reports of the Chairs of the human rights treaty bodies on their periodic meetings.

<sup>2</sup> For further information on the meetings, see: [www.ohchr.org/EN/HRBodies/AnnualMeeting](http://www.ohchr.org/EN/HRBodies/AnnualMeeting).

Members of Their Families; Malcolm Evans, Chair of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Luis Ernesto Pedernera Reyna, Chair of the Committee on the Rights of the Child; Suela Janina, Chair of the Committee on Enforced Disappearances; Danlami Basharu, Chair of the Committee on the Rights of Persons with Disabilities; Renato Zerbini Ribeiro Leão, Chair of the Committee on Economic, Social and Cultural Rights; and Ahmed Amin Fathalla, Chair of the Human Rights Committee.

8. The Chairs adopted the provisional agenda and the revised programme of work, of the meeting (see annex I). The Director of the Human Rights Council and Treaty Mechanisms Division of the Office of the United Nations High Commissioner for Human Rights (OHCHR) opened the meeting and welcomed the Chairs. He highlighted that the meeting was taking place at a crucial moment for the treaty body system as it confronted unprecedented challenges to the fulfilment of its mandate. He made reference to the letter of the United Nations High Commissioner for Human Rights of 30 April 2019, in which the High Commissioner had informed the Chairs about the shortfall in funding and restrictions in the 2019 allocation of approved funds within the Secretariat. He said that the possible cancellations of treaty body sessions scheduled for the later part of 2019 was deeply worrying, and unprecedented in the history of the United Nations human rights mechanisms. In response, the Chairs wrote to the High Commissioner and to the Secretary-General calling for the identification of solutions with Member States to ensure that treaty bodies are able to fulfil their functions undiminished. The High Commissioner has addressed this issue with the Secretary-General, who committed to do everything possible to minimize the potential impact of the financial cuts on the treaty body system and to ensure that the sessions of the treaty bodies may proceed as scheduled. He stated that while the overall funding situation remains critical, the upcoming 2020 review of the treaty body system by the General Assembly presents a unique opportunity to propose innovative and tangible solutions to tackle the mounting human rights challenges, as well as to address the fundamental challenges faced by the entities of the system. He encouraged the Chairs to agree on a common vision and actionable proposals to strengthen the human rights treaty body system.

9. The Director also encouraged the Chairs to use their meeting in New York as an opportunity to increase the visibility of treaty bodies and to actively engage in outreach to explain the challenges they are facing, in particular during their meetings with high-level United Nations officials, Member States, United Nations entities and civil society organizations.

10. Ms. Gbedemah was elected by acclamation the Chair of the thirty-first annual meeting, and Mr. Pedernera Reyna was elected Vice-Chair on the basis of the established principle of rotation. Ms. Gbedemah thanked the outgoing Chair for his leadership in steering last year's meeting and welcomed participants to the meeting. Ms. Gbedemah underlined that she would do her utmost to preserve and foster the spirit of collegiality, commitment and leadership that had characterized the meetings of the Chairs in recent years and stressed the importance of the contribution of the members of the treaty bodies to the 2020 review, which would facilitate an outcome that truly strengthened the treaty body system and the impact of its work.

11. Ms. Gbedemah proposed the designation of the following facilitators to introduce the topics for discussion under the different items of the programme of work: Mr. Modvig for the discussion on the 2020 review of the treaty body system; Sir Malcolm Evans for the discussion on the San José guidelines; and Mr. Fathalla for the discussion on the simplified reporting procedure.

### **III. Summary of the discussions**

#### **A. General Assembly review of the treaty body system in 2020**

12. Mr. Modvig facilitated the discussion on the General Assembly review of the treaty body system in 2020, which was based on the outcome document of the meeting of treaty body members in Copenhagen in February 2019.<sup>3</sup> Mr. Modvig explained that the focal points and the Chairs of each Committee met in Copenhagen on 26 and 27 February 2019 in preparation for the annual meeting of the Chairs. At the meeting, the members discussed areas for development in light of the upcoming review of the treaty body system in 2020, including the identification of reforms that should be implemented to increase the capacity and effectiveness of treaty bodies and enable States to comply with their reporting obligations in a more effective way.

13. For related decisions and recommendations, see section V of the present report.

#### **B. Reporting compliance by States parties**

14. The Chairs discussed reporting compliance by States parties based on information provided online, as requested at their previous meeting (A/73/140, para. 71). The Chairs reviewed figures and trends, and noted that while timely submission of reports by States was still low, with 18.7 per cent of all States parties reporting, 66 per cent of the reports that had been submitted to the treaty bodies were submitted in a timely manner.

15. For related decisions and recommendations, see section V of the present report.

#### **C. Implementation by the treaty bodies of the guidelines against intimidation or reprisals (the San José guidelines)**

16. The Chairs had the opportunity to exchange views with the Assistant Secretary-General for Human Rights Andrew Gilmour, who has been designated to lead United Nations efforts to prevent and address acts of intimidation and reprisals against those cooperating with the United Nations on the protection of human rights.

17. In preparation for the discussion, a workshop was held on 12 and 13 December 2018 to facilitating a discussion between focal points and rapporteurs on reprisals and members of the treaty bodies, with a view to ensuring a common understanding of the scope and impact of the issue, increasing alignment in the response to it and identifying and replicating good practices. The workshop was co-organized by OHCHR and the following non-governmental organizations: the International Service for Human Rights, in consultation with Amnesty International, and the NGO Network on United Nations Treaty Bodies (TB-Net).

18. The workshop brought together 13 members from the different United Nations treaty bodies, including human rights defenders who have been intimidated or suffered reprisals related to their cooperation with the treaty bodies, a representative from Global Alliance of National Human Rights Institutions, representatives from non-governmental organizations and OHCHR staff members. The summary of the workshop is contained in a conference room paper (see HRI/MC/2019/CRP.2).

19. As requested by the Chairs at their thirtieth meeting, OHCHR prepared a document on the current role of focal points and rapporteurs and an overview of good

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<sup>3</sup> See: [www.ohchr.org/EN/HRBodies/AnnualMeeting](http://www.ohchr.org/EN/HRBodies/AnnualMeeting).

practices in addressing allegations of intimidation and reprisals (see [HRI/MC/2019/2](#)).

20. Ms. Gbedemah updated the members on developments to facilitate the role of focal points and rapporteurs on reprisals since the thirtieth meeting. The Secretariat has: (a) released a common treaty body webpage on reprisals, which provides all stakeholders with an easier way to access information on how the treaty bodies address cases of intimidation and reprisals and how to report such cases; (b) created a group listserv (e-mail group discussion) to virtually connect all focal points and rapporteurs on reprisals and assist them in working together between sessions, as needed; and (c) created a central/internal repository of reprisal cases, templates and other relevant information on reprisals.

21. The Assistant Secretary-General highlighted the fact that the forthcoming report of the Secretary-General will include a number of cases related to intimidation and reprisals against individuals and groups cooperating with treaty bodies. He stated that the reported cases represented just a fraction of the total number of cases, as there were a number of cases that cannot be publicly reported on, and added that victims and partners may self-censor themselves, depending on the specific context, because of the risks involved in cooperating with the United Nations. He stressed that part of his mission was to lead a coordinated and coherent United Nations system-wide response to reprisals, first and foremost by making it clear throughout the system – from the top-down – that there was a culture of zero tolerance towards reprisals. He highlighted that treaty bodies have a solid framework to address reprisals and that the San José guidelines are a very good tool, with a clear scope, key principles and operational guidance.

22. Sir Malcolm Evans facilitated a closed session between the Chairs and Secretariat focal points on reprisals (some joining by videoconference from Geneva) on the implementation of the San José guidelines. The Chairs discussed the definition of reprisals; the appointment and role of focal points and rapporteurs, including between sessions; the use of preventive measures, including quiet diplomacy; and the experiences of Committees in coordinating with other mechanisms, including regional mechanisms.

23. For related decisions and recommendations, see section V of the present report.

#### **D. Implementation by the treaty bodies of the guidelines on the independence and impartiality of members of the human rights treaty bodies (the Addis Ababa guidelines)**

24. The Chairs emphasized the importance of the nomination and election process by States parties to ensure that independent experts and candidates from diverse backgrounds were elected to the treaty bodies.

25. In a closed session, the Chairs discussed and exchanged views on the approaches and practices in handling perceived or actual conflicts of interest of their members in implementing the Addis Ababa guidelines in their respective Committees. They reiterated the importance of the guidelines and recommended that their implementation be further aligned, including by sharing good practices in that regard.

26. The Chairs also reiterated the responsibility of States for nominating and electing experts to the treaty bodies. They emphasized the importance of open, robust and transparent national selection processes.

27. For related decisions and recommendations, see section V of the present report.

## **E. Progress made on the alignment of working methods and practices of the treaty bodies, including with regard to the simplified reporting procedure**

28. On 10 and 11 December 2018, the Human Rights Treaties Branch of OHCHR, in cooperation with the Geneva Academy of International Humanitarian Law and Human Rights, convened a two-day workshop on the simplified reporting procedure. The closed meeting brought together up to two members from each of the nine treaty bodies that have a reporting procedure,<sup>4</sup> along with OHCHR staff members and a representative from the Geneva Academy.

29. A background document, containing nine annexes, was prepared by an external consultant as a means of informing the dialogue. An oral presentation of the document was made, and it was also distributed and posted on a dedicated page on the extranet of the Chairs of the treaty body, which is accessible to all members of the Committees and the staff of the human rights treaty bodies.

30. The overall objective of the workshop was to share the experiences of Committees that are already using the simplified reporting procedure and to identify good practices and possible elements of a common aligned procedure in order to inform the discussion of the Chairs. As requested by the Chairs, possible elements of a common aligned procedure on the basis of common elements and points of agreement that have already been identified at previous meetings of Chairs and at the latest expert workshop on the issue were presented in a note by the Secretariat on a simplified reporting procedure (see [HRI/MC/2019/3](https://www.ohchr.org/en/hridoc/doc.aspx?docid=19193)).

31. Mr. Fathalla made a presentation on the simplified reporting procedure based on the findings of the working group of the Human Rights Committee on this issue to facilitate the discussion.

32. For related decisions and recommendations, see section V of the present report.

## **F. Modalities and organization of future meetings of Chairs and other intersessional activities**

33. The Chairs agreed that it is necessary to meet and interact more than once a year and to enhance intersessional activities through face-to-face contact or remotely by videoconference. The opportunities for exchange should be optimized, for example when the sessions of treaty bodies take place at the same time in Geneva, or when the Chairs make their oral presentations to the Third Committee of the General Assembly.

34. For related decisions and recommendations, see section V of the present report.

## **G. Additional issues arising in the work of the treaty bodies**

35. The Chairs were informed about the Dignity@Work policy and action plan adopted by OHCHR. Under the policy, OHCHR has pledged zero tolerance for prohibited conduct – abuse of authority, discrimination and harassment, including sexual harassment, and to commit to actively upholding the right of all staff members to report such alleged conduct, without reprisals. This policy forms an integral part of

<sup>4</sup> Committee against Torture, Committee on Economic, Social and Cultural Rights, Committee on Enforced Disappearances, Committee on the Elimination of Discrimination against Women, Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, Committee on the Rights of Persons with Disabilities, Committee on the Rights of the Child, Human Rights Committee.

a broader organizational effectiveness action plan on gender and diversity (2018–2021). The policy provides that Treaty Bodies members, special procedures, members of commissions of inquiry and other independent experts supported by the Office must also be made aware of their rights and obligations under the principles and standards of the Office’s Dignity@Work Policy.

36. A letter by the United Nations High Commissioner for Human Rights, dated 15 May 2019, together with relevant documents, was shared with the Chairs electronically. The letter was subsequently shared by the Secretariat with the experts of all treaty bodies.

## **IV. Meetings and consultations**

### **A. Meetings with high-level United Nations officials**

37. On 25 June 2019, the Secretary-General and the Deputy Secretary-General met with the 10 Chairs of the human rights treaty bodies. The Secretary-General emphasized the crucial importance of treaty bodies, and alerted the Chairs to what he described as a critical time for the United Nations in terms of its financial situation. He thanked the treaty bodies for their mobilization on the issue of the possible postponement of the sessions planned for the end of 2019. The Secretary-General informed the Chairs that, together with the High Commissioner, all possible efforts had been made to ensure that the sessions could proceed as planned. However, the financial situation of the United Nations remained critical, especially planning for 2020. The Chairs shared with the Secretary-General elements of their common vision as their concrete contribution to the 2020 review. They outlined measures that were implementable immediately by each treaty body, such as greater coordination and the extension of the use of the simplified reporting procedure. They also outlined other measures that could be implemented gradually over time, including plans to put in place a more predictable, regular review system for application to all States parties. The new measures would allow for reviews to be carried out by smaller teams sent to different regions to conduct dialogues with the States parties, followed by the endorsement of their findings by the plenary, and increasing capacity to review States through the use of double chambers. The Chairs acknowledged that all measures were subject to support for them from the Committees, from OHCHR and from other relevant departments of the Secretariat.

### **B. Consultation with States parties**

38. The Chairs held a consultation with representatives of States parties. The meeting was attended by more than 100 delegates, representing Member States, regional groups and non-governmental organizations.

39. Ms. Gbedemah introduced the position paper of the Chairs of the treaty bodies on the future of the treaty body system (see annex III). A number of States took the floor expressing support for the work of treaty bodies and experts, along with appreciation for the opportunity to engage through the meetings in New York.

40. Interventions were made by Brazil, Canada, Chile, China, Costa Rica, Cuba, Ecuador, Egypt, El Salvador, France, Iceland, Ireland, Japan, Liechtenstein, Mexico, the Netherlands, the Russian Federation, Spain, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay, as well as by the representative of the European Union. Issues raised included: the harmonization or alignment of working methods; coordination between treaty bodies; a predictable schedule for reporting; further simplification of the simplified reporting

procedure; duplication of recommendations by treaty bodies; the backlog in reporting, which has now been almost eliminated, as opposed to the steep increase in the backlog of individual communications due to the increased number of individual communications received; and the financial situation. Questions raised, included the question as to whether there was qualitative, not only quantitative, information on reporting compliance by States parties and a recommendation was made that treaty bodies should add the implementation of General Assembly resolution 68/268 to their agendas. Other issues raised included multilingualism, accessibility, quality and diversity of the membership of treaty bodies and the independence of treaty body experts. Concern was expressed about alleged instances of reprisals and intimidation against individuals cooperating with treaty bodies.

41. The Chairs thanked the representatives of States for participating in the meeting in such numbers, as well as for their engagement and constructive comments. In reply to the questions raised, each of the Chairs addressed a specific theme on behalf of all the Chairs to reinforce the point that they spoke as representatives of a system, rather than on behalf of a single treaty body.

42. On 28 June 2019, a separate, private meeting was held between the Chairs and the Deputy Permanent Representative of Costa Rica to the United Nations. There was an exchange in relation to the note verbale dated 20 June 2019 from the Permanent Mission of Costa Rica to the United Nations Office at Geneva addressed to the Chairs of the human rights treaty bodies. The note verbale from the Permanent Mission of Costa Rica contained, also on behalf of the Permanent Missions of Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Croatia, Czechia, Cyprus, Denmark, Estonia, France, Finland, Germany, Georgia, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, the Netherlands, New Zealand, Norway, Paraguay, Peru, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom, a non-paper regarding the 2020 review of the United Nations human rights treaties body system.

### **C. Consultation with United Nations entities**

43. In meetings with representatives of a number of entities of the United Nations system, the Chairs acknowledged that the treaty bodies were essential parts of the system and that they had greatly benefited from the oral and written briefings provided by the entities of the common system. The representative of the Development Coordination Office provided an update on opportunities for engagement with treaty bodies in the context of the reform of the United Nations development system. Other agencies, including the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF) and the United Nations Population Fund (UNFPA), provided an update on how they had integrated the recommendations from the treaty bodies into their programmatic documents and strategies. The Chairs asked for feedback as to whether the recommendations of treaty bodies were being implemented at the national level since evidence-based follow-up was much needed in order to improve the formulation of recommendations. Issues of participation and the level of cooperation with persons with disabilities and organizations representing persons with disabilities were also discussed.

## **D. Consultation with civil society organizations**

44. The Chairs met with representatives of a number of civil society organizations and held a focused discussion on the 2020 review of the treaty body system.

45. On 25 June 2019, a group of civil society organizations organized a side-event, on the margins of the thirty-first meeting of the Chairs, for an informal exchange with the Chairs on the 2020 review of the treaty body system.

46. A number of written contributions were submitted to the Chairs from TB net, the International Service for Human Rights, Amnesty International and the Jacob Blaustein Institute for the Advancement of Human Rights. The written submissions are posted on the dedicated webpage of the thirty-first meeting.<sup>5</sup>

## **V. Decisions and recommendations**

47. At their thirty-first meeting, the Chairs adopted the following decisions and recommendations and entrusted the Secretariat with the finalization of the report.

### **A. General Assembly review of the human rights treaty body system in 2020**

48. The Chairs adopted the “Position paper of the Chairs of human rights treaty bodies on the future of the treaty body system” (see annex III).

### **B. Reporting compliance by States parties**

49. For their thirty-second meeting, the Chairs requested the Secretariat to update the information on the reporting obligations of and compliance by States parties, in an online format only, through a database available on the OHCHR website.<sup>6</sup>

### **C. Implementation by the treaty bodies of the guidelines against intimidation or reprisals (the San José guidelines)**

50. For their thirty-second meeting, the Chairs requested the Secretariat to compile the cases and trends that have been brought to the attention of the treaty bodies by mapping the practices of treaty bodies on reprisals by the rapporteurs or focal points of each Committee, based on the recommendations made at the workshop on reprisals held in Geneva in 2018.<sup>7</sup> The Secretariat was charged with identifying issues that need further action by the Chairs.

### **D. Implementation by the treaty bodies of the guidelines on the independence and impartiality of members of the human rights treaty bodies (the Addis Ababa guidelines)**

51. For their thirty-second meeting, the Chairs requested the Secretariat to prepare a document mapping the practices of different treaty bodies, identifying the key

<sup>5</sup> See <https://www.ohchr.org/EN/HRBodies/AnnualMeeting/Pages/MeetingChairpersons.aspx>.

<sup>6</sup> See [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/MasterCalendar.aspx](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/MasterCalendar.aspx).

<sup>7</sup> HRI/MC/2019/2, annex II.

challenges and proposing further steps to operationalize the guidelines across treaty bodies.

#### **E. Progress made on the alignment of working methods and practices of the treaty bodies, including with regard to the simplified reporting procedure**

52. The Chairs endorsed the elements of a common aligned procedure for the simplified reporting procedure, see annex II.

#### **F. Modalities and organization of future meetings of Chairs and other intersessional activities**

53. The Chairs recommended the holding of a second Chairs meeting, either in person or remotely through use of information and communications technology, to prepare for future meetings and to follow up on their decisions and recommendations.

54. The Chairs entrusted the Secretariat to liaise with the relevant bureau of the General Assembly responsible for the schedule and agenda of the Third Committee to enable the Chairs to group the oral presentations of their respective annual reports in New York in the fall of 2019 as far as possible back-to-back, or under the same agenda item, and also to enable them to have the opportunity to have a meeting in their role as Chairs.

#### **G. Role of the Chairs**

55. The Chairs recalled the encouragement given by the General Assembly to the treaty bodies to continue to enhance their role in relation to procedural matters, including with respect to formulating conclusions on issues related to working methods and procedural matters, promptly adopting general good practices and methodologies across all treaty bodies, ensuring coherence across the treaty bodies and standardizing working methods.

56. The Chairs considered it useful to have an informal meeting or other form of consultation in the course of 2019, prior to the next annual meeting, to advance work on matters of concern to all treaty bodies, compare notes on the implementation of General Assembly resolution [68/268](#) and share good practices.

57. The Chairs recalled the decision, taken at their previous meetings, that they should adopt measures on working methods and procedural matters that were common across the treaty body system, and that such measures should be implemented by all treaty bodies unless a treaty body subsequently dissociated itself from the system.<sup>8</sup>

#### **H. Agenda and location of the thirty-second annual meeting of the Chairs of human rights treaty bodies**

58. The Chairs reiterated their decision, made at their twenty-eighth meeting, in the light of General Assembly resolution [68/268](#), to hold their annual meetings, in the

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<sup>8</sup> [A/70/302](#), para. 88; see also the outcome document of the meeting held in Dublin in November 2009 on the process of strengthening the United Nations human rights treaty body system (see <http://www.ohchr.org/EN/HRBodies/HRTD/Pages/Documents.aspx>, para. 26).

years leading up to the review of the human rights treaty body system in 2020, at United Nations Headquarters. They reiterated their wish to continue strengthening their interaction with senior United Nations officials, including the Secretary-General, the Deputy Secretary-General, and with representatives of Member States, United Nations agencies and programmes and civil society organizations in New York.

## Annex I

### Provisional agenda and revised programme of work

#### Provisional agenda

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. General Assembly review of the treaty body system in 2020.
4. Reporting compliance by States parties.
5. Implementation by the treaty bodies of the Guidelines against Intimidation or Reprisals (the San José Guidelines), with a particular focus on the role of focal points and rapporteurs.
6. Implementation by the treaty bodies of the guidelines on the independence and impartiality of members of the human rights treaty bodies (the Addis Ababa guidelines).
7. Progress made in the alignment of working methods and practices of the treaty bodies, including with regard to the simplified reporting procedure.
8. Modalities and organization of future meetings of Chairs and other intersessional activities.
9. Any other business.
10. Adoption of the report on the thirty-first meeting.

#### Programme of work

##### Monday, 24 June 2019

*10:00–11:30 (private)*

*11:30–13:00 (public)*

*Opening of the meeting*

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. General Assembly review of the treaty body system in 2020.

*15:00–16:00 (public)*

5. Implementation by the treaty bodies of the Guidelines against Intimidation or Reprisals (the San José Guidelines), with a particular focus on the role of focal points and rapporteurs ([HRI/MC/2019/2](#)).

*Meeting with the Assistant Secretary-General/United Nations focal point to combat reprisals*

*16:00–17:00 (private)*

7. Progress made in the alignment of working methods and practices of the treaty bodies, including with regard to the simplified reporting procedure ([HRI/MC/2019/3](#)).

*17:00–18:00 (private)*

3. General Assembly review of the treaty body system in 2020.

**Tuesday, 25 June 2019**

*10:00–11:00 (public)*

Consultation with United Nations agencies

*11:00–13:00 (private)*

3. General Assembly review of the treaty body system in 2020.

*15:00–18:00 (private)*

3. General Assembly review of the treaty body system in 2020.

**Wednesday, 26 June 2019**

*10:00–11:00 (private)*

6. Implementation by the treaty bodies of the guidelines on the independence and impartiality of members of the human rights treaty bodies (the Addis Ababa guidelines).

*11:00–12:00 (private)*

5. Implementation by the treaty bodies of the Guidelines against Intimidation or Reprisals (the San José Guidelines), with a particular focus on the role of focal points and rapporteurs (HRI/MC/2019/2).

*12:00–13:00 (private)*

3. General Assembly review of the treaty body system in 2020.

*15:00–16:00 (private)*

3. General Assembly review of the treaty body system in 2020.

*16:00–17:00 (private)*

Consultation with national human rights institutions and civil society

*17:00–18:00 (private)*

4. Reporting compliance by States parties.

**Thursday, 27 June 2019**

*10:00–13:00 (private)*

3. General Assembly review of the treaty body system in 2020.

*15:00–18:00 (public)*

Consultations with States parties

**Friday, 28 June 2019**

*10:00–11:00 (private)*

Other consultations with the Deputy Permanent Representative of Costa Rica to the United Nations

*11:00–12:00 (private)*

8. Modalities and organization of future meetings of Chairs and other intersessional activities.

*12:00–13:00 (private)*

3. General Assembly review of the treaty body system in 2020.

*15:00–17:00 (private)*

9. Any other business.

*17:00–17:30 (public)*

10. Adoption of the report on the thirty-first meeting.

Closing of the meeting

## Annex II

### **Possible elements for a common aligned procedure for the simplified reporting procedure**

The following possible elements for a common aligned procedure for the simplified reporting procedure were endorsed at the thirty-first meeting of the Chairs of the human rights treaty bodies:

(a) It would be useful to have an aligned methodology for the simplified reporting procedure with predictable deadlines, including a common web page for all Committees;

(b) The simplified reporting procedure should be offered, at a minimum, to all States parties that have submitted an initial report;

(c) Under the simplified reporting procedure, a clear timeline should be developed to ensure the predictability of the submission deadline for replies to lists of issues prior to reporting and the date of the review of the State party report;

(d) The entire simplified reporting procedure should be well planned and organized in advance, and deadlines should be respected so that all stakeholders can have the opportunity to provide the information required in advance of the drafting of lists of issues prior to reporting; there should be an opportunity to provide input just prior to the date of the dialogue; and the process should be clearly explained in a note, which should be easily accessible to all parties concerned;

(e) It would be useful to have a database providing an overview of the Committees and States parties that are using lists of issues prior to reporting and to keep track of their deadlines and content;

(f) Committees should reflect on what type of common core documents they need under the simplified reporting procedure, what other documents or sources they should use and what type of lists of issues prior to reporting template they can develop so that they can get the specific information they need from States;

(g) Committees should clarify in their lists of issues prior to reporting that their questions do not necessarily cover all issues exhaustively, and that Committee members have the flexibility to address additional issues during the dialogue, and they should explain to the State party why a new issue is being raised in their dialogue;

(h) Committees should discuss whether to consider the activities of States parties in the field of human rights in the absence of a report and should consider aligning their practices in that regard;

(i) Committees should coordinate their respective lists of issues prior to reporting if a State is scheduled to be reviewed by more than one Committee within a short time frame, for example a two-year period, with the aim of avoiding unnecessary and unintentional duplication or overlap, while encouraging positive and intentional reinforcement or repetition in cases when something needs to be highlighted repeatedly;

(j) Committees should consider having, as a target, minimum and maximum numbers of questions for lists of issues prior to reporting and minimum and maximum numbers of recommendations for concluding observations;

(k) Internal guidelines should be developed in a coordinated manner for the drafting of lists of issues prior to reporting and of concluding observations common to all Committees;

(l) An online training tool should be developed to familiarize new members of Committees with the methodology under the simplified reporting procedure and the regular reporting procedure;

(m) The compilation of guidelines on the form and content of reports to be submitted by States parties to the international human rights treaties ([HRI/GEN/2/Rev.6](#)) should be revised to include the Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of All Persons from Enforced Disappearance and any further developments concerning the simplified reporting procedure.

## Annex III

### **Position paper of the Chairs of the human rights treaty bodies on the future of the treaty body system**

#### **Introduction**

The present position paper, which represents an agreed position among the Chairs of 10 human rights treaty bodies present at the thirty-first meeting of Chairs of human rights treaty bodies, builds on the achievements made under General Assembly resolution 68/268, including its funding formula, in order to further strengthen the treaty body system. We consider this position to be realistic and affordable. Furthermore, in accordance with the treaty mandates; the paper addresses key issues raised by, and emerging thinking among, member States and other stakeholders concerning the effective and efficient operation of the treaty body system.

In the process of preparing the position paper, consultations were held among all treaty bodies on key elements of the treaty body system, including several international workshops and discussions among the Chairs held over a period of several years. The guiding principle that has underpinned this process has been the increased protection of rights holders through strengthened implementation of the treaties.

The Chairs agree to recommend the proposals contained in the position paper to their Committees. These proposals could be implemented over a period of 1 to 2 years, provided that there is support for them from the Committees, the Office of the United Nations High Commissioner for Human Rights and other relevant departments of the Secretariat.

#### **General alignment of working methods**

##### **Simplified reporting procedure**

All treaty bodies agree to offer simplified reporting procedures to all States parties for periodic reports and may do so for initial reports. All treaty bodies offering such procedures for initial reports will develop a standard list of issues prior to reporting.

##### *Reduction of unnecessary overlap*

All treaty bodies will coordinate their list of issues prior to reporting to ensure that their dialogues with State parties are comprehensive and do not raise substantively similar questions in the same time period. List of issues prior to reporting will be limited to 25 to 30 questions.

##### *Interaction with stakeholders*

All treaty bodies currently receive alternative reports and undertake private meetings with stakeholders, including national human rights institutions, national preventive mechanisms, non-governmental organizations and others. Within the context of reporting procedures, the suggested formats of alternative reports will be aligned, including the deadline for their submission and the scheduling of private meetings. Private meetings may be conducted by videoconference, if necessary.

### *Reporting cycle*

The Covenant Committees (Committee on Economic, Social and Cultural Rights and the Human Rights Committee) will review countries on an 8-year cycle and will synchronize the timing of their reviews.

The Convention Committees will review countries on a 4-year cycle, unless the provisions of a particular Convention provide otherwise.

### *Timing of reviews*

All treaty bodies will schedule reviews with State parties in accordance with the reporting cycle. The review will 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.

The treaty bodies will ensure that should a State party be scheduled for review by a number of treaty bodies within a relatively short period, the scheduling of the reviews in question shall be altered to ensure that an appropriate period elapses between reviews by Convention Committees. Covenant Committees may wish to conduct back-to-back reviews.

### *Reports*

A single consolidated report may be submitted to both Covenant Committees if they choose to offer this option to States parties. The Convention Committees may wish to continue to receive separate reports in order not to dilute the Convention-specific focus.

### *Format of dialogues in Geneva*

All treaty bodies agree to follow the same general format for the consideration of reports during their Geneva sessions, that is 6 hours in total, distributed over two sessions within a 24 hour period. In addition, written replies could be provided by the State concerned within 48 hours of the conclusion of the oral dialogue, if needed and appropriate. Exceptionally, the dialogue may take place by videoconference.

### *Format of concluding observations*

The treaty bodies agree that concluding observations will follow the same aligned methodology, as endorsed by the Chairs in the concluding observations of their 2014 meeting (see [HRI/MC/2014/2](#)) in order to ensure that they are short, focussed, concrete and prioritized, balancing immediate with longer terms priorities and objectives.

### *Follow-up procedure*

All treaty bodies engaging in follow-up to concluding observations will adhere to the process previously endorsed by the Chairs in the procedures of the human rights treaty bodies for following up on concluding observations, decisions and views (see [HRC/MC/2018/4](#)), with a maximum of four urgent recommendations being selected by each Committee from the concluding observations, and the State party will be requested to respond follow-up within a fixed period from the date of the review.

### **Review capacity of the treaty bodies**

The treaty bodies consider that Committee members cannot be expected to contribute more than three months a year of their time (that is, a maximum of three

sessions of four weeks each). As a result, increasing the capacity of the treaty bodies necessitates changes in working methods.

All treaty bodies agree to increase their capacity to review the reports of States parties and individual communications, for example by working in chambers, working groups or country teams. This will facilitate the need to review up to 50 reports per year for the Convention Committees, and 25 reports per year for the Covenant Committees.

### **Reviews in the region**

All treaty bodies agree that there are considerable benefits in conducting dialogues with States parties concerning their reports at a regional level, and that this option should be offered to States on a pilot basis by those Committees wishing to do so, with a view to permanent implementation. Such dialogues may be conducted by a delegation of the treaty body, with concluding observations being adopted by the Committee as a whole.

### **In conclusion**

The Chairs of the treaty bodies agree to align procedures and working methods as specified above. The Chairs believe that these proposals, which aim to focus, coordinate and streamline the reporting process and the dialogues, will facilitate enhanced interaction between States parties and other stakeholders and the treaty bodies.

The introduction of a coordinated schedule of country reviews, in accordance with fixed cycles, in the absence of a report, if necessary, will be implemented in a phased manner in order to ensure the continuation of the regular reviews of all States parties.

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