

2023 meeting of UNTB chairpersons

Joint NGO Statement on behalf of Amnesty International, Geneva Human Rights Platform, International Service for Human Rights, International Rehabilitation Council for Torture Victims (IRCT), Jacob Blaustein Institute for the Advancement of Human Rights (JBI) and members of the TBnet coalition¹

- **Remote participation:** Establishing effective means for remote participation has been a longstanding demand of civil society organisations. We recall that, prior to COVID-19, there were already significant barriers to entering multilateral spaces, including access to treaty body sessions, faced by civil society organizations and human rights defenders, particularly those working at the national level or with long travel distances to UNHQ locations. These barriers include denial of visas, unsustainable costs or length of travel, lack of translation and interpretation issues, accessibility for people with disabilities, technology access and safety issues. ***We reiterate previous joint NGO calls for the continuation of possibilities for online and hybrid civil society participation in UNTB sessions.***
- **Working Paper:** We take note of the “Working Paper on Options and guiding questions for the development of an implementation plan,” developed by OHCHR, and we welcome that many of the proposed options address some of our long-standing recommendations to UNTBs, including to chairpersons in preparation of the 2020 review. Yet we’re concerned about the little time (less than one week) given to interested stakeholders to review the options put forward ahead of this meeting. We offer several preliminary reactions below, as well as an overarching recommendation: ***the chairpersons should request that OHCHR discuss, in detail, the options proposed in the paper with relevant actors including UNTB members and civil society users.***
- **Civil society participation in the work of the treaty bodies:** We are deeply concerned by proposals introduced on page 23 and outlined on pages 75-77 of the Working Paper which risk severely restricting civil society access to and engagement with the treaty bodies in the state review process. This includes an option where civil society participation would be moved out of formal sessions. This would diminish the role of civil society, prevent direct engagement with the treaty bodies and eliminate an important space where civil society organisations, state representatives and treaty body members can be present in the same space to discuss and further advance the national human rights agenda. ***We call on the chairs and OHCHR to ensure that CSO engagement is an integrated and formal part of the treaty bodies work.***
- **Fixed & predictable cycles of review:** Three years after the completion of the 2020 review, the adoption by all treaty bodies of fixed and predictable review cycles has not substantially

¹ Centre for Civil and Political Rights, Child Rights Connect, Convention against Enforced Disappearances Initiative, Global Initiative for Economic, Social and Cultural Rights, International Disability Alliance, International Movement Against All Forms of Discrimination and Racism, International Women’s Rights Action Watch Asia Pacific, World Organisation Against Torture

progressed . Scheduling of periodic reviews is a joint prerogative of the treaty bodies, Chairpersons/Bureaus & Secretariat and the annexes to the 22 May OHCHR working paper show promising avenues. We call on the OHCHR and all treaty bodies to quickly move towards such a fixed calendar. The observance of a fixed calendar will provide predictability, enhance visibility of the TB system and facilitate the engagement for NGOs, NHRIs and states.

- Among the options proposed, some of the signatories of this statement consider that full clustering is the best option to achieve those aims, underlining the interconnectedness of human rights and allowing for mutually supportive, specific and targeted recommendations by treaty bodies.
- The fixed 8-year calendar needs to be complemented by a meaningful mid-term exercise, so whatever option the follow-up review would take (online, in Geneva, at regional or national level), a main feature needs to be the interactive dialogue between the committee and the state delegation, as well as engagement from all other relevant stakeholders. A simple desk review would not suffice.
- In putting forward an array of alternatives in the paper, it is hard to see that states will opt for anything other than the options with the lowest financial implications, as opposed to what is genuinely in the interest of a treaty body system “that strengthens the protection of rights holders”, which is the main goal at the centre of the legal obligations of States. ***We urge the Chairs to take a position on the model that will adhere to the principles above.***
- **Substantive coordination:** While we agree that the treaty bodies should enhance coordination in order to strengthen intersectionality and avoid contradictions through dialogue, as well as use systematic cross referencing, ***we urge the chairpersons to reiterate their position of 2019*** that “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”

Other issues:

- **Individual communications:** we support [the calls from Russian civil society](#) to enhance the ability of the OHCHR Secretariat to handle individual communications, notably in light of the potential increase due to the withdrawal of Russia from the European Court. We understand that a new management case system is being tested and we have called on OHCHR to consult users as part of developing this new tool.

We encourage the Chairs to reiterate their call to the High Commissioner to increase the capacity of the Petitions and Urgent Action Section, and the consultation of users as part of piloting a case management system.

- **Elections of UNTB members:** vetting systems have been developed for a range of international mechanisms in recent years, including but not limited to: the International Criminal Court, the Inter-American system and the UN Special Procedures. UNTBs continue to lag behind with no vetting at all for candidates. This has led most recently to the nomination of yet again [a disproportion of male candidates to the upcoming CAT elections](#), which several NGOs have denounced.

We call on the Chairs to support the introduction of vetting processes for the elections of UNTB members, on the basis of criteria laid out in the Addis Ababa guidelines.

- **Finally, on consulting users as part of developing new methods & systems:** too many new procedures & tools are adopted by UNTBs with no inputs from users. Recent examples include the [Human Rights Committee procedure on follow up to views](#); the CERD guidelines on cooperation w NGOs (CERD/C/506); and the CAT procedure on third party interventions (upcoming).

We call on the Chairs to systematically consult with users, especially civil society users, when developing new tools as they may impact their participation in the work of UNTBs.