Background

The human rights treaty bodies are independent committees that have been established under the international human rights treaties. They are composed of experts, serving in their personal capacity, who are elected by States Parties. Treaty bodies monitor the implementation of human rights treaties through a system that requires the periodic review of reports submitted by the States Parties to each treaty. All international core human rights treaties are supplemented by optional protocols or contain optional provisions that enable the committees to receive and consider individual complaints. The treaty bodies issue recommendations to States Parties with a view to assisting them in implementing their treaty-based obligations at the national level. Treaty bodies also adopt general comments on thematic issues and conduct inquiries regarding allegations of violations. The Subcommittee on the Prevention of Torture undertakes visits to States Parties aimed at preventing torture and other cruel, inhuman or degrading treatment or punishment.

The 10 treaty bodies are comprised of:
- The Human Rights Committee (HR Committee)
- The Committee on Economic, Social and Cultural Rights (CESCR)
- The Committee on the Elimination of Racial Discrimination (CERD)
- The Committee on the Elimination of Discrimination against Women (CEDAW)
- The Committee against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- The Subcommittee on Prevention of Torture (SPT)
- The Committee on the Rights of the Child (CRC)
- The Committee on Migrant Workers and Members of Their Families (CMW)
- The Committee on the Rights of Persons with Disabilities (CRPD)
- The Committee on Enforced Disappearances (CED)

The recommendations of the treaty bodies are used in many other areas of the Office’s work, including as background documentation for the UPR, reference material for thematic research undertaken by OHCHR and to support the work of the special procedures and activities of OHCHR field presences.

In addition to supporting the treaty bodies by facilitating their activities as outlined above,
the Human Rights Treaties Division (HRTD) is responsible for:

- Continuously updating the Universal Human Rights Index (UHRI) (www.uhri.ohchr.org).
- Administering the United Nations Voluntary Fund for Victims of Torture, the Voluntary Fund on Contemporary Forms of Slavery and the Special Fund of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT).
- Reflecting the outputs of the treaty bodies in the documentation for the UPR.
- Promoting the continued improvement and harmonization of the work of the treaty bodies through the annual Meeting of Chairpersons of the treaty bodies and consistent follow-up with the individual treaty bodies.

In recent years, the human rights treaty body system has grown significantly in size with the creation of four new treaty bodies (CMW, CRPD, SPT and CED) and three new procedures for individual complaints (CRPD, ICESCR and CRC). As a result, all of the monitoring bodies of the core human rights treaties have individual communications procedures. In May 2013, the OP-ICESCR entered into force. Only the Optional Protocol to the CRC on a communications procedure (enters into force on 14 April 2014), and article 77 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) have not yet entered into force. This already represents a significant step forward in increasing options for human rights protection.

The total number of treaty body experts in 2013 amounted to 172 (versus 97 in 2000 and 125 at the beginning of 2010). The allocated meeting time of the treaty bodies also increased (56 weeks in 2000 versus 72 weeks in 2010 and 75 weeks in 2013).

Following the June 2012 publication of the High Commissioner’s report on strengthening the human rights treaty body system, the General Assembly created the open-ended intergovernmental process (initiated by General Assembly resolution 66/254) to conduct open, transparent and inclusive negotiations on strengthening and enhancing the effective functioning of the human rights treaty body system. The General Assembly extended the process until February 2014. Two co-facilitators were appointed to assist in the process, namely the Permanent Representatives in New York of Iceland and Tunisia (who replaced the Permanent Representative of Indonesia in November 2013).

### Results

#### Ratification (EA 2)

- In the biennium 2012-2013, a total of 113 ratifications were received. In 2013, a total of 43 new ratifications and accessions were deposited with the Secretary-General, which represented a noticeable decrease from 70 ratifications in 2012. The total thereby stands at 2,192 ratifications of and accessions to the international human rights treaties and protocols, which includes the ratification of treaties, optional protocols and acceptance of articles relating to individual communications procedures. OHCHR advocates for the ratification of all human rights treaties and the withdrawal of reservations through public statements delivered by the High Commissioner, press articles, technical cooperation processes and bilateral meetings with State officials and by highlighting recommendations and encouragements issued during the UPR and by human rights treaty bodies and special procedures.

- OHCHR continued its advocacy for the ratification of the OP-ICESCR, including in Burkina Faso, Guatemala, Kazakhstan, Mali, Mexico, Paraguay, Peru, Republic of Moldova, Senegal, Togo and the former Yugoslav Republic of Macedonia. These efforts contributed to the coming into force of the instrument which empowers the Committee, as of May 2013, to receive and consider complaints from individuals and States and to undertake inquiries. This is an historical step reaffirming the justiciability of economic, social and cultural rights and providing increased protection to individuals.

#### State engagement with human rights mechanisms (EA 6)

- In 2013, HRTD continued to support the work of the 10 human rights treaty bodies, which met for a combined total of 75 weeks. The treaty bodies with a State Party reporting procedure received a total of 108 State Party reports, including 12 common core documents. The treaty bodies adopted concluding observations on 135 States Parties. CAT, CEDAW, CERD, CRPD and the Human Rights Committee examined and adopted final decisions on 116 communications and issued 53 requests for interim measures of protection for alleged victims at risk of irreparable harm. In addition, CED issued nine requests for urgent action under article 30 of the Convention and CEDAW conducted a country visit under its inquiry procedure.
In 2012, the SPT carried out two regular visits to Argentina and Kyrgyzstan and three advisory visits to Honduras, Republic of Moldova and Senegal. In 2013, the SPT carried out three regular visits to Gabon, New Zealand and Peru. It also undertook two advisory visits to Armenia and Germany and one follow-up visit to Cambodia. OHCHR provided substantive and organizational secretariat support to the SPT in the preparation for, conducting of and follow-up to the country visits.

Through capacity-building activities, HRTD contributed to increased reporting by States Parties under the international human rights treaties. The support provided included training sessions requested by States Parties on the common core document and treaty specific guidelines, reporting, individual communications and follow-up to recommendations. For example, the following activities were carried out: a training workshop on reporting and follow-up for the Interministerial Committee on Human Rights in Rabat, Morocco (September); a training workshop in Tunis, Tunisia on reporting under CED for francophone African countries (November); training on reporting under the International Covenant on Civil and Political Rights (ICCPR), CERD and CAT, organized by MONUSCO and OHCHR (December); a workshop organized in New York in the context of the treaty body strengthening process (April) on activities undertaken by UN agencies at the country level to support States in developing their capacity to report to treaty bodies and follow-up on concluding observations.

OHCHR and Microsoft developed a Memorandum of Understanding to report on the potential for videoconferencing the sessions of the treaty bodies, primarily the CRPD, with the aim of improving the accessibility to committee meetings and the accessibility processes and practices at Palais Wilson and Palais des Nations in Geneva. The team established for this purpose delivered a report on short-, medium- and long-term measures that should be adopted to enhance accessibility. OHCHR initiated the implementation of one of the recommendations, namely a training workshop on accessibility to documentation and websites which took place in June 2013 and was attended by OHCHR staff from headquarters and field presences.

In 2013, OHCHR continued to make the UHRI available as an updated and comprehensive tool for searching treaty body outputs. Moreover, OHCHR enhanced the functions of the database and attached a link to the UHRI on the treaty bodies’ webpage to encourage information sharing between all stakeholders. HRTD also continued to develop its new database for the treaty body system, accessible from the OHCHR website, allowing for improved research and better information regarding the ratification and reporting status of the treaties.

Civil Society engagement with human rights mechanisms (EA 7)

Engagement of civil society and other stakeholders with the treaty bodies is well established. Each year, the treaty bodies receive more than 1,000 written submissions from civil society, NHRIs and UN entities. In addition, over 1,000 observers attended treaty body public meetings in 2013.

In 2013, OHCHR continued to develop and use online systems to facilitate the management of civil society participation in the sessions of some mechanisms. It also supported and encouraged colleagues in the use of existing systems that have been developed by other parts of the UN to manage accreditation for sessions of CEDAW, CED and the Human Rights Committee.

International and regional laws and institutions (EA 8)

OHCHR supported the progressive development of international human rights law, notably through studies and consultations and by supporting the treaty bodies in elaborating general comments. General comments are authoritative statements that provide States Parties with detailed and expert clarification of treaty provisions in order to enhance their understanding of the provisions and assist them in the implementation of their treaty obligations. In 2013, eight general comments/recommendations were adopted:
• CRC adopted four general comments on: the right of the child to have his or her best interests taken as a primary consideration (No. 14), on the right of the child to the enjoyment of the highest attainable standard of health (article 24) (No. 15), on State obligations regarding the impact of the business sector on children’s rights (No. 16), and on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts (No. 17).

• CMW adopted a general comment on the rights of migrant workers in an irregular situation and members of their families (No. 2).

• CEDAW adopted general recommendations on the economic consequences of marriage, family relations and their dissolution and on women in conflict prevention, conflict and post-conflict situations (No. 29 and No. 30).

• CERD adopted General Recommendation No. 35 on “combatting racist hate speech,” providing guidance on how to condemn such speech and combat prejudices leading to racial discrimination while also respecting other rights, including freedom of expression.

• OHCHR supported a number of treaty bodies in organizing thematic debates with a view to deepening understanding of the application of the instruments in certain areas and in some cases, gathering information for the preparation of a general comment/recommendation. In 2013, CEDAW held a general discussion on rural women (article 14) and another on access to justice (articles 2 and 15). Furthermore, CMW organized a discussion on the role of migration statistics for treaty reporting and migration policies while CRPD facilitated a discussion on women and girls with disabilities.

• OHCHR also supported a number of treaty bodies which issued statements on specific issues or in the context of specific situations. In 2013, the Chairs of all treaty bodies issued a statement on the post-2015 development agenda; CEDAW issued statements on the role of women in the process of political transition in Egypt, Libya and Tunisia and on strengthened cooperation with UN Women; CED issued a statement on the “ratione temporis” element in the review of reports submitted under the Convention; CEDAW, SPT and CAT issued a joint statement on the report of the High Commissioner on strengthening the human rights treaty bodies; CAT produced a statement in relation to the Addis Ababa Guidelines on the independence and impartiality of treaty body members as well as statements on its membership and on reprisals; CRC issued statements on the importance of providing practical help in relation to girls’ education as well as on the killing of Syrian children in alleged chemical attacks; and CMW released a statement on the occasion of the 10th anniversary of the entry into force of the Convention.

**Coherence among human rights mechanisms (EA 9)**

- Following the annual Meeting of Chairpersons of the human rights treaty bodies held in Addis Ababa (25-29 June 2012), which resulted in the Addis Ababa Guidelines on the independence and impartiality of members of treaty bodies, eight of the treaty bodies have adopted the guidelines. In 2013, the annual Meeting of Chairpersons took place in New York to foster synergies between the treaty bodies and the treaty body strengthening process and to facilitate a meeting between the treaty body chairpersons and the co-facilitators of the strengthening process.

- OHCHR continued to provide logistical and substantive support to the co-facilitators of the intergovernmental process on strengthening the human rights treaty body system, established by General Assembly resolution 66/254. In addition, OHCHR facilitated informal consultations with all treaty bodies, civil society and the Human Rights Council in the framework of the process, which was extended until February 2014. Furthermore, at the request of the General Assembly and in collaboration with the Programme Planning and Budget Division, UNOG and the UN Information Service, OHCHR developed a cost assessment paper to support the intergovernmental process. The paper, submitted to the President of the General Assembly on 15 November 2013 for circulation among Member States, details the current cost of the entire treaty body system and gives an indication of the potential cost implications of the proposals provided in the draft substantive text if they were to be adopted by Member States.
During the reporting period, OHCHR continued its cooperation with the Registry of the European Court of Human Rights regarding individual cases. During the seventh annual meeting of the cooperation between OHCHR and the Secretariat of the Council of Europe, members discussed the issue of the implementation of treaty body decisions and judgments of the European Court. In addition, a joint declaration was signed in September 2013 on the reinforcement of cooperation between the Council of Europe and the Office and aims at strengthening the cooperation between the two organizations, including regarding petitions and concluding observations.

- 9 core international human rights treaties
- 10 treaty bodies
- 47 new ratifications and accessions in 2013
- 143 State Party reports considered in 2013
- 304 reports pending consideration at the end of 2013
- 552 individual communications pending consideration at the end of 2013

Around 15,000 pages of documentation processed annually (State Party reports, lists of issues, concluding observations, views and decisions)

- Approximately 7,800 recommendations adopted annually
- Adopted final decisions on 116 communications
- 75 weeks in session in 2013
- 172 treaty body experts within the 10 treaty bodies

Global Management Outputs

Integrating a gender perspective (GMO 3)

HRTD continued to review recommendations by the HRTD focal point on mainstreaming gender in the work of the treaty bodies, assisted in the office-wide elaboration of a gender strategy in relation to treaty bodies, implemented relevant parts of the strategy and trained staff on the strategy. The Division also aimed to integrate a gender perspective in the Secretariat inputs into the work of the treaty bodies to ensure that it is reflected in their outputs, such as lists of issues and concluding observations, views and decisions and SPT field visits. In 2013, the HRTD gender focal point assisted other HRTD staff members to integrate gender issues in their e-performance documents and initiated the revision of internal guidelines, checklists and forms to integrate a gender perspective. The evaluation forms for the humanitarian funds have also been amended to include sections on the consultation and participation of women in the implementation of the funded projects.

Servicing human rights mechanisms (GMO 4)

OHCHR continued to use an online survey to solicit feedback from treaty body members and members of the humanitarian funds on the servicing and support it receives from OHCHR in relation to all treaty body activities. As of late 2013, OHCHR is using similar online surveys to get feedback from staff with a view to generating statistical data that can be used to assess and enhance synergies in the Office in support of the work of the mechanisms.

HRTD continued to publish quarterly newsletters that are shared with all treaty body experts, special procedures mandate-holders, Member States, NHRIs, UN partners and civil society. HRTD also updated training materials and shared weekly updates with treaty body experts to ensure each committee is aware of the work being carried out by the other nine committees. Numerous stakeholders acknowledged the usefulness of these tools which are essential to ensuring the efficiency and coherence of the treaty body system. Furthermore, HRTD continued to organize regular meetings with the secretaries of all the treaty bodies to stimulate the sharing of experiences and to optimize the support provided to the treaty bodies.
As of April 2013, the Special Fund of the OPCAT is jointly administered with the United Nations Voluntary Fund for Victims of Torture and the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, with a view to increasing cost-effectiveness, pooling expertise and the sharing of best practices. In 2013, nearly 330 grants were awarded under these three funds for a total of US$8 million. Despite the concrete impact generated on the ground with the support of the Funds, concerns remain regarding the decreasing level of contributions to the Funds.

Supporting field operations (GMO 5)

The Division’s regional and thematic focal points regularly interacted with other parts of the Office to provide expertise and ensure the integration of a treaty body perspective across the organization, including in the context of country visits undertaken by the High Commissioner.

The participation of field presences in the treaty body reporting process has also been enhanced through the submission of written inputs and the participation of field presences through videoconferencing or their physical presence at meetings, whenever possible. HRTD also requested as much information as possible from field presences to feed into the work of treaty bodies and engaged with them in the preparations for country reviews and in follow-up to recommendations.

Increased awareness of and support to OHCHR (GMO 7)

In 2013, increased awareness, understanding and visibility of the regular work of the treaty bodies among Member States, UN partners, NHRIs and civil society was ensured through the organization of more than 50 briefings on treaty bodies and the work of the Office. Furthermore, Twitter and Facebook were used to share the meeting summaries and concluding observations of the treaty bodies to ensure their recommendations are widely available and to contribute to their follow-up and implementation.
<table>
<thead>
<tr>
<th>Treaty body</th>
<th>No. of States Parties</th>
<th>No. of weeks in session annually</th>
<th>Periodicity of obligation to report</th>
<th>Reviews, reports and issues/recommendations to States Parties</th>
<th>Considers individual complaints</th>
<th>Conducts visits to countries</th>
<th>Urgent action procedure</th>
</tr>
</thead>
<tbody>
<tr>
<td>CESCR</td>
<td>161</td>
<td>9</td>
<td>5 years</td>
<td>Articles 16-17</td>
<td>Optional Protocol</td>
<td>Article 11</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Number of reports examined in 2013: 17</td>
<td>(entered into force on 5 May 2013)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Number of reports pending examination: 34</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HR Committee</td>
<td>167</td>
<td>12</td>
<td>3, 4 or 5 years as per the Committee’s decision</td>
<td>Article 40</td>
<td>Optional Protocol</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Number of reports examined in 2013: 17 (including non-reporting States)</td>
<td>Number of registered communications pending examination: 34</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Number of reports pending examination: 34</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CERD</td>
<td>176</td>
<td>6</td>
<td>2 years</td>
<td>Article 9</td>
<td>Article 14</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Allows merging two reports into one. De facto periodicity of 4 years</td>
<td>Number of registered communications pending examination: 24</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CEDAW</td>
<td>187</td>
<td>14</td>
<td>4 years</td>
<td>Article 18</td>
<td>Optional Protocol</td>
<td>Articles B-10</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Number of reports examined in 2013: 24</td>
<td>Number of registered communications pending examination: 24</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Number of reports pending examination: 42</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CRC</td>
<td>193 OP-AC: 153 OP-SC: 166</td>
<td>12</td>
<td>5 years</td>
<td>Article 44</td>
<td>Enters into force on 14 April 2014</td>
<td>Articles 13-14</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Number of reports examined in 2013: 37 (including OP-AC and OP-SC reports)</td>
<td>Number of reports pending examination: 97 (including OP-AC and OP-SC reports)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CAT</td>
<td>154</td>
<td>8</td>
<td>4 years</td>
<td>Article 19</td>
<td>Article 22</td>
<td>Article 20</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Number of reports examined in 2013: 19 (including Antilles and Aruba)</td>
<td>Number of registered communications pending examination: 25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SPT</td>
<td>70</td>
<td>3</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>Articles 11-16</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Subcommittee visits places of deprivation of liberty and communicates its recommendations by confidential report</td>
<td></td>
</tr>
<tr>
<td>CMW</td>
<td>47</td>
<td>3</td>
<td>5 years</td>
<td>Articles 73-74</td>
<td>Article 77</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Number of reports examined in 2013: 5</td>
<td>(not yet entered into force)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Number of reports pending examination: 3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Treaty body</td>
<td>No. of States Parties</td>
<td>No. of weeks in session annually</td>
<td>Periodicity of obligation to report</td>
<td>Reviews, reports and issues/recommendations to States Parties</td>
<td>Considers individual complaints</td>
<td>Conducts visits to countries</td>
<td>Urgent action procedure</td>
</tr>
<tr>
<td>-------------</td>
<td>----------------------</td>
<td>---------------------------------</td>
<td>-----------------------------------</td>
<td>---------------------------------------------------------------</td>
<td>--------------------------------</td>
<td>----------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>CRPD</td>
<td>140</td>
<td>3</td>
<td>4 years</td>
<td>Articles 35-36 Number of reports examined in 2013: 4 Number of reports pending examination: 38</td>
<td>Optional Protocol Number of registered communications pending examination: 14</td>
<td>Article 6 Optional Protocol Confidential inquiries on systematic violations</td>
<td>No</td>
</tr>
<tr>
<td>CED</td>
<td>41</td>
<td>4</td>
<td>As per Committee's decision</td>
<td>Article 29 Number of reports examined in 2013: 5 Number of reports pending examination: 7</td>
<td>Article 31 Number of registered communications pending examination: 1</td>
<td>Article 33 Visit on serious violations</td>
<td>Article 30 Urgent action procedure</td>
</tr>
</tbody>
</table>