

UNITED NATIONS



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THE SECRETARY-GENERAL

**FOREWORD TO REPORT OF THE UN HIGH COMMISSIONER FOR HUMAN RIGHTS ON STRENGTHENING THE HUMAN RIGHTS TREATY BODIES**

**13 June 2012**

06/06/12

The United Nations human rights treaty body system, which combines noble ideals with practical measures to realize them, is one of the greatest achievements in the history of the global struggle for human rights. The treaty bodies stand at the heart of the international human rights protection system as engines translating universal norms into social justice and individual well being. Using a growing set of tools, this system provides authoritative guidance on human rights standards, advises on how treaties apply in specific cases, and informs States parties of what they must do to ensure that all people enjoy their human rights.

The incremental growth of the system over the past few years, with the adoption by States of new human rights instruments and the creation of new treaty bodies for their effective realization, is testimony to their global standing. All parties benefit from their work. Victims reach out to treaty bodies for redress and reparation through the individual complaints system. Governments depend on them for a greater understanding of their obligations under international human rights law. And the involvement of experts, civil society groups and government representatives in reporting and other processes generates a genuine dialogue at the national level that empowers individuals and improves laws, policies, programmes and institutions.

The strong global consensus on the need to ensure the continued relevance and vitality of the treaty bodies is reflected in the pages that follow, which summarize a three-year-long process of reflection and consultation among all key stakeholders. I commend the dedication of those who contributed to this process, as well as the leadership of the High Commissioner in ensuring a valuable report with concrete proposals aimed at creating a more efficient and inclusive system of independent expert review and guidance on the implementation of international human rights standards.

Not long ago, slavery, racism, torture and other abuses of human rights were accepted practices. The fact that these have been outlawed on paper is testament to the activism of the human rights community – and the task of eradicating them in practice will be greatly advanced by serious consideration of the proposals in this report. Now that this text has been so meticulously compiled, it is up to governments, human rights activists and others to make the best possible use of it. I hope this report reaches a wide global audience and inspires even further steps to strengthen the United Nations human rights treaty body system, which is so integral to global progress.

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HUMAN RIGHTS  
OFFICE OF THE HIGH COMMISSIONER

MEMORANDUM INTERIEUR • INTEROFFICE MEMORANDUM



A: Mr. Ban Ki-moon  
TO: UN Secretary-General

DATE: 6 June 2012

S/C DE: Ms. Susana Malcorra  
THROUGH: Chef de Cabinet, Executive Office of  
the Secretary-General

REFERENCE:

DE: Navi Pillay  
FROM: High Commissioner for Human Rights

OBJET: Request for foreword to Report on strengthening the human rights treaty bodies  
SUBJECT:

1. The treaty body strengthening consultation process is entering its final stage with the release of my report scheduled for 22 June 2012, to be published on the OHCHR website. The report will be formally presented to the General Assembly by Ivan Simonovic, Assistant Secretary-General, on 29 June. I will interactively present it myself on 16-17 July in New York at the invitation of the President of the General Assembly as an inauguration to the intergovernmental process on treaty body strengthening which was launched in February 2012 through GA resolution 66/54.
2. Enclosed is the draft report for your kind information. In addition, I would be honoured if you would agree to provide the Foreword to the report. I am taking the liberty to suggest some elements in this regard, as outlined in the enclosed Annex. Your video messages to the Sion consultation for States in May 2011, as well as your address at the last consultation for States in New York this April, were highly appreciated by States and myself. Your support to the process has been invaluable as I sincerely believe that this bedrock of human rights protection needs our collective efforts to make it most beneficial to the entire United Nations system.
3. The treaty body strengthening consultation process sought to heighten awareness among all stakeholders of the challenges the system is facing and stimulate the formulation of concrete suggestions on how to address these challenges. In this context, I have attempted to highlight the importance of viewing treaty bodies as a system, including by the treaty bodies themselves. The process sought to bring about gradual improvements and harmonization of working methods of the treaty bodies and OHCHR in its support for their work. Most importantly, the process aimed at identifying what would constitute the necessary resources to support the work of the treaty bodies adequately. During some twenty consultations that took place around the world among different actors, including treaty body experts, States parties, national human rights institutions, civil society and United Nations entities, different proposals were generated.

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4. States participated actively through three consultations on 2 and 3 April 2012 in New York, in Geneva on 7 and 8 February 2012, and in Sion on 12 and 13 May 2011. 36 written contributions were received. All outcomes and proposals were continuously posted on a dedicated space on the OHCHR website.
5. The enclosed report provides an analytical framework compiling the proposals, identifying synergies, linkages, and areas for mutual reinforcements, and potential for future common ground that began to emerge through the consultation process. In identifying the proposals to be included in my report, I have applied the following criteria: proposals must respect the treaties and not require treaty amendments; they must have been considered by the various stakeholders during the consultation process and bear a likelihood of generating the largest possible agreements; must be compatible with and implementable alongside other proposals with a view to providing a coherent vision for the future of the treaty body system; and, most importantly, each proposal must contribute to strengthening the treaty bodies and provide for enhanced promotion and protection of human rights.
6. One of the key proposals, that of a Comprehensive Reporting Calendar is based on the Secretary-General report to the General Assembly (A/66/344) on "Measures to improve further the effectiveness, harmonization and reform of the treaty body system", in which two options were proposed to address the current resourcing challenges, namely to establish such a fixed calendar or to only reduce current backlogs. I have placed emphasis on proposing a longer term solution, i.e. the fixed calendar.
7. Through GA resolution 66/254 an inter-governmental process of the General Assembly on strengthening and enhancing the effective functioning of the human rights treaty body system has been created, led by the PGA. I trust that this inter-governmental process will embrace a multi-stakeholder approach, respect the powers of the treaty bodies to decide on their own working methods and rules of procedures, and guarantee their independence as stipulated in the respective treaties. Some States through abstaining during the adoption of the resolution sent a similar message in this regard. I am confident that those States will also in the future inter-governmental process defend these positions.
8. A shorter version of this report for submission to the General Assembly, as requested by the same resolution, will be prepared by the end of this month. Some parts of the report were prepared with relevant other departments, such as the Division for Conference Management and the Department for Public Information and the entire report was shared with the Programme Planning and Budget Division.
9. I look forward to receiving any comments you may wish to share on the report including hopefully a positive response to the request for the Foreword. To respect the timeline for its publication such a response would be appreciated by 13 June.

Best regards.

cc: Mr. Ivan Simonovic, Assistant Secretary-General, OHCHR NY Office



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Annex

**DRAFT ELEMENTS FOR A SUGGESTED FOREWORD  
BY THE SECRETARY-GENERAL**

The United Nations human rights treaty body system has made a significant contribution to the promotion and protection of human rights, with treaty bodies providing authoritative guidance on the content and requirements of international human rights standards, the application of treaties in individual cases and the steps that States parties should take to ensure full implementation of human rights obligations and their enjoyment by all.

The reporting and other processes have played a role in stimulating the creation of constituencies at the national level, both inside and outside the State machinery, to promote implementation of human rights and provide redress for individuals. Directed at achieving compliance at the national level with international human rights treaty provisions in a broad variety of areas, the treaty body system guided all States parties as they developed new laws, policies, institutions and programmes that contribute to enhancing the protection of human rights.

The reporting process provides a platform for sustained national dialogue on human rights among the various stakeholders, and an opportunity for review of a State's policies. The outcome of the process, the concluding observations or recommendations of the committees, as well as their General Comments offer guidance on implementation to all State institutions and have often constituted a framework for joint action by States, national human rights institutions, civil society, United Nations entities and others.

I welcome the report of the High Commissioner for Human Rights which contains proposals aimed at strengthening the human rights treaty body system so that it can continue to build on its achievements and address the main challenges which it faces today and urge all stakeholders to support its implementation.

I will continue to closely follow the issue and to keep you informed on the process of strengthening the human rights treaty bodies.