Seventy-eighth session
Agenda item 71
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-fifth annual meeting, held in New York from 29 May to 2 June 2023, pursuant to Assembly resolution 57/202.

* The present report was submitted for processing after the deadline for technical reasons beyond the control of the submitting office.
Report of the Chairs of the human rights treaty bodies on their thirty-fifth annual meeting

Summary

The General 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, convened annually pursuant to Assembly resolution 49/178. The present report is of the thirty-fifth meeting of the Chairs of the treaty bodies, which was held in New York from 29 May to 2 June 2023. The Chairs focused their discussions on the follow-up to the conclusions of their thirty-fourth meeting, mainly through consideration of the working paper on options and guiding questions for the development of an implementation plan for the conclusions of the Chairs of the human rights treaty bodies at their thirty-fourth meeting, in June 2022 (A/77/228, paras. 55 and 56), submitted by the Office of the United Nations High Commissioner for Human Rights in May 2023. They held meetings with Member States, United Nations entities, national human rights institutions and civil society organizations, as well as with the Secretary-General of the United Nations, the United Nations High Commissioner for Human Rights and the Assistant Secretary-General for Human Rights. The decisions and recommendations of the Chairs are set out in section V of the present report.
## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Introduction</td>
<td>4</td>
</tr>
<tr>
<td>II. Organization of the meeting</td>
<td>5</td>
</tr>
<tr>
<td>III. Summary of the discussions</td>
<td>6</td>
</tr>
<tr>
<td>A. Follow-up to the conclusions of the thirty-fourth meeting of the Chairs of the human rights treaty bodies</td>
<td>6</td>
</tr>
<tr>
<td>B. Progress made on the alignment of working methods and practices of the treaty bodies</td>
<td>6</td>
</tr>
<tr>
<td>C. Intersessional activities</td>
<td>7</td>
</tr>
<tr>
<td>D. Implementation by the human rights treaty bodies of the Guidelines against Intimidation or Reprisals (San José Guidelines)</td>
<td>7</td>
</tr>
<tr>
<td>E. Modalities and organization of future meetings of Chairs</td>
<td>9</td>
</tr>
<tr>
<td>IV. Meetings and consultations</td>
<td>9</td>
</tr>
<tr>
<td>A. Meetings with high-level United Nations officials</td>
<td>9</td>
</tr>
<tr>
<td>B. Consultation with States parties</td>
<td>11</td>
</tr>
<tr>
<td>C. Consultation with United Nations entities</td>
<td>13</td>
</tr>
<tr>
<td>D. Consultation with national human rights institutions and civil society organizations</td>
<td>14</td>
</tr>
<tr>
<td>V. Decisions and recommendations</td>
<td>15</td>
</tr>
<tr>
<td>A. Follow-up to the conclusions of the thirty-fourth meeting of the Chairs of the human rights treaty bodies</td>
<td>15</td>
</tr>
<tr>
<td>B. Progress made on the alignment of working methods and practices of the treaty bodies</td>
<td>21</td>
</tr>
<tr>
<td>C. Intersessional activities</td>
<td>22</td>
</tr>
<tr>
<td>D. Implementation by the human rights treaty bodies of the Guidelines against Intimidation or Reprisals (San José Guidelines)</td>
<td>22</td>
</tr>
<tr>
<td>E. Modalities and organization of future meetings of Chairs</td>
<td>22</td>
</tr>
<tr>
<td>F. Agenda and location of the thirty-sixth meeting of the Chairs of the human rights treaty bodies</td>
<td>22</td>
</tr>
</tbody>
</table>

Annex

Provisional agenda and revised programme of work .................................. 23
I. Introduction

1. The thirty-fifth annual meeting of the Chairs of the human rights treaty bodies was held in New York from 29 May to 2 June 2023. The Chairs held eight formal meetings. They also held two informal meetings outside Headquarters, due to the official United Nations holiday on 29 May 2023.

2. The annual meeting is a forum for the Chairs to maintain communication and dialogue with each other on common issues and challenges.¹

3. The Chairs focused their discussions on the follow-up to the conclusions of their thirty-fourth meeting, mainly through consideration of the working paper submitted by the Office of the United Nations High Commissioner for Human Rights (OHCHR) on options and guiding questions for the development of an implementation plan for the conclusions of the Chairs of the human rights treaty bodies at their thirty-fourth meeting, in June 2022 (A/77/228, paras. 55 and 56). They also discussed the implementation by the treaty bodies of the Guidelines against Intimidation or Reprisals (San José Guidelines).

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. The last in-person meeting of the Chairs was held in New York in 2022 pursuant to the Chairs’ decision at their twenty-eighth meeting, in the light of General Assembly resolution 68/268, and in particular of the call by States parties to strengthen interaction between the treaty bodies and States parties.²

6. The following documents served as background to the meeting:

(a) Provisional agenda and annotations (HRI/MC/2023/1);

(b) Note by the Secretariat on practices of the human rights treaty bodies on intimidation and reprisals and issues for further action by the Chairs (HRI/MC/2023/2), which includes information on the implementation by the treaty bodies of the San José Guidelines, with a particular focus on the period 2022–2023 and on recent developments and good practices;

(c) Programme of work;

(d) Note by the Secretariat on compliance by States parties with their reporting obligations to international human rights treaty bodies, which contains an overview of the reporting compliance by States parties as at 30 April 2023;

(e) Working paper on options and guiding questions for the development of an implementation plan for the conclusions of the Chairs of the human rights treaty bodies at their thirty-fourth meeting, in June 2022 (A/77/228, paras. 55 and 56).

¹ The meeting of the Chairs of the human rights treaty bodies was first called for by the General Assembly in 1983 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.

² For further information on the meetings, see https://www.ohchr.org/en/treaty-bodies/annual-meeting-chairpersons-human-rights-treaty-bodies.
II. Organization of the meeting

7. The meeting was attended by all 10 Chairs, as follows: Mohamed Ezzeldin Abdel-Moneim, Committee on Economic, Social and Cultural Rights; Tania Maria Abdo Rocholl, Human Rights Committee; Edgar Corzo Sosa, Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families; Claude Heller, Committee against Torture; Suzanne Jabbour, Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Gertrude Ofotiewa Fefoame, Committee on the Rights of Persons with Disabilities; Ana Peláez Narváez, Committee on the Elimination of Discrimination against Women; Verene Albertha Shepherd, Committee on the Elimination of Racial Discrimination; Ann Marie Skelton, Committee on the Rights of the Child; and Carmen Rosa Villa Quintana, Committee on Enforced Disappearances.

8. At the 1st meeting, on 30 May, Mr. Heller was elected by acclamation the Chair of the thirty-fifth meeting, and Ms. Jabbour was elected Vice-Chair, on the basis of the established principle of rotation.

9. In his opening remarks on behalf of OHCHR at the 1st meeting, the Chief of the Human Rights Treaties Branch of OHCHR underlined that the thirty-fifth meeting of Chairs was taking place during the year of the seventy-fifth anniversary of the Universal Declaration of Human Rights and the thirtieth anniversary of the Vienna Declaration and Programme of Action. He expressed appreciation for the Chairs’ conclusions adopted during their thirty-fourth meeting, by which they had transformed their vision into a plan. He stressed that it was now time to move from discussions to concrete decisions. With that aim, the OHCHR working paper was deliberately addressed to both the treaty bodies and States, which had distinct but interlinked mandates and responsibilities.

10. With reference to the meeting of the Chairs with the United Nations High Commissioner for Human Rights, which had taken place prior to the formal opening on 30 May 2023 (see para. 35 below), the Chief of the Human Rights Treaties Branch of OHCHR noted with appreciation their joint commitment to implementing the Chairs’ conclusions of 2022. While international human rights treaties were independent legal instruments, the overall aim of the Vienna Declaration and Programme of Action dictated that the treaty bodies could only succeed as a system. Hence, he welcomed the intention of the Chairs to further harmonize their working methods and to make proposals, based on the OHCHR working paper, that would benefit not only the treaty bodies, but also States and other stakeholders.

11. The new Chair thanked the outgoing Chair, Mr. Corzo Sosa, for his leadership in chairing the meeting in 2022. He emphasized the importance of translating the conclusions of 2022 into concrete actions for the strengthening of the treaty body system, which the General Assembly itself had called for. The Chair of the thirty-fifth meeting recalled that the coronavirus disease (COVID-19) pandemic had exacerbated many structural problems, such as the backlog of States parties’ reports and individual communications pending review. He noted that the treaty bodies were interdependent, and called upon all Chairs of treaty bodies to help to develop common proposals based on the OHCHR working paper. While the specificities of each Committee should be recognized, greater coordination among the treaty bodies required innovation, such as the establishment of an inter-Committee coordination mechanism.

12. The Chairs of the treaty bodies congratulated the Chair and Vice-Chair of the thirty-fifth meeting and thanked the outgoing Chair for his leadership and for enhancing collaboration with other bodies, such as the International Labour Organization (ILO) and the Inter-American Court of Human Rights.
13. The Chairs adopted the provisional agenda and the draft programme of work for the meeting, as revised (see annex).

III. Summary of the discussions

A. Follow-up to the conclusions of the thirty-fourth meeting of the Chairs of the human rights treaty bodies

14. At the 2nd, 3rd, 4th and 8th meetings, on 30 and 31 May and on 2 June, and at the informal meetings on 29 May, the Chairs held discussions on the follow-up to the conclusions of their thirty-fourth meeting. They agreed to base their exchanges on the OHCHR working paper, which they discussed in detail, including the options for the eight-year predictable schedule of reviews, a simulation of which was presented to the Chairs on 30 May. They also considered the options for the modalities for follow-up reviews and for the digital uplift. The Chairs decided to focus their deliberations on the harmonization of working methods, including the Chairs’ decision-making procedures and the establishment of a coordination mechanism on the harmonization of working methods and substantive coordination. In addition to procedural matters, such a mechanism would help to avoid unnecessary or unintentional duplications, foster the cross-referencing of outputs of the treaty bodies and other international human rights mechanisms and bodies, avoid terminological discrepancies and support non-contradictory jurisprudence, for example through joint general comments and recommendations. The Chairs emphasized the need to account for the specificities of each treaty body, particularly of the Committee on Enforced Disappearances and the Subcommittee on Prevention of Torture.

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

B. Progress made on the alignment of working methods and practices of the treaty bodies

16. At the 1st meeting, on 30 May, the Chairs discussed the reporting compliance by States parties, based on the note by the Secretariat on compliance by States parties with their reporting obligations to international human rights treaty bodies. According to the note, as at 30 April 2023, only 37 of 197 States parties (about 19 per cent) had submitted their reports under the relevant international human rights treaties and protocols in a timely manner. A total of 160 of 197 States parties (about 81 per cent) had at least one overdue report. Of 600 outstanding reports, 217 were initial reports and 383 were periodic reports. Overall, reporting compliance had been relatively stable over the past seven years (2015 to 2022) and ranged between approximately 13 and 19 per cent.

17. The Chairs suggested a common approach for the treaty bodies to reach out to non- or late-reporting States parties to support them in fulfilling their reporting obligations. The Chairs also noted the positive impact of the work of the OHCHR treaty body capacity-building programme, particularly in the case of small island developing States and least developed countries that faced difficulties in complying with their reporting obligations. They further noted that the early publication of dates for the review of States parties’ reports encouraged States parties to report in a timely manner.

---

3 The data are based on original due dates and were retrieved from the treaty body database as at 30 April 2023. However, discrepancies may arise for those States parties that have accepted or opted to use the simplified reporting procedure and have been assigned new due dates and for those States that had been considered in the absence of a report.
manner and prepare for the constructive dialogues. The Chairs also considered the impact on the number of overdue reports of the simplified reporting procedure, of online or hybrid constructive dialogues and of the ongoing ratification campaign in the context of the seventy-fifth anniversary of the Universal Declaration of Human Rights. Finally, the Chairs noted that some States parties complied with their reporting obligations but provided reports of insufficient quality.

18. The Chairs also discussed practices for consideration by other treaty bodies, including the recent back-to-back reviews undertaken by the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, and the extraordinary session of the Committee on the Rights of the Child held in Samoa in 2020. The Chairs further discussed the importance of the establishment of national mechanisms for implementation, reporting and follow-up.

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

C. Intersessional activities

20. At the 8th meeting, on 2 June, the Chairs discussed intersessional activities, underlining the importance of continued cooperation among the Chairs in this important phase of the treaty body strengthening process, including through a follow-up meeting. The Chairs welcomed the invitation by the High Commissioner to the high-level event in December 2023 to celebrate the seventy-fifth anniversary of the Universal Declaration of Human Rights. They also proposed a joint activity on the occasion of the anniversary to increase the visibility of the treaty bodies.

21. Following the 7th meeting, on 2 June, the Chairs discussed a video presentation by Professor Rafael Yuste, of Columbia University, New York, on neurotechnology and human rights, and potential follow-up action.

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

D. Implementation by the human rights treaty bodies of the Guidelines against Intimidation or Reprisals (San José Guidelines)

23. At the 7th meeting, on 2 June, the Assistant Secretary-General for Human Rights noted that her team was gathering information for the latest report of the Secretary-General on reprisals and encouraged the Committee on Economic, Social and Cultural Rights, the last Committee that had not done so, to adopt or endorse the San José Guidelines. The Assistant Secretary-General emphasized that reprisals should always be addressed by the same human rights mechanism that had received information about the case or allegation. She encouraged a more regular exchange among the rapporteurs or focal points on reprisals and between them and the Chairs. She reminded participants that representatives of Indigenous Peoples, environmental activists and women were particularly vulnerable.

24. The New York-based secretariat noted that both online and offline surveillance of persons was a growing problem due to a lack of protective legislation, that there had been a noticeable increase in the prevalence of self-censorship, and that public officials and witnesses could also become victims of reprisals.

25. The Geneva-based secretariat made a presentation via videoconference on both the mapping report, prepared for the thirty-fifth meeting of the Chairs, and the meeting of treaty body experts and rapporteurs and focal points of 26 January 2023. The secretariat referred to cases and allegations of reprisals received by the three
Committees outlined in the mapping. The presentation was followed by an intervention by a representative of the International Service for Human Rights.

26. At their thirty-fourth meeting, the Chairs had requested the secretariat to convene a meeting of the rapporteurs and focal points on reprisals of the treaty bodies, to exchange information on responses to allegations of reprisals against those supplying information to or working with the treaty bodies, to discuss good practices and to identify issues that needed further action by the Chairs.

27. At the online meeting of 26 January 2023, the participants discussed the difference between reprisals and intimidation. In general terms, reprisals referred to forms of retaliation for ongoing or past cooperation, whereas intimidation included any act that was designed to or had the impact of discouraging cooperation. Experts raised challenges in responding to allegations of reprisals, such as a lack of cooperation by States parties and a culture of denial when Committees addressed allegations or cases with States parties concerned. Other rapporteurs or focal points confirmed a shrinking space for human rights activists and a tendency to criminalize the activities of human rights defenders. To an extent, there was also a lack of understanding on behalf of lawyers, victims, including family members, and other stakeholders on how to report on reprisal cases, and the extent to which victims could be protected. The secretariat observed the challenges of documenting the silence, for example, when those affected by acts of intimidation or reprisals did not trust channels of communications, and the impact on the handling of such cases.

28. The experts recommended a more coordinated approach by the treaty bodies for the issuance of joint public statements by the Chairs, at the proposal of the rapporteurs or focal points, in cases where reprisals had been documented by different bodies, the State party was not cooperating or there were recurrent allegations of reprisals. They agreed that more practical procedures on cases of reprisals should be developed. They encouraged the rapporteurs or focal points on reprisals of the treaty bodies to meet more frequently intersessionally to exchange information on harmonized approaches among the treaty bodies and on good practices in the implementation of the San José Guidelines for replication among the treaty bodies, including referencing reports of reprisals or intimidation in concluding observations on the State party concerned. Several members suggested that all Committees make information about reprisals available on their websites, which was considered a good practice and was already the case for several Committees.

29. The rapporteurs and focal points recommended several awareness-raising and other measures, such as allocating funding for ad hoc visits to States and the further sharing of information and experiences to address the underreporting of acts of reprisal and possible remedies, the implementation of protocols of safety and security for individuals, human rights defenders and representatives of civil society organizations interacting with the treaty bodies, and cooperation with journalists and the media to address reprisals.

30. At their thirty-fifth meeting, in their exchange with the experts on reprisals and on the treaty bodies’ responses to allegations or cases of reprisals, the Chairs noted their huge concern, particularly for Indigenous Peoples. They further noted the practice of designating a focal point on reprisals for the visits by the Subcommittee on Prevention of Torture and connecting with United Nations agencies in the country. The Chairs also expressed concern about the capacity of the Chairs to defend human rights defenders and cautioned against limiting the work on reprisals by speaking only to States parties.

31. The Chair of the thirty-fifth meeting stressed that the concluding observations of the Committees highlighted the importance of protecting people, and that it was always important to look at every case and the context in which reprisals occurred.
32. For related decisions and recommendations, see section V of the present report.

E. Modalities and organization of future meetings of Chairs

33. At the 8th meeting, on 2 June, the Chairs discussed the modalities and organization of their future meetings. They emphasized that time should be given to the Chair of the meeting to present the report of the meeting to the Third Committee of the General Assembly. The Chairs also noted that the lack of interpretation into the working languages of the Committees should not prevent Chairs or treaty body focal points from participating in intersessional meetings. Finally, they regretted that changes to the Committees’ session periods were occasionally made without advance notification.

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

IV. Meetings and consultations

A. Meetings with high-level United Nations officials

Meeting with the United Nations High Commissioner for Human Rights

35. At the 1st meeting, on 30 May, the United Nations High Commissioner for Human Rights privately met with the Chairs via videoconference from Geneva, expressing his gratitude for the important work undertaken by the treaty bodies. Placing the Chairs’ efforts in the context of previous initiatives by former High Commissioners Louise Arbour and Navi Pillay to strengthen the treaty body system, the High Commissioner expressed hope that the Chairs’ conclusions would be implemented through a pact between the treaty bodies and Member States. Such a pact would require unity of the Chairs and the allocation of resources by Member States, possibly through the next biennial General Assembly resolution on the human rights treaty body system in December 2024. The High Commissioner offered to reach out to Member States and called upon the Chairs and their Committees to develop unified proposals, based on the OHCHR working paper. He also provided information on the digital strategy of OHCHR.

36. The High Commissioner noted that the treaty body strengthening process was an integral part of the efforts to strengthen the human rights ecosystem in the context of the seventy-fifth anniversary of the Universal Declaration of Human Rights and the thirtieth anniversary of the Vienna Declaration and Programme of Action. He emphasized the need to demonstrate the preventive impact of the treaty body system and how it positively influenced the mainstreaming of human rights by the United Nations system at large.

37. The Chairs expressed their gratitude to the High Commissioner for his support. They noted the continuing challenges faced by the treaty body system, including the insufficient human, technical and financial resources, which contributed to the increasing backlog. The Chairs expressed hope that the implementation of their conclusions of June 2022 would allow the treaty bodies to better fulfil their mandate. They thanked the High Commissioner for the OHCHR working paper, which they found comprehensive and very useful for facilitating their and States’ tasks in moving from discussions to decisions. The Chairs particularly welcomed the proposal by the High Commissioner to reach out to Member States in New York and Geneva to seek their views. The Chairs stressed the importance of a pact with Member States, as suggested by the High Commissioner, and for unity among the treaty bodies. The Chairs also called for a joint response to the lack of financial resources that had led
to an increasing backlog, and for the United Nations human rights work more broadly. Furthermore, they advocated for the increased use of the treaty bodies’ recommendations by the United Nations system and by regional human rights mechanisms, and for the full implementation of the United Nations Disability Inclusion Strategy. The Chairs were also confident that the digitalization of the work of the treaty bodies was an opportunity for better participation in their work for the least developed countries, small island developing States, and civil society and other stakeholders.

38. In his concluding remarks, the High Commissioner invited the treaty bodies to develop common positions, based on the OHCHR working paper, that they could present at the high-level event on the seventy-fifth anniversary of the Universal Declaration of Human Rights in December 2023. He further noted that he would continue to advocate with Member States and other stakeholders for the required resource allocation, including in the context of the 2024 Summit of the Future and in the lead-up to the General Assembly resolution on the treaty body system in December 2024.

Meeting with the Secretary-General of the United Nations

39. At the 4th meeting, on 31 May, the Secretary-General privately consulted with the Chairs. The Secretary-General highlighted the importance of the treaty body strengthening process, especially in view of the seventy-fifth anniversary of the Universal Declaration of Human Rights in 2023, and welcomed the OHCHR working paper. He expressed his support for the work of the Chairs, which was also essential for the implementation of Our Common Agenda, and welcomed the initiative of the High Commissioner to solicit the views of Member States in the continuing treaty body strengthening process.

40. The Chair of the thirty-fifth meeting recognized the leadership and commitment to human rights of the Secretary-General, in view of his call to action for human rights and the report entitled “Our Common Agenda”. Human rights were an important pillar for the enhancement of global governance and multilateralism; however, challenges and setbacks for human rights persisted. The timing was pertinent for the strengthening of the treaty body system in view of the seventy-fifth anniversary of the Universal Declaration of Human Rights, the thirtieth anniversary of the Vienna Declaration and Programme of Action and the upcoming Summit of the Future in 2024. The Chairs expressed gratitude for the support extended by the High Commissioner and for his intention to reach out to Member States in Geneva and New York to find a basis for agreement within the General Assembly by the end of 2024.

41. Turning to the treaty body strengthening process, the Chairs informed the Secretary-General that they were developing their common position on the basis of the OHCHR working paper, with a focus on the harmonization of working methods. Certain key responsibilities for the three pillars of the treaty body strengthening process were in the hands of Member States, however, such as the allocation of the financial resources necessary for the implementation of a predictable schedule of reviews and the digitalization of the work of the treaty bodies. Heeding to repeated appeals by Member States to avoid unnecessary and unintentional duplication of the work of the treaty bodies, the Chairs had already agreed at their thirty-fifth meeting to establish a coordination mechanism for the harmonization of their working methods and on substantive issues to work in a more efficient and cost-effective way. Finally, the Chair of the thirty-fifth meeting noted that the treaty body system needed financial stability to continue to function effectively, including in the context of chronic structural problems that had been further intensified by the COVID-19 pandemic, and highlighted the importance of the political will of Member States.
42. The Chairs highlighted that the least developed countries and small island developing States, and civil society representatives, often lacked the financial capacity to travel to Geneva for treaty body sessions. Furthermore, there was a need for interpretation during hybrid meetings, including into sign language with closed captioning. The Chairs also stressed the importance of enhancing cooperation with regional mechanisms for synergy and complementarity. In addition, they highlighted the use of the treaty bodies’ recommendations within the United Nations system, such as in relation to the 2030 Agenda Sustainable for Development, and by agencies and programmes, which cooperated with Governments.

43. The Secretary-General recognized the problems of the treaty body system, both present and future. He reiterated his support, however, for efforts to address the critical issue of limited resources, with the caveat that the final decision was ultimately in the hands of the Member States.

Meeting with the Assistant Secretary-General for Human Rights

44. At the 7th meeting, on 2 June, during a private meeting, the Assistant Secretary-General for Human Rights underlined the importance of an efficient and fully resourced treaty body system and emphasized the strong support provided by the Secretary-General, the High Commissioner and herself to the treaty bodies. The Assistant Secretary-General cautioned that it was always challenging to secure funding for human rights and confirmed her and the High Commissioner’s willingness to engage with Member States in that regard. She underlined the importance of a common position of the treaty bodies, based on the OHCHR working paper, particularly on the harmonization of working methods. Finally, the Assistant Secretary-General provided information on her engagement as the senior United Nations official to prevent and address reprisals and intimidation for cooperation with the United Nations.

45. The Chairs thanked the Assistant Secretary-General for her support and for her role as the United Nations system-wide focal point on reprisals. They noted that the treaty body system faced continuing challenges, including a chronic lack of resources that had led to an increasing backlog of States parties’ reports and individual communications pending review, and a lack of protection of rights holders. The Chairs’ conclusions of June 2022 proposed far-reaching reforms to the treaty body system that would make it stronger, more efficient and better equipped to protect and promote human rights. The Chairs had closely examined the OHCHR working paper and developed a common vision on the main options and guiding questions contained therein, with a particular focus on working methods.

46. The Assistant Secretary-General reiterated her commitment to engage with Member States in favour of the implementation of the Chairs’ conclusions and highlighted the challenge of preventing and addressing acts of intimidation and reprisals in the context of restricted civic spaces, including online.

B. Consultation with States parties

47. At the 6th meeting, on 1 June, the Chairs held a public consultation with States parties attended by more than 80 delegates, representing Member States and regional groups.

48. At the opening, the Chair of the thirty-fifth meeting stated that the 2023 meeting of the Chairs had been dedicated to the treaty body strengthening process, but also to the alignment of working methods and best practices to address and prevent acts of intimidation and reprisals. He recalled that, at their thirty-fourth meeting, in 2022, the Chairs had adopted a set of conclusions on three pillars of reform – a predictable
schedule of reviews, the harmonization of working methods and the digital uplift — that, when implemented, would make the treaty body system stronger, more efficient and better equipped to implement its mandate. He highlighted the important shift towards a predictable review calendar that was aimed at ensuring equal treatment of all States parties and full compliance with their human rights treaty law obligations. The predictable calendar would, inter alia, reduce the reporting burden for States parties; ensure a higher quality of implementable concluding observations; avoid unnecessary or unintentional duplication of outcomes; and align with streamlined working methods and with the creation of a more modern and effective digital case management system for individual complaints.

49. During their thirty-fifth meeting, the Chairs had already made concrete progress on a number of proposals and options contained in the OHCHR working paper. Recalling the Secretary-General’s call to action for human rights, in which the development of a strategy to provide financial stability to the entire human rights system had been recommended, the Chair of the thirty-fifth meeting expressed his regret that such a strategy remained desperately needed. The Chairs hoped that Member States and the United Nations system as a whole agreed to promote the inclusion of the outcomes of the Chairs’ thirty-fifth meeting into the treaty body strengthening process, including its financial implications, that would be culminating in 2024 with the adoption of the biennial General Assembly resolution on the treaty body system.

50. Following an introduction by the 10 Chairs of the human rights treaty bodies, interventions were made by 21 delegations: Belgium, Brazil, Canada, China, Cuba, Egypt, France, Iceland (also on behalf of Denmark, Finland, Norway, Slovenia and Sweden), Japan, Liechtenstein, Maldives, Mexico, Pakistan, Paraguay, Portugal, the Russian Federation, Saudi Arabia, Switzerland, the United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of) (also on behalf of Algeria, Angola, Belarus, Bolivia (Plurinational State of), Cambodia, China, Cuba, the Democratic People’s Republic of Korea, Eritrea, Iran (Islamic Republic of), the Lao People’s Democratic Republic, Nicaragua, the Russian Federation, Saint Vincent and the Grenadines, the State of Palestine and the Syrian Arab Republic) and the European Union.

51. Most delegations referred to the seventy-fifth anniversary of the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action, and highlighted the prominent role and tremendous value of the treaty body system as a key component of the universal human rights system. Raising concerns about non-compliance, some speakers also stressed that States had freely consented to their international human rights obligations and bore the main responsibility for their implementation. They also welcomed the biennial reports of the Secretary-General on the state of the treaty body system, the review by the General Assembly of the human rights treaty body system in 2020, the conclusions reached by the Chairs at their thirty-fourth meeting (A/77/228, paras. 55 and 56) and the OHCHR working paper on the three pillars of the treaty body strengthening process. Some delegations highlighted the coordinating role of the United Nations High Commissioner for Human Rights and OHCHR in the treaty body strengthening process and welcomed the establishment of a coordination mechanism for the harmonization of working methods of the Committees. Most delegations urged that the working methods be systematized and streamlined further for enhanced predictability, efficiency and accessibility, including through the issuance of more targeted concluding observations that reflected the views of States parties and the progress made. Some speakers called for the systematic use of the simplified reporting procedure, with the option for States parties to follow the traditional reporting procedure, and for better follow-up procedures. Several speakers highlighted the potential of the predictable schedule of reviews and of the digitization of the treaty bodies’ work. With reference
to General Assembly resolution 77/210, some delegations acknowledged the challenges faced by the treaty bodies during the COVID-19 pandemic, as well as the efforts of the treaty bodies to continue to discharge their mandates remotely, and raised concerns about the backlog of reports and individual communications pending review. Several delegations also raised the need to ensure the allocation of an appropriate share of the United Nations budget to strengthen the treaty body system and stressed the need for its optimal use, while others noted that General Assembly resolution 68/268, adopted by consensus, already provided an appropriate framework that, if implemented, would allow the treaty body system to function more effectively without further guidance by Member States or additional budget allocations. Some delegations stressed the challenges in reporting and financial constraints to attending treaty body sessions faced by small and developing countries, and suggested further simplification of the reporting procedure, the prioritization of capacity-building support and the continuation of hybrid constructive dialogues. Other issues raised included the need for treaty bodies to act strictly within their mandates; the regional imbalance in the composition of the treaty bodies; the independence, objectivity and impartiality of the treaty body experts; and the importance of the Chairs’ interactions with States parties, United Nations agencies, national human rights institutions and civil society organizations. Some delegations underlined the importance of the participation of civil society organizations, human rights defenders and victims in the work of the treaty bodies and of improving safeguards against intimidation and reprisals. Some speakers also raised the importance of multilingualism and early access to stakeholders’ submissions related to the review of States parties’ reports for verification. Delegations expressed their support for advancing the treaty body strengthening process to a successful end through the adoption of the biennial General Assembly resolution in December 2024.

52. The Chairs thanked the States and groups of States for their interventions and committed to consult with their respective Committees on their comments, stressing that States were the main beneficiaries of the treaty body strengthening process. The Chief of the Human Rights Treaties Branch of OHCHR, having followed the treaty body strengthening process from its outset in 2012, concluded that the necessary reform had become a real possibility. He was confident that the OHCHR working paper as it was conceived helped to guide the process. However, the decisions did not belong to OHCHR, but to States and treaty body experts, within each of their partially overlapping spheres of competence and responsibilities.

53. Following the 6th meeting, Mr. Corzo Sosa spoke as a panellist at a lunchtime side event organized by OHCHR, on the theme “Connecting experiences: ratification of the human rights treaties and their optional protocols by least developed countries and small island developing States”.

C. Consultation with United Nations entities

54. At the 5th meeting, on 1 June, the Chairs met privately with representatives of programmes or departments of the following United Nations entities: ILO, OHCHR, the Development Coordination Office, the United Nations Development Programme (UNDP), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the United Nations Population Fund (UNFPA).

55. The Chair of the thirty-fifth meeting acknowledged the key roles of the agencies within the United Nations system and expressed hope for increased cooperation with the treaty bodies. The Chair further noted that strengthening the treaty body system would contribute to the implementation of the Sustainable Development Goals and that in his report entitled “Our Common Agenda”, the Secretary-General had appealed
for better use by the United Nations system of the monitoring provided by the treaty bodies.

56. UNFPA gave a presentation on behalf of the United Nations inter-agency task team on human rights. On the basis of a review of 44 common country analyses and 40 United Nations Sustainable Development Cooperation Frameworks in 2022, the task team had developed tools to assess whether the outcomes of the treaty bodies were reflected in common country analyses and Cooperation Frameworks. The representative of the Development Coordination Office shared data on the engagement of country teams with the treaty bodies. While common country analyses increasingly included recommendations from human rights mechanisms, there had been a slight decrease since 2022 in the linkage made in Cooperation Frameworks to such recommendations. The Development Coordination Office advised that the more specific and recent recommendations were, the more easily they could be integrated by United Nations agencies into Cooperation Frameworks. UNDP underlined that it was helpful to be able to refer to coinciding recommendations from the treaty bodies and other international human rights mechanisms at the country level. The OHCHR New York Office, on behalf of the core team on the Secretary-General’s call to action for human rights, provided information on the launch of a United Nations internal platform to support United Nations entities in engaging with the human rights mechanisms. The representative of ILO expressed appreciation for the cooperation between the treaty bodies and the ILO Committee of Experts on the Application of Conventions and Recommendations, including through a joint statement, and other mutually reinforcing actions. UN-Women noted its coordination of United Nations country team reporting, in particular for the Committee on the Elimination of Discrimination against Women, the facilitation of mock and capacity-building sessions for States parties and the follow-up to concluding observations.

57. The Chairs thanked the United Nations entities for their close and frequent cooperation with specific treaty bodies. They discussed the visibility and implementation of treaty bodies’ recommendations and acknowledged the work of United Nations entities in that regard. They noted with concern the insufficient representation of United Nations entities at the country level, including of human rights advisers. They also reaffirmed their continuing support for the work of United Nations entities and hoped to increase the frequency of meetings for information exchange.

D. Consultation with national human rights institutions and civil society organizations

58. At the 5th meeting, on 1 June, the Chairs met with representatives of national human rights institutions and civil society organizations in a hybrid format.

59. The Chair of the thirty-fifth meeting thanked the participants for their substantive contributions to the treaty bodies’ work and called for their continued active engagement in the treaty body strengthening process. He gave an update on the follow-up to the Chairs’ conclusions of June 2022, the implementation of which would also facilitate the engagement by stakeholders with the treaty body system. He indicated that States needed to consult and take a decision on many of the options contained in the OHCHR working paper.

60. The following organizations made interventions on behalf of national human rights institutions, civil society organizations and academia: Amnesty International; Defensoría de los Habitantes (Costa Rica); the Equal Rights Trust; the Geneva Human Rights Platform; the Global Initiative for Economic, Social and Cultural Rights; the International Network for Economic, Social and Cultural Rights; the Jacob Blaustein
Institute for the Advancement of Human Rights; the International Rehabilitation Council for Torture Victims; and the International Service for Human Rights, on behalf of TB-Net. Comments focused on the OHCHR working paper and the modalities for meaningful participation by civil society organizations in future sessions of the treaty bodies. Participants recommended that such participation be prioritized during sessions but that remote participation be allowed for those not able to travel to Geneva. Further comments concerned the strengthening of the Chairs’ decision-making authority, the introduction of a predictable schedule of reviews, a robust follow-up review, substantive coordination and the digital uplift. The participants noted that the protection mandate of the treaty bodies should not be weakened through the reform process. They highlighted the lack of resources to process individual communications, the need for a vetting process for treaty body nominees and the importance of responsible human rights data collection and use, and discussed cooperation on pilot follow-up reviews at the regional level.

61. The Chairs expressed gratitude to the representatives of the national human rights institutions, civil society organizations and academia for their valuable contribution to their work and emphasized that engagement with them would remain an essential part of the treaty bodies’ work and of any consultations on the OHCHR working paper.

V. Decisions and recommendations

62. At the 8th meeting, on 2 June, the Chairs adopted the decisions and recommendations set out below.

A. Follow-up to the conclusions of the thirty-fourth meeting of the Chairs of the human rights treaty bodies

63. The Chairs agreed unanimously to the conclusions set out below as the main outcome of the thirty-fifth meeting:

Conclusions of the Chairs of the treaty bodies on the working paper of the Office of the United Nations High Commissioner for Human Rights on options and guiding questions for the development of an implementation plan for the conclusions of the Chairs of the human rights treaty bodies at their thirty-fourth meeting, in June 2022 (A/77/228, paras. 55 and 56)

64. The Chairs welcome with appreciation the working paper on options and guiding questions for the development of an implementation plan for the conclusions of the Chairs of the human rights treaty bodies at their thirty-fourth meeting, in June 2022 (A/77/228, paras. 55 and 56), which OHCHR prepared in response to the request of the Chairs of the human rights treaty bodies during their thirty-fourth annual meeting, held from 30 May to 3 June 2022 (A/77/228, paras. 55 (c) and 56). They welcome the working paper as an important step and a comprehensive, detailed and technical tool to guide the consultations towards the implementation of the Chairs’ conclusions, with a view to providing possible elements for the next biennial General Assembly resolution on the human rights treaty body system in December 2024.

65. The Chairs considered, in consultations that have been and continue to be carried out with their respective human rights treaty bodies, the various options contained in the working paper, which are outlined in these conclusions and are focused on the harmonization of working methods. The Chairs are ready to act on these, in the hope that Member States will start acting on the areas of the working
paper that are under their prerogative, particularly concerning the modalities for an eight-year predictable schedule of reviews.

66. The Chairs warmly welcome the meeting with the United Nations High Commissioner for Human Rights during their thirty-fifth meeting and his intention to engage with all Member States in follow-up to the Chairs’ conclusions of June 2022 and the present conclusions, and to solicit their views on the working paper, which will help to prepare the building blocks for the next biennial General Assembly resolution on the human rights treaty body system in December 2024.

67. The Chairs are also highly encouraged by the meeting with the Secretary-General of the United Nations during their thirty-fifth meeting and his substantive support extended to the Chairs and the human rights treaty body strengthening process, in particular in relation to the necessary funding by Member States.

68. The Chairs further welcome the views of Member States, United Nations agencies, national human rights institutions and civil society organizations that they have received during the consultations on this process.

69. The Chairs are committed to the human rights treaty body strengthening process, whose successful conclusion would enable the human rights treaty bodies to overcome the challenges faced by the human rights treaty body system today, with a view to better protecting rights holders and guiding duty bearers for the fulfilment of their conventional obligations. They consider that the recommendations of the co-facilitation process on the human rights treaty body review of 2020, the conclusions drawn at the thirty-fourth annual meeting of the Chairs of the human rights treaty bodies of June 2022 (A/77/228, paras. 55 and 56), the OHCHR working paper on options and guiding questions of May 2023 and the present conclusions of the thirty-fifth annual meeting provide a solid basis for the necessary strengthening of the human rights treaty body system. The Chairs wish to call upon Member States and other stakeholders to support the implementation of their conclusions, on the basis of the OHCHR working paper.

On the harmonization of working methods

Coordination on the harmonization of working methods and substantive coordination

70. The Chairs agree to approach procedural and substantive coordination among the human rights treaty bodies as a matter of strategic priority, including to advance the harmonization of working methods to avoid unnecessary repetitive questions in lists of issues and lists of issues prior to reporting, to reduce duplication in concluding observations, and to develop coherence, intersectionality and complementary jurisprudence, for the benefit of rights holders, victims, States and all other stakeholders. Advancing the harmonization of working methods includes the strengthening of accessibility and the provision of reasonable accommodation.

71. The Chairs highlight that the role and impact of the annual meeting of the Chairs has to be strengthened, in support of both the procedural harmonization of the working methods of the human rights treaty bodies and their substantive coordination. As part of the process of the harmonization of working methods, they are committed to considering and reviewing the guidelines on the independence and impartiality of members of the human rights treaty bodies (the Addis Ababa guidelines) in line with paragraph 37 of General Assembly resolution 68/268. The Chairs reconfirm the “Poznan formula” in this respect: conclusions reached by the Chairs, previously

---

4 A/67/222, annex I.
5 These modalities (the “Poznan formula”) are outlined in paragraph 56 and footnote 8 of the second biennial report of the Secretary-General on the status of the human rights treaty body system (A/73/309).
discussed and agreed to within each of the Committees, are to be implemented by all human rights treaty bodies, unless a Committee subsequently dissociates itself from such conclusions. The human rights treaty bodies discuss and compare working methods and substantive issues that require coordination during their sessions in advance of the annual meeting of the Chairs to facilitate collective decision-making. When such discussions are not feasible during sessions, the Committees will conduct online meetings intersessionally and serviced by full interpretation into the working languages of the Committees. The Committees mandate their respective Chairs to reach conclusions on aligned working methods based on practices that need to be generalized, and on issues pertaining to substantive coordination, at their annual meetings.

72. Such a role of the Chairs answers the request by States in paragraph 38 of General Assembly resolution 68/268, in which the 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 human rights treaty bodies, ensuring coherence across the human rights treaty bodies and standardizing working methods.

73. The Chairs conclude that a coordination mechanism is needed in order to support their above-described roles in the harmonization of working methods and substantive coordination on common and intersectional issues and to prepare concrete proposals for the Chairs for their conclusive action on these issues, while respecting the specificities of each Committee. OHCHR will be consulted on issues that concern its mandate and/or have budgetary and/or human resources implications.

74. For that purpose, the meetings of the human rights treaty body Chairs will be preceded by at least one online annual preparatory meeting of the coordination mechanism, composed of focal points on working methods designated by each Committee. Taking into account the specificities of each Committee, this coordination mechanism will address substantive and procedural issues that require coordination and alignment on methodology and will prepare these for a decision by the Chairs. It will also receive proposals from the various Committees, States parties during their meetings with the human rights treaty bodies, and OHCHR. Such a structured process will ensure that Chairs’ deliberations benefit from a thorough review of best practices on working methods and jurisprudence (in the case of substantive matters) of all Committees and a pre-endorsement process that empowers the Chairs, but ensures that previous discussions and contributions are in collective decision-making within each human rights treaty body and through the coordination mechanism.

Constructive dialogues via videoconference

75. The Chairs conclude that, in line with option 1 of the working paper, on constructive dialogues via videoconference, such dialogues with States parties should take place in person as the default modality, with hybrid meetings being limited to reviews of small island developing States and least developed countries and to any other State only in extraordinary circumstances. Such constructive dialogues should be serviced by full interpretation into the working languages of the Committees (in addition to another official United Nations language when the State party is entitled to it). The constructive dialogue via videoconference should have the same length as in-person constructive dialogues, thus, two meetings of three hours, and provide for closed captioning and interpretation into sign language.
Concluding observations

76. In order to increase the reader-friendliness of concluding observations, which positively influence the ability of States to implement the recommendations of the human rights treaty bodies, the Chairs conclude to develop aligned guidelines and a common template for concluding observations that would harmonize all aspects possible, while reflecting the specificities of each human rights treaty.

Engagement with stakeholders

77. The Chairs conclude, in line with option 1 of the working paper, on interaction with stakeholders during State party reviews, that engagement with all stakeholders, including United Nations agencies, national human rights institutions and non-governmental organizations, should continue to take place and must be further promoted in the context of reviews of States parties’ reports. Such meetings should take place in a hybrid manner during sessions, with interpretation into the working languages of the Committee, closed captioning and interpretation into sign language, with a view to accommodating stakeholders that wish to engage in person with the human rights treaty bodies in Geneva, but also accommodating those who might wish to engage remotely for financial or other reasons.

78. The Chairs further conclude, equally in line with option 1 of the working paper, that Committees should align the modalities for engaging with national human rights institutions, civil society organizations and other stakeholders and propose to develop common guidelines in this regard.

79. The Chairs wish to facilitate the participation of stakeholders, including of children and other groups of rights holders with specific needs, through the development of common and adapted and accessible information material and other tools for these audiences. They request the provision of funds to enable gender-balanced engagement of representatives of such groups of rights holders with the human rights treaty bodies.

80. The Chairs agree to develop common guidelines in this regard and to strengthen their cooperation to prevent and address acts of intimidation and reprisal for cooperation with the human rights treaty bodies, in line with the Guidelines against Intimidation or Reprisals (San José Guidelines). They request Member States to take the necessary measures to prevent any such acts of intimidation or reprisals.

Accessibility of human rights treaty body work and reasonable accommodation

81. The Chairs conclude that option 2 of the working paper, on accessibility of human rights treaty body work and reasonable accommodation, adequately reflects their previous conclusions (A/77/228, para. 55 (6)). They emphasized that a number of improvements should be introduced to increase accessibility and the provision of reasonable accommodation in the context of the work of all human rights treaty bodies. These improvements concern, inter alia:

(a) The provision of reasonable accommodation to Committee members with disabilities, including support and personal assistance;

(b) The full accessibility of public meetings of the human rights treaty bodies;

(c) The provision of all key documents in plain language, in Easy Read and as Word versions, and, for Committee members, in Braille in the working languages of the human rights treaty bodies;

(d) The availability of accessible information on the OHCHR website;
(c) The provision of funds for the provision of reasonable accommodation to external participants attending meetings of the human rights treaty bodies.

**On the eight-year predictable calendar of reviews**

82. The Chairs conclude that the three options for the introduction of an eight-year predictable schedule of reviews, as presented in the working paper, are in line with their conclusions from their thirty-fourth meeting, of June 2022 (A/77/228, para. 55 (1) (a)), for as long as they include the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Committee on Enforced Disappearances as part of the overall system. While recognizing the benefits of the simplicity of the “linear” model for reviews, the Chairs intend to expand their analysis of the pilots of clustering the review of a number of States parties’ reports by the Human Rights Committee and the Committee on Economic, Social and Cultural Rights. They also intend to deepen their analysis of the back-to-back reviews recently conducted by the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, which would be beneficial for States’ consideration of the “partial clustering” and the “full clustering” models for the predictable review calendar.

83. The Subcommittee on Prevention of Torture will align itself to the eight-year predictable schedule of reviews by visiting States parties, on average, every eight years, in accordance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

84. The Committee on Enforced Disappearances is implementing its review procedures in a nimble and flexible manner that is compatible with the eight-year predictable schedule of reviews, in coordination with the other human rights treaty bodies. It has established variable timelines of reviews with the aim of focusing on the most pressing situations, while ensuring the follow-up to the implementation of its recommendations by all States parties. This, therefore, allows for an easy inclusion of the review process of the Committee on Enforced Disappearances in the envisaged predictable schedule of reviews.

85. The Chairs believe that the introduction of the eight-year predictable schedule of reviews is intended to ensure equal treatment among States and full compliance with their obligations and facilitate the engagement of States parties, rights holders, victims and other stakeholders with the human rights treaty body system. The human rights treaty bodies acknowledge that the modalities of an eight-year predictable review calendar will thus have a positive impact on the national preparations of reports and the constructive dialogues by these stakeholders, as well as their implementation of and follow-up to the human rights treaty bodies’ recommendations at the national level. The Chairs confirm that any of the options for the introduction of an eight-year predictable schedule of reviews can and will be implemented by all human rights treaty bodies, if the necessary human, technical and financial resources can be provided.

**Options for the modalities of follow-up reviews**

86. The Chairs agree on the need to strengthen the follow-up procedures and conclude that the three options, presented in the working paper, are in line with their conclusions from their thirty-fourth meeting (A/77/228, para. 55 (a) and (e)). The Chairs also agree to recommend that follow-up reviews focus on up to four specific priority issues that were identified by the human rights treaty body in the full review or have emerged since then. Through cyclic dialogues with States parties between visits, the Subcommittee on Prevention of Torture will assess the implementation of its recommendations and continuously advise and assist national preventive
mechanisms throughout the eight-year calendar and have ongoing cooperation with
the United Nations, international agencies and regional bodies to strengthen the
prevention of torture. The Committee on Enforced Disappearances will request
additional information from States parties under a time frame of every two, four or
eight years, depending on the level of implementation of its recommendations and
fulfilment of States’ obligations and the evolution of the situation of enforced
disappearances in the States parties concerned, thereby merging the follow-up review
with the procedure for reporting on additional information.

Simplified reporting procedure

87. The Chairs reaffirm that the generalization of the simplified reporting
procedure, with the help of digital tools, will shorten the currently prevailing long
duration between the submission of a State party report and its review by the
Committee and that the simplified reporting procedure will assist States parties in the
preparation and submission of more focused reports. The Chairs conclude that the
simplified reporting procedure will become the default procedure for all Committees
for both – initial and periodic – reports, with the possibility for the States parties to
opt out, except for the Committee on Enforced Disappearances, which, for the time
being, only applies its procedure of an examination of a State party in the absence of
a report for those whose initial reports are due for five years or more, and the
Subcommittee on Prevention of Torture, which does not have such a procedure. The
Chairs agree to further study a possible correlation between non-reporting and
underreporting States parties and their opting out of the simplified reporting
procedure.

On individual communications and inquiries

88. The Chairs recall the importance of the individual communications procedures
to protect and provide redress to victims of human rights violations and call upon
Member States to provide the necessary human, technical and financial resources for
this core mandated activity to maintain the quality of the jurisprudence of the human
rights treaty bodies and to cover the entire life cycle of individual communications,
such as work done in relation to the legal assessment of new communications for
registration (pre-registration stage), interim measures and procedural requests while
a communication is pending.

89. The Chairs also reaffirm the importance of mandated inquiries and country
visits, which, however, require appropriate resourcing in terms of meeting time and
human, technical and financial resources that need to be provided by Member States.

On capacity-building

90. The Chairs conclude that the OHCHR human rights treaty body capacity-
building programme, established pursuant to General Assembly resolution 68/268, is
well-suited to further strengthen its support to the qualitative improvement of the
reporting compliance of States parties. It should therefore be enhanced, and the Chairs
conclude that the Committees will strengthen their cooperation with the capacity-
building programme and contribute to enhancing its outreach and peer-to-peer
learning among different national best practices. They particularly welcome the
continuing adaptation of the capacity-building activities of the programme to
facilitate outreach, including through digital means that are accessible. The capacity-
building programme should also continue to support the development of the National
Recommendations Tracking Database for use by the States parties to prepare their
follow-up reviews.
On digitalization

91. For rendering the human rights treaty body system more efficient to meet its constant growth and increasing challenges, and to facilitate the engagement by States, victims, national preventive mechanisms and other stakeholders, the Chairs conclude that the following should be (further) developed, also in light of the relevant and valuable observations and expectations expressed by States parties during their engagement with the human rights treaty body Chairs at their thirty-fifth meeting:

(a) An accessible common web page, to the extent possible, and a user-friendly and accessible joint submission and document management platform for States parties reporting that allows easy access to publicly available documents for external audiences, while still allowing for other formats of submissions for those who do not have access to the necessary digital tools;

(b) A user-friendly and accessible joint submission platform and case management system for petitions submitted to all human rights treaty bodies that have an individual communications procedure, and for urgent actions of the Committee on Enforced Disappearances, while still allowing for other formats of submissions for petitioners who do not have access to the necessary digital tools;

(c) Accessible digital platforms that support collaborative drafting for human rights treaty body members and secretariat staff;

(d) The automated compilation of information on human rights developments and progress in States parties and of lists of documents, including reports, inter alia, of all human rights treaty bodies, the universal periodic review, special procedures and OHCHR;

(e) The enhanced automation of the development and processing of standard session-related documentation;

(f) Capacity-building activities through digital means.

92. The Chairs call upon Member States to increase human, technical and financial resources to the United Nations Office at Geneva to ensure conference service support for accessible online and hybrid meetings of the Committees, including interpretation into the working languages of the human rights treaty bodies, sign language and closed captioning, throughout the official meetings, such as interactive dialogues, meetings with stakeholders and intersessional meetings among human rights treaty body Chairs and members.

B. Progress made on the alignment of working methods and practices of the treaty bodies

93. For their thirty-fifth meeting, the Chairs requested the secretariat to update the information on the reporting obligations of and compliance by States, in an online format only, through the treaty body database, available on the OHCHR website. The Chairs found the overview provided in the note by the Secretariat on compliance by States parties with their reporting obligations to international human rights treaty bodies very helpful for further aligning their working methods and practices. The Chairs requested additional information, for their thirty-sixth meeting, on the reporting compliance by States parties according to regional groups, on the consideration of States parties in the absence of a report and/or in the absence of a

---

delegation, and on a possible correlation between non-reporting and underreporting States parties and their opting out of the simplified reporting procedure.

C. Intersessional activities

94. The Chairs requested the secretariat to organize a remote follow-up meeting with interpretation into the working languages of the Committees to continue their cooperation on the follow-up to the Chairs’ conclusions of June 2022. They also encouraged all Chairs to seek opportunities for informal, in-person meetings by the Chairs to allow for face-to-face exchanges in between the annual Chairs’ meetings. Furthermore, the Chairs agreed to prepare a joint statement on the occasion of the seventy-fifth anniversary of the Universal Declaration of Human Rights, and to work on a statement on neurotechnology and human rights.

D. Implementation by the human rights treaty bodies of the Guidelines against Intimidation or Reprisals (San José Guidelines)

95. The Chairs recommended further actions on awareness-raising, the emphasis of a zero-tolerance approach to reprisals during openings of treaty body sessions, the harmonization of working methods on reprisals and more frequent exchanges between the rapporteurs and focal points on reprisals. The Committee on Economic, Social and Cultural Rights was encouraged to endorse or adopt the San José Guidelines. Intersessional meetings should benefit from online platforms and interpretation.

E. Modalities and organization of future meetings of Chairs

96. The Chairs requested the secretariat to follow up with relevant United Nations Secretariat departments in New York to ensure that additional time was allocated to the Chair of the Chairs’ meetings to present the report of the Chairs’ meeting to the General Assembly (Third Committee). They also requested the secretariat to explore the feasibility of interpretation into the working languages of the Committees during intersessional meetings of the Chairs and of treaty body focal points. Changes in the Committees’ session periods should be made known to treaty body members as early as possible. In this regard, the Chairs requested that a standing item on “Chairs’ affairs” be added to the agenda of their annual meetings.

F. Agenda and location of the thirty-sixth meeting of Chairs of the human rights treaty bodies

97. The Chairs recalled their decision at the thirty-fourth meeting, and reiterated their wish to continue to strengthen their interaction with senior United Nations officials, including the Secretary-General and the Assistant Secretary-General for Human Rights, and representatives of Member States in New York, United Nations agencies and programmes, national human rights institutions and civil society organizations. The Chairs would therefore consider holding their thirty-sixth meeting in New York and request that it be organized at a time that allows for five days of formal meetings.
Annex*

Provisional agenda and revised programme of work

Provisional agenda (HRI/MC/2023/1)

1. Opening of the meeting.
2. Election of officers.
3. Adoption of the agenda and organization of work.
4. Follow-up to the conclusions of the thirty-fourth meeting of Chairs of the human rights treaty bodies.
5. Progress made on the alignment of working methods and practices of the treaty bodies.
6. Intersessional activities, including joint meetings with other mechanisms.
7. Implementation by the treaty bodies of the Guidelines against Intimidation or Reprisals (San José Guidelines).
10. Any other business.
11. Adoption of the report on the thirty-fifth meeting.

Programme of work, as revised

The numbering and full titles of items follow the provisional agenda.

Monday, 29 May 2023 (Informal meeting held outside Headquarters due to United Nations official holiday)

10.00 a.m. to 1.00 p.m. (private)
3.00 p.m. to 6.00 p.m. (private)

Tuesday, 30 May 2023

10.00 a.m. to 11.00 a.m. (private)
11.15 a.m. to 11.45 a.m. (public)

1. Opening of the meeting by a representative of the Office of the United Nations High Commissioner for Human Rights
2. Election of officers
3. Adoption of the agenda and organization of work

11.45 a.m. to 1.00 p.m. (public)

4. Follow-up to the conclusions of the thirty-fourth meeting of Chairs of the human rights treaty bodies: Consideration of the OHCHR “Working Paper –

* Circulated in the language of submission only and without formal editing.
Options and guiding questions for the development of an implementation plan for the conclusions of the treaty body Chairs at their 34th meeting in June 2022 (A/77/228, paras. 55–56)"

**Wednesday, 31 May 2023**

10.00 a.m. to 1.00 p.m. (private)

4. Follow-up to the conclusions of the thirty-fourth meeting of Chairs of the human rights treaty bodies: Consideration of the OHCHR Working Paper

3.00 p.m. to 5.00 p.m. (private)

4. Follow-up to the conclusions of the thirty-fourth meeting of Chairs of the human rights treaty bodies: Consideration of the OHCHR Working Paper

5.15 p.m. to 5.45 p.m. (private)

8. Consultations with States parties, senior United Nations officials, United Nations agencies and civil society organizations: Consultations with the Secretary-General, António Guterres

**Thursday, 1 June 2023**

10.00 a.m. to 11.30 a.m. (private)

8. Consultations with States parties, senior United Nations officials, United Nations agencies and civil society organizations: Consultation with national human rights institutions and civil society (hybrid meeting)

11.30 a.m. to 1.00 p.m. (private)

8. Consultations with States parties, senior United Nations officials, United Nations agencies and civil society organizations: Consultation with United Nations agencies

1.30 p.m. to 2.30 p.m. (public)

*Lunch time OHCHR side event on the ratification of the human rights treaties and their optional protocols: “Connecting experiences: Ratification of the human rights treaties and their optional protocols by Least Developed Countries and Small Island Developing States”*

3.00 p.m. to 6.00 p.m. (public)

8. Consultations with States parties, senior United Nations officials, United Nations agencies and civil society organizations: Consultation with States parties

**Friday, 2 June 2023**

10.00 a.m. to 11.00 a.m. (private)

8. Consultations with States parties, senior United Nations officials, United Nations agencies and civil society organizations: Consultations with the Assistant Secretary-General for Human Rights, Ilze Brands Kehris

11.00 a.m. to 12.00 p.m. (public)

7. Implementation by the treaty bodies of the Guidelines against Intimidation or Reprisals (San José Guidelines) (HRI/MC/2022/4)

12.00 p.m. to 1.00 p.m. (private)

6. Intersessional activities, including joint meetings with other mechanisms, including activities related to the 75th anniversary of the Universal
Declaration of Human Rights and the 30th anniversary of the Vienna World Conference

9. Modalities and organization of future meetings of Chairs, including (a) Time given to the Chair of the Chairs’ meeting to present the report of the Chairs’ meeting at the General Assembly (Third Committee); (b) Language requirements for the intersessional meetings of Treaty Bodies focal points; (c) Changes to the Committees’ session periods.

10. Any other business
   1.00 p.m. to 1.30 p.m. (private)
   Presentation of a video recorded by Professor Rafael Yuste, Columbia University, New York, on neurotechnology and human rights
   3.00 p.m. to 5.30 p.m. (private)

11. Adoption of the conclusions of the thirty-fifth meeting
   5.30 p.m. to 6.00 p.m. (public)

   Closing of the meeting