The Permanent Mission of the State of Israel to the United Nations and other International Organizations wishes to present its compliments to the Office of the High Commissioner for Human Rights (OHCHR) and is honoured to refer to the OHCHR questionnaire dated 25 March 2019, regarding the process of “Strengthening and enhancing the effective functioning of the human rights treaty body system” following the General Assembly resolution 68/268 and to submit its comments as follows.

At the outset, Israel sees great importance in the work of the Treaty Bodies (TBs) and in the cooperation and constructive dialogue with States, and therefore engages frequently with the different Treaty Bodies, sends high ranking officials to its reviews and takes the implementation of the recommendation given to it under serious consideration.

First, with regards to the implementation of resolution 68/268 Israel wishes to make the following remarks.

* **The use of the simplified reporting procedure –** Israel is not only in favor of the effectiveness of this important tool and cooperates with it regularly, but it also believes its use should be extended to all the TBs, as will be detailed in this note.
* **The submission of a core document**- Israel has submitted a core document and updates it regularly, and will continue to do so upon the Treaty Bodies' requests.
* **The procedure of nomination of experts –** Israel is in favor of nominating experts of a high moral standing, recognized competence and experience in the field of human rights in general, and in the relevant fields of each committee in particular. To this date, the experts nominated by the State of Israel have met these standards and have been chosen in a process open to all relevant stake holders in Israel, including the government, academia, civil society, etc. Israel has also participated in the debates on this issue in Geneva.
* **Acts of intimidation and reprisals**- Israel wishes to emphasize its opposition to reprisals and favors actions taken to avoid and prevent them. In this regard, Israel wishes to commend the TBs for the ongoing efforts in this matter, such as the appointment of focal points on reprisals.

Second, with regards to the Treaty Body Review 2020, and on a more general note, it is Israel's view that the review process must include a true examination of the actions that could be taken by the Treaty Bodies themselves, without the involvement of States. This includes, amongst other issues, the improvement, updating and harmonization of methods of work and rules of procedure, as will be detailed below.

Furthermore, the Secretariat by its nature has a closer view on the work of the TBs. Therefore, it should address issues that are within its capacity, such as scheduling reviews, involvement in assisting the experts of the TBs with the harmonization of their work, etc.

**Creating a joint calendar for all submissions and reviews-** one of the main difficulties for States today is the complexity of managing their schedule for the submission of reports and reviews to different TBs. This difficulty consists of several elements:

* A prolonged time gap between submission of reports and the later reviews, which on many occasions obligates States to submit a written response to the List of Issues that includes all the relevant and recent developments which occurred before the review;
* Lack of oversight on the upcoming reviews and reports submissions to all committees;
* Lack of a logical and organized division between the reviews conducted by the different committees, so as not to create the situation, which often occurs today, where at a certain year a State might have no review, and in the year after, several sessions – in a short time frame.

Therefore, with regards to this difficulty, Israel finds it important to have a multi-year calendar, coordinated between the TBs, with all the upcoming submissions and reviews for each State to allow predictability and for reasonable time to prepare. In this regard, we believe that the UPR system provides a model to obtain inspiration from.

It should also be noted that in order to make the calendar more suitable, it should be adapted to the relevant State and, therefore, should consider religious holidays in order to ensure the State's ability to participate in the constructive dialogue.

In sum, we believe that the planning of reviews needs to be guided by the principles of predictability, transparency, clearness, flexibility and coordination, which, in this way, would better serve the interests of States Parties, TBs and the Secretariat.

**Time gap between reviews -** Israel is aware that suggestions were raised to extend the time gap between reviews up to 8 years. In Israel's opinion, the time between reviews should be 4 years with an option to conduct a follow up, since an 8-year gap is too long and creates difficulties to provide a review which is relevant and coherent to the reports submitted years before.

It should be stated that one method that can overcome the challenge of a long gap is a follow-up mechanism between reviews. However, such a mechanism should be harmonic and not present an additional burden similar to a reporting process, since otherwise there is no real solution for the problem of overload, especially for smaller States. Therefore, despite this suggested solution, a 4-year gap seems more reasonable.

**Encouragement of developing a simplified reporting procedure with respect to all TBs-** currently the different committees are at different stages of the implementation of simplified reporting procedures. While some have already developed the practice, others are only starting a pilot. Considering the burden that the preparation of reports entails, a simplified reporting procedure assists States to comply with its reporting obligations. Moreover, it helps to improve the dialogue between the committee and the States under review, since it is easier to identify the interest of the monitoring body, which facilitates the preparation of the report.

Additionally, this simplified reporting procedure adds more certainty as to when the review will take place, since, such as in the case of the Human Rights Committee's Rule of Procedure 73.1 “The meeting with representatives of the State party shall take place within 12 months from the date in which its replies to the list of issues prior to reporting were submitted to the Committee.”

**Joint reviews by different Treaty Bodies and a joint list of issues –** in order to avoid overlapping and duplication, Israel is in favor of having joint reviews by different TBs. However, this joint process should not be considered based on “general committees” and “specific committees”, but rather to consider the joint thematic focuses between the different TBs. Thus, if this idea is to be developed, the planning of a joint review should be guided by a thematic focus. It is our proposal that once the TBs which are intended to work together are identified, they shall prepare a list of common issues, and subsequently questions relevant to all the reviewing bodies.

It should be emphasized that the idea is not to minimize in any way the independence of the committees or to intervene in the list of issues, but rather to decrease the repetition and overlapping issues that States receive nowadays and, thereby to give them time to provide more detailed answers with regard to the different issues.

Moreover, Israel considers this proposal as a way to enhance the complementary of the committees' work and as an opportunity to ensure a comprehensive protection of human rights, with both similar and particular focus by each TB.

Consequently, the review by these committees should take place in a close proximity of time, to avoid a situation where the report produced in response to the joint list of issues loses its relevance and also to enable a reasonable time frame for the presence of a delegation in Geneva.

It should also be highlighted that joint reviews will only be able to succeed if States are given enough time for preparation and for the presentation of the reports.

Finally, in accordance with this proposal, it is Israel's view that for example, there could be a joint review by the Human Rights Committee and the Committee Against Torture, while other similar thematic interests should be identified in order to consider a possible joint review by other committees.

**Harmonization and updating of rules of procedures and methods of work-** to date, there is a lack of harmonization and coherence between the rules of procedures and methods of work of each committee. While it is understandable and acceptable that each committee has its own view on the conduct of its work, there are many common issues between the TBs that could be harmonized via common guidelines, particularly on procedural matters. This effort will result, on the one hand, on ensuring the updating of all the rules of procedures and methods of work of all the TBs - currently there are some committees which update the rules of procedure and methods of work every couple of years, while others have not done so in decades. On the other hand, this will enable States to collaborate more easily with the committees by having simpler and clearer rules, and without the constant need to adjust themselves to different rules at each submission and review. Moreover, this beneficial effect would clearly extend to the work of CSOs and NHRIs which will have an easier way to engage with the TBs, without requiring specialized organizations taking this role. Therefore, it is Israel's strong view that the rules of procedures and methods of work should be updated and harmonized.

In this regard Israel wishes to further encourage the TB's to adapt a short and concrete List of Issues, which will further assist States with the submissions of replies to the Committees.

The Permanent Mission of the State of Israel to the United Nations and other International Organizations avails itself of the opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 30 April 2019