**Submission from Singapore in relation to**

**General Assembly Resolution 68/268 on “Strengthening and Enhancing the effective functioning of the human rights treaty body system”**

In response to the request for written submissions by the co-facilitators for the review of the UN human rights treaty body system mandated by General Assembly Resolution 68/268 in 2020, Singapore submits the following input:

Functioning of the Treaty Body System

1. The treaty bodies should conduct their work in an independent, impartial, credible and objective manner, and engage all States Parties in constructive dialogue to facilitate the practical realisation of their treaty obligations.

Working Methods and the Current Reporting System

1. To facilitate States Parties’ participation in the reporting system, more can be done to manage information on the review process, which currently can only be found after going through a number of documents, such as a treaty body’s rules of procedure, working methods and reporting guidelines. The treaty bodies should consider putting together a simple and intuitive guide with clear language on the review process, which will allow States Parties to better navigate the reporting system.
2. Treaty bodies should enhance coordination amongst themselves to minimise duplication of work, for instance by ensuring that treaty bodies do not raise substantively similar questions in the same review period for a State Party. However, this process should only apply to the treaties a State is party to, and should not involve issues beyond the scope of the particular treaty a State is being reviewed on.
3. In the same vein, the clustering or consolidating of all reviews under different treaty bodies should be avoided. As the treaties that each State is party to varies, consolidated reviews would conflate issues otherwise specific to individual treaties and lead to inconsistencies in the way each State is being reviewed.
4. The treaty body system should retain the flexibility for States Parties to submit combined reports for a treaty across more than one reporting period. The production of such comprehensive reports is often labour- and time-intensive and demands a whole-of-government approach. Small and developing States should not be penalised for legitimate constraints that lead to delays in the preparation of such reports.
5. A State Party’s review should serve as a platform for a constructive exchange of views and good practices in order to advance the practical realisation of human rights. This process is, and should remain, founded on the periodic reports (whether individual or combined) submitted by States Parties. States Parties should not be reviewed *in absentia*, as it eliminates a State Party’s right to be heard and does not provide for any constructive dialogue between States Parties and the treaty bodies.
6. Technology has facilitated critical communications that were disrupted as a result of the COVID-19 pandemic, whilst permitting the participation of more individuals from different time zones simultaneously. In moving with the times, the treaty bodies should also make available the option of reviewing States Parties virtually. This would provide relief, in particular, for small States that have the in-house technological capacity to connect virtually but would otherwise incur significant travel and time costs such that only a limited number of attendees can attend *in presentia* reviews.
7. In a similar vein, treaty bodies should consider making available more in-country/regional reviews on an optional basis. The Committee on the Rights of the Child’s first in-region review for Pacific States in March 2020 is a positive development. The trifecta of virtual reviews, in-country/regional reviews and *in presentia* reviews, each with clearly defined rules and modalities, would provide States Parties with the flexibility to elect their preferred mode of review and encourage greater interaction between States Parties and the treaty bodies.

Dialogue with Treaty Bodies: The Review and Meeting of States Parties

1. Treaty body members should be open to hearing the innovative and practical ways that a State Party has adopted to realise human rights within their specific circumstances, and lessen calls for a one-size-fits-allapproach or advocate for the adoption of an ideological approach to how certain human rights should be realised. Issues that are extraneous or irrelevant to the treaty should not be raised during the review. In a similar vein, questions posed to States Parties under review should be clearly expressed and targeted at specific treaty obligations (with express reference to the relevant article of the treaty). To facilitate the review, treaty bodies should also provide States Parties with a list of questions up to 48 hours prior to the dialogue to avoid duplication of questions and to allow States Parties the best opportunity to provide detailed and in-depth answers.
2. The treaty bodies should adhere to their respective mandates as set out in the relevant treaties and not impose extraneous obligations on States Parties. States Parties should not be assessed on the basis of obligations contained in treaties that they have not ratified.
3. The treaty bodies should place greater emphasis on applying their expertise and experience to provide more targeted and practical recommendations and suggestions to assist States Parties to realise their treaty obligations.
4. Given the limited amount of time for each State Party’s review, the treaty bodies should make more efficient and effective use of the meetings of States Parties by proposing and organising discussions on matters related to the implementation of each treaty. Singapore notes that this is also a recommendation reflected at Operative Paragraph 7 of General Assembly Resolution 68/268.

Treaty Body Members – Conduct, Independence and Impartiality

1. Some UN human rights mechanisms such as the Special Procedures Mandate Holders (SPMHs) are guided by a Code of Conduct which defines the standards of ethical behaviour and professional conduct expected of them in the course of their work. Despite treaty bodies forming an integral part of the UN human rights system, there is currently no equivalent guidance for treaty body members. Singapore therefore proposes establishing a common code of conduct for treaty body members to build trust with States Parties, enhance the effectiveness of the treaty body system, set out common practices and define standards of professional conduct and ethical behaviour in discharging their duties. The code of conduct should be negotiated and adopted by the UN General Assembly, in consultation with the Chairs of the treaty bodies.
2. Treaty body members should judiciously verify information provided by stakeholders prior to citing or otherwise utilising such information during a State Party’s review. A review should be based on facts and substantial grounds, and not based on allegations and unverified information.

Treaty Body Members – Nominations, Elections and Diversity

1. There is no justifiable basis for introducing new mechanisms to screen or assess candidates running for treaty body elections. The nomination and election of treaty body members remains the sovereign prerogative of States Parties. Such mechanisms would also be superfluous given that all candidates are nominated publicly by States Parties, who are able to seek information and exercise their judgment on the suitability of the candidates. Moreover, a “screening” body could inadvertently result in greater discrimination against candidates from certain geographical groups.

Engagement with civil society

1. To facilitate the interaction between States Parties and civil society, the treaty bodies should inform the State Party of the attendance of civil society at meetings in Geneva, so that the State Party can have the opportunity to connect with them and hear their perspectives. This can support the strengthening of collaboration between government and civil society.

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