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Seventy-seventh session

Items 69 (a) and 124 of the provisional agenda\*

Promotion and protection of human rights: implementation of human rights instruments

United Nations reform: measures and proposals

Status of the human rights treaty body system

Report of the Secretary-General

Supplementary information: 25 statistical annexes

The following information is supplementary to the report of the Secretary-General on the Status of the human rights treaty body system (A/77/279). It contains 25 statistical annexes and is available in English only on the website of the Office of the High Commissioner for Human Rights (<https://www.ohchr.org/en/documents/reports/fourth-biennial-report-status-human-rights-treaty-body-system>).

Annexes to the Secretary-General’s report on the status of the human rights treaty body system (A/77/279)

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List of abbreviations

International human rights treaties

ICERD International Convention on the Elimination of All Forms of Racial   
Discrimination

ICCPR International Covenant on Civil and Political Rights

ICCPR-OP1 Optional Protocol to ICCPR

ICCPR-OP2 Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty

ICESCR International Covenant on Economic, Social and Cultural Rights

ICESCR-OP Optional Protocol to ICESCR

CEDAW Convention on the Elimination of All Forms of Discrimination against  
Women

CEDAW-OP Optional Protocol to CEDAW

CAT Convention against Torture and Other Cruel, Inhuman or Degrading   
Treatment or Punishment

OP-CAT Optional Protocol to CAT

CRC Convention on the Rights of the Child

CRC-OPAC Optional Protocol to CRC on the involvement of children in armed conflict

CRC-OPSC Optional Protocol to CRC on the sale of children, child prostitution and child   
pornography

CRC-OPIC Optional Protocol to CRC on a communications procedure

ICRMW International Convention on the Protection of the Rights of All Migrant  
Workers and Members of Their Families

CRPD Convention on the Rights of Persons with Disabilities

CRPD-OP Optional Protocol to CRPD

ICPPED International Convention for the Protection of All Persons from Enforced  
Disappearance

Human rights treaty bodies

CERD [Committee on the Elimination of Racial Discrimination](http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx)

HRCttee [Human Rights Committee](http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx)

CESCR [Committee on Economic, Social and Cultural Rights](http://www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx)

CEDAW [Committee on the Elimination of Discrimination against Women](http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx)

CAT [Committee against Torture](http://www.ohchr.org/en/hrbodies/cat/pages/catindex.aspx)

SPT Subcommittee on Prevention of Torture

CRC Committee on the Rights of the Child

CMW Committee on the Protection of the Rights of All Migrant Workers and  
Members of Their Families

CRPD [Committee on the Rights of Persons with Disabilities](http://www.ohchr.org/EN/HRBodies/CRPD/Pages/CRPDIndex.aspx)

CED [Committee on Enforced Disappearances](http://www.ohchr.org/EN/HRBodies/CED/Pages/CEDIndex.aspx)

Other abbreviations

SP State party

SRP Simplified reporting procedure

COBs Concluding observations

GC General Comment

SHP Strategic Heritage Plan

Annex I

Human rights treaty ratifications and declarations as at 31 December 2021

The total number of ratifications of the human rights treaties and protocols, as well as relevant declarations enabling communications and inquiries procedures, was 2,477 as at 31 December 2021, compared with 2,451 as at 31 October 2019, representing a 1 % increase. Since GA resolution 68/268 was adopted there has been a 13.1% increase in ratifications (2,190 ratifications on 31 December 2013 and 2,477 ratifications on 31 December 2022).

Table 1 includes the information reflected in the annex of the two previous biennial reports submitted by the Secretary-General as mandated by resolution 68/268 as well as updated figures as at 31 December2021 reflected in column (c).

**Chart 1**

**Table 1**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Treaty* | ***No of States Parties on 31 December 2013*** | ***No of States Parties on 31 December 2015*** | ***No of States parties on 31 December 2017*** | ***No. of States parties on 31 October 2019*** | ***No. of States parties on 31 December 2021*** | ***Change in No. of States parties from 2019–2021*** | ***Percentage change in No. of States parties from 2019–2021*** | ***Change in No. of States parties from 2013–2021*** | ***Percentage change of States parties from 2013–2021*** |
| ***(A/71/118, annex I)*** | ***(A/71/118, annex I)*** | ***(A/73/309, Annex I)*** | ***(A/74/643, Annex I)*** |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| ***(a)*** |  |  | ***(b)*** | ***(c)*** | ***D=(c)-(b)*** | ***E=D/(b)*** | ***F=(c)-(a)*** | ***G=E/(a)*** |
| ICERD | 176.0 | 177.0 | 179.0 | 182.0 | 182.0 | 0.0 | 0.0% | 6.0 | 3.4% |
| Declaration art. 14 ICERD | 55.0 | 56.0 | 58.0 | 58.0 | 59.0 | 1.0 | 1.7% | 4.0 | 7.3% |
| ICCPR | 167.0 | 168.0 | 169.0 | 173.0 | 173.0 | 0.0 | 0.0% | 6.0 | 3.6% |
| ICCPR-OP1 | 115.0 | 115.0 | 116.0 | 116.0 | 116.0 | 0.0 | 0.0% | 1.0 | 0.9% |
| ICCPR-OP2 | 78.0 | 81.0 | 85.0 | 88.0 | 89.0 | 1.0 | 1.1% | 11.0 | 14.1% |
| ICESCR | 161.0 | 164.0 | 166.0 | 170.0 | 171.0 | 1.0 | 0.6% | 10.0 | 6.2% |
| ICESCR-OP | 11.0 | 21.0 | 22.0 | 24.0 | 26.0 | 2.0 | 8.3% | 15.0 | 136.4% |
| CEDAW | 187.0 | 189.0 | 189.0 | 189.0 | 189.0 | 0.0 | 0.0% | 2.0 | 1.1% |
| CEDAW-OP | 104.0 | 106.0 | 109.0 | 113.0 | 114.0 | 1.0 | 0.9% | 10.0 | 9.6% |
| CAT | 154.0 | 158.0 | 162.0 | 169.0 | 173.0 | 4.0 | 2.4% | 19.0 | 12.3% |
| OP-CAT | 70.0 | 80.0 | 87.0 | 90.0 | 91.0 | 1.0 | 1.1% | 21.0 | 30.0% |
| Declaration art. 22 CAT | 66.0 | 67.0 | 68.0 | 68.0 | 69.0 | 1.0 | 1.5% | 3.0 | 4.5% |
| CRC | 193.0 | 196.0 | 196.0 | 196.0 | 196.0 | 0.0 | 0.0% | 3.0 | 1.6% |
| CRC-OPAC | 152.0 | 162.0 | 167.0 | 170.0 | 172.0 | 2.0 | 1.2% | 20.0 | 13.2% |
| CRC-OPSC | 166.0 | 171.0 | 174.0 | 176.0 | 177.0 | 1.0 | 0.6% | 11.0 | 6.6% |
| CRC-OPIC | 9.0 | 22.0 | 37.0 | 46.0 | 48.0 | 2.0 | 4.3% | 39.0 | 433.3% |
| ICRMW | 47.0 | 48.0 | 51.0 | 55.0 | 56.0 | 1.0 | 1.8% | 9.0 | 19.1% |
| Declaration art. 77 CMW\* | 3.0 | 3.0 | 4.0 | 5.0 | 5.0 | 0.0 | 0.0% | 2.0 | 66.7% |
| CRPD | 139.0 | 160.0 | 175.0 | 181.0 | 184.0 | 3.0 | 1.7% | 45.0 | 32.4% |
| CRPD-OP | 79.0 | 88.0 | 92.0 | 96.0 | 100.0 | 4.0 | 4.2% | 21.0 | 26.6% |
| ICPPED | 41.0 | 51.0 | 58.0 | 62.0 | 64.0 | 2.0 | 3.2% | 23.0 | 56.1% |
| Declaration art. 31 ICPPED | 17.0 | 17.0 | 22.0 | 23.0 | 23.0 | 0.0 | 0.0% | 6.0 | 35.3% |
| **Total** | **2190.0** | **2300.0** | **2386.0** | **2450.0** | **2477.0** | 27.0 | 1.1% | 287.0 | 13.1% |

\* The individual communication procedure of article 77 is not yet in force as it requires that the declaration be made by ten States parties.

Annex II

Reporting compliance by States parties as at 31 December 2021

States parties have an obligation to report under the nine international human rights treaties and two optional protocols. Reporting periodicities vary by treaty (table 1).

Table 1: Reporting periodicity, by treaty

| *Treaty* | *Initial report due (following ratification) within* | *Periodic reports due thereafter every* |
| --- | --- | --- |
| ICERD | 1 year | 2 years |
| ICESCR | 2 years | 5 years |
| ICCPR | 1 year | 3, 4, 5 and 6 years, as requested by the Committee |
| CEDAW | 1 year | 4 years |
| CAT | 1 year | 4 years |
| CRC | 2 years | 5 years |
| ICRMW | 1 year | 5 years |
| CRC-OPSC | 2 years | With next report to the Committee on the Rights of the Child or 5 years if the State party has ratified the Optional Protocol only but not the Convention |
| CRC-OPAC | 2 years | With next report to the Committee on the Rights of the Child or 5 years if the State party has ratified the Optional Protocol only but not the Convention |
| CRPD | 2 years | 4 years |
| ICPPED | 2 years | As requested by the Committee on Enforced Disappearances (art. 29 (4)) |

As at 31 December 2021, 28 of the 197 States parties (14%) had no overdue reports under the relevant international human rights treaties and protocols. Compared to the previous reporting period there were 38 States parties (19%) with no overdue reports.

As at 31 December 2021, 169 States parties (86%) had some 591 reports overdue, 226 initial and 365 periodic, over a time period ranging from 1-2 years for initial reports and 2 to 6 years or as requested by the Committee for periodic reports during the relevant period. Compared to the previous reporting period, 159 States parties (81%) had 569 reports overdue, 250 initial and 319 periodic as of 31 October 2019.

Overdue reports are those which are expected but not received, whether it be initial reports (table 2) or periodic reports (table 3).

Table 2: States parties with overdue initial reports as at 31 December 2021

226 State parties has overdue initial reports.

|  |  |
| --- | --- |
| *No of reports* | |
|  |  |
| 1 | 32 States parties had 1 overdue initial report |
| 2 | 22 States parties had 2 overdue initial reports |
| 3 | 19 States parties had 3 overdue initial reports |
| 4 | 6 States parties had 4 overdue initial reports |
| 5 | 6 States parties had 5 overdue initial reports |
| 6 | 4 States parties had 6 overdue initial reports |
| 7 | 1 States party had 7 overdue initial reports |
| 8 | 1 States party had 8 overdue initial reports |

Table 3: States parties with overdue periodic reports as at 31 December 2021

365 State parties has overdue periodic reports.

|  |  |
| --- | --- |
| *No of reports* | |
|  |  |
| 1 | 53 States parties had 1 overdue periodic report |
| 2 | 50 States parties had 2 overdue periodic reports |
| 3 | 34 States parties had 3 overdue periodic reports |
| 4 | 16 States parties had 4 overdue periodic reports |
| 5 | 8 States parties had 5 overdue periodic reports |
| 6 | 1 State party had 6 overdue periodic reports |

Chart 1: No. of States parties with overdue reports (number of initial and periodic reports), as at 31 December 2021

Table 4: Overdue reports, by treaty, as at 31 December 2021

A breakdown of the overdue reports by treaty (table 4) demonstrates that the number of reports overdue (initial and periodic reports/requests for additional information combined) ranged from 16 for the CED to 89 for the CERD.

**Table 4**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| *Treaty* | *Number of States parties* | *Number of Overdue initial reports* | *Number of Overdue periodic reports or requests for additional information* | *Total number of overdue reports* |
| ICERD | 182 | 14 | 75 | 89 |
| ICCPR \* | 173 | 2 | 22 | 24 |
| ICESCR | 171 | 27 | 57 | 84 |
| CEDAW | 189 | 1 | 78 | 79 |
| CAT | 173 | 25 | 49 | 75 |
| CRC | 196 | 0 | 58 | 58 |
| CRC-OPAC | 172 | 39 | N/A | 39 |
| CRC-OPSC | 177 | 54 | N/A | 54 |
| ICRMW | 56 | 9 | 11 | 20 |
| CRPD | 184 | 43 | 11 | 55 |
| ICPPED | 64 | 12 | 4 | 16 |
| **Total** | **1737** | **226** | **365** | **591** |

# \* Due to the decision of the Human Rights Committee to implement the predictable review calendar a new date to submit reports was given and many States whose report was due received a new due date and the report is no longer overdue.

Chart 2: Overdue reports by treaty, as at 31 December 2021

Chart 3: Overdue reports 2014-2021

Information from 26th Chairs report on TB (insert reference), 2015 (1st SGs report, insert reference), 2017 (2nd SGs report, insert reference), 2019 (3rd SGs report, insert reference) and 31 December 2021

Table 5: Overdue initial reports, by length of time and treaty, as at 31 December 2021

When disaggregating overdue initial reports by length of time and treaty (table 5), CRC-OPSC counted the largest number of non-reporting States parties (54 initial reports overdue), followed by the CRPD (43 initial reports overdue). Five treaties counted more than 10 States parties whose initial report was more than 10 years overdue (ICERD, ICESCR, CAT, CRC-OPAC and CRC-OPSC).

**Table 5**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| *Treaty* | *Number of overdue initial reports* | *Length of time* | | |
| *Number of overdue reports less than five years* | *Number of overdue reports between 5 and 10 years* | *Number of overdue reports for more than 10 years* |
|
|
| ICERD | 14.0 | 2.0 | 1.0 | 11.0 |
| ICCPR | 2.0 | 1.0 | 0.0 | 1.0 |
| ICESCR | 27.0 | 5.0 | 2.0 | 20.0 |
| CEDAW | 1.0 | 0.0 | 0.0 | 1.0 |
| CAT | 25.0 | 8.0 | 7.0 | 10.0 |
| CRC | 0.0 | 0.0 | 0.0 | 0.0 |
| CRC-OPAC | 39.0 | 2.0 | 19.0 | 18.0 |
| CRC-OPSC | 54.0 | 2.0 | 22.0 | 30.0 |
| ICRMW | 9.0 | 8.0 | 1.0 | 0.0 |
| CRPD | 43.0 | 18.0 | 19.0 | 6.0 |
| ICPPED | 12.0 | 8.0 | 4.0 | 0.0 |
| **Total** | **226.0** | **54.0** | **75.0** | **97.0** |

Table 6: Overdue periodic reports, by length of time and treaty, as at 31 December 2021

When disaggregating overdue periodic reports by length of time and treaty (table 6), CEDAW, ICERD and CRC had the largest number of periodic reports overdue (78, 75 and 58 respectively). ICERD, ICCPR and ICESCR had the largest number of periodic reports that were more than 10 years overdue (30, 13 and 16 respectively).

**Table 6**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| *Treaty* | *Number of overdue periodic reports* | *Length of time* | | |
| *Number of overdue reports less than five years* | *Number of overdue reports between 5 and 10 years* | *Number of overdue reports for more than 10 years* |
|
|
| ICERD | 75.0 | 25.0 | 13.0 | 37.0 |
| ICCPR | 22.0 | 19.0 | 2.0 | 1.0 |
| ICESCR | 57.0 | 36.0 | 4.0 | 17.0 |
| CEDAW | 78.0 | 61.0 | 12.0 | 5.0 |
| CAT | 49.0 | 32.0 | 17.0 | 0.0 |
| CRC | 58.0 | 44.0 | 6.0 | 8.0 |
| ICRMW | 11.0 | 11.0 | 0.0 | 0.0 |
| CRPD | 11.0 | 11.0 | 0.0 | 0.0 |
| ICPPED | 4.0 | 4.0 |  |  |
| **Total** | **365.0** | **243.0** | **54.0** | **68.0** |

*Nota bene*: The present statistics account for the use of the Simplified Reporting Procedure (SRP) for those Committees that offer it and for those States parties that have accepted it. Under the Simplified Reporting Procedure, it is the response of the State Party to the List of Issues Prior to Reporting (LOIPR) that constitutes the submission of the State party report. Those States parties that have accepted the SRP and which had overdue reports now have a new date for the submission of the response to the LOIPR.

Annex III

State party (SP) reporting as at 31 December 2021

Nine treaty bodies review State party reports. The General Assembly, in resolution 68/268, considered the average number of State party reports received annually by each treaty body examining State party reports during the period 2009–2012, and thereafter on the basis of the four preceding years for which data are available, as a parameter to identify the meeting time required to review reports (paragraph 26 (a)). The Assembly also decided that the amount of meeting time allocated will be reviewed biennially on the basis of actual reporting during the previous four years (paragraph 27). For the purpose of this report, the new reference period is 2018–2021.

From 1 January to 31 December 2021, 116 reports had been received by the Committees with reporting procedures. The average number of reports received in 2018-2021 was 135 per year, compared to the average of 135.2 reports received in 2016-2019, representing a small decrease of 1%.

Table 1: State party (SP) reports received

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *SP reports received* | *2012* | *2013* | *2014* | *2015* | *No of SP reports received in 2012 – 2015* | *Average No of SP reports received in 2012 – 2015* | *2016* | *2017* | *2018* | *2019* | *No of SP reports received in 2016–2019* | *Average No of SP reports received in 2016–2019* | *2020* | *2021* | *No of SP reports received in 2018–2021* | *Average No of SP reports received in 2018–2021* | *Percentage change in average 2016–2019 and 2018-2021* |
| *Treaty body* | *(a)* | *(b)* | *(c)* | *(d)* | *A=*  *(a)+(b)+*  *(c)+(d)* | *B=A/4* | *(e)* | *(f)* | *(g)* | *(h)* | *C=*  *(e)+(f)+*  *(g)+(h)* | *D=C/4* | *(i)* | *(j)* | *E= (g)+(h)+ (i)+(j)* | *F=E/4* | *G=(F—D)/D* |
| CERD | 25.0 | 19.0 | 15.0 | 17.0 | 76.0 | 19.0 | 19.0 | 22.0 | 19.0 | 22.0 | 82.0 | 20.5 | 17.0 | 20.0 | 78.0 | 19.5 | -5% |
| HRCttee | 27.0 | 11.0 | 14.0 | 17.0 | 69.0 | 17.2 | 17.0 | 13.0 | 10.0 | 18.0 | 58.0 | 14.5 | 19.0 | 12.0 | 59.0 | 14.8 | 2% |
| CESCR | 13.0 | 7.0 | 8.0 | 9.0 | 37.0 | 9.2 | 9.0 | 13.0 | 10.0 | 19.0 | 51.0 | 12.8 | 14.0 | 13.0 | 56.0 | 14.0 | 9% |
| CEDAW | 21.0 | 15.0 | 22.0 | 33.0 | 91.0 | 22.7 | 20.0 | 21.0 | 18.0 | 15.0 | 74.0 | 18.5 | 26.0 | 19.0 | 78.0 | 19.5 | 5% |
| CAT | 12.0 | 17.0 | 14.0 | 17.0 | 60.0 | 15.0 | 19.0 | 14.0 | 21.0 | 23.0 | 77.0 | 19.3 | 17.0 | 12.0 | 73.0 | 18.3 | -5% |
| CRC Convention | 17.0 | 22.0 | 14.0 | 7.0 | 60.0 | 15.0 | 19.0 | 16.0 | 23.0 | 21.0 | 79.0 | 19.8 | 17.0 | 15.0 | 76.0 | 19.0 | -4% |
| CRC-OPAC | 9.0 | 2.0 | 0.0 | 2.0 | 13.0 | 3.2 | 9.0 | 2.0 | 0.0 | 0.0 | 11.0 | 2.8 | 2.0 | 2.0 | 4.0 | 1.0 | -64% |
| CRC-OPSC | 7.0 | 4.0 | 3.0 | 5.0 | 19.0 | 4.7 | 7.0 | 3.0 | 1.0 | 3.0 | 14.0 | 3.5 | 2.0 | 1.0 | 7.0 | 1.8 | -49% |
| CMW | 2.0 | 3.0 | 4.0 | 7.0 | 16.0 | 4.0 | 7.0 | 5.0 | 7.0 | 6.0 | 25.0 | 6.3 | 3.0 | 0.0 | 16.0 | 4.0 | -37% |
| CRPD | 12.0 | 15.0 | 21.0 | 16.0 | 64.0 | 16.0 | 7.0 | 8.0 | 22.0 | 19.0 | 56.0 | 14.0 | 10.0 | 10.0 | 61.0 | 15.3 | 9% |
| CED | 4.0 | 6.0 | 7.0 | 7.0 | 24.0 | 6.0 | 4.0 | 1.0 | 4.0 | 5.0 | 14.0 | 3.5 | 11.0 | 12.0 | 32.0 | 8.0 | 129% |
| **Total** | **149.0** | **121.0** | **122.0** | **137.0** | **529.0** | **132.2** | **137.0** | **118.0** | **135.0** | **151.0** | **541.0** | **135.3** | **138.0** | **116.0** | **540.0** | **135.0** | -**1%** |

Chart 1: Total State party reports received from 2012 to 31 December 2021

Chart 2: State party reports received for each Committee from 2012 to 31 December 2021

Annex IV

State party reviews per year and per week as at 31 December 2021

Nine treaty bodies review State party reports and adopt concluding observations. To determine the meeting time needs of the treaty bodies, the General Assembly, in resolution 68/268, took an assumed attainable rate of review of 2.5 State party reports per week and 5 State party reports under the optional protocols to the Convention on the Rights of the Child[[1]](#footnote-2) as a parameter (paragraph 26(a)).

The Committees were able to meet in person only from 20 January to 13 March 2020 and from 6 September to 3 December 2021. For the period during which the Committees were not able to meet in person they discharged their mandates remotely as efficiently as possible to ensure that there was no protection gap. They continued to adopt lists of issues and lists of issues prior to reporting to prepare the State party dialogues. They also provided advice and recommendations on how States should address their human rights obligations in connection with the COVID-19 response. The Committees reviewed a total of 28 States parties in 2020, and a total of 59 States parties in 2021. They also adopted 97 list of issues and list of issues prior to reporting in 2020; and adopted 132 list of issues and list of issues prior to reporting in 2021.

The treaty bodies did not meet their workload targets established under the resolution. The Committees reviewed on average 0.8 reports per week, well below the target of 2.5 reports per week. This was due to the severe interruption in the work of the treaty bodies due to the postponement of reviews as a result of COVID-19.

The following table 1 reflects figures since 2014 as well as updated figures until 31 December 2021.

State party (SP) reviews per year and per week from 2014 to 31 December 2021

Table 1: No. of SP reviews

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Treaty body* | *2014* | *2015* | *2016* | *2017* | *2018* | *2019* | *2020\** | *2021\** | *Average No. of SP reviews in 2020 and 2021* | *No. of weeks dedicated to SP reviews in 2020 (Remote & in-person)* | *No. of weeks dedicated to SP reviews in 2021 (Remote & in-person)* | *Average no. of weeks dedicated to SP reviews in 2020 and 2021 (Remote & in-person)* | *No. of weeks dedicated to SP reviews in 2020 and 2021 data from  Annex XVII, A/73/309, column (a))* | *No. of SPs reviewed per week (i.e. divide average number of SP reviews in 2020 and 2021 with actual meeting weeks) for 9 treaties* |
|  |
|  |  |  |  |  |  |  | *(a)* | *(b)* | *C= (a)+(b)* | *(d)* | *(e)* | *D=(d+e)/2* |  | *E=C/D* |
| */2* |
| CERD | 15 | 20 | 20 | 20 | 21 | 17 | 0.0 | 8.0 | 4.0 | 2.1 | 7.3 | 4.7 | 7.3 | 0.9 |
| HRCttee | 18 | 20 | 21 | 20 | 16 | 14 | 5.0 | 8.0 | 6.5 | 11.4 | 12.0 | 11.7 | 6.1 | 0.6 |
| CESCR | 20 | 17 | 17 | 11 | 12 | 11 | 5.0 | 8.0 | 6.5 | 7.0 | 8.0 | 7.5 | 5.7 | 0.9 |
| CEDAW | 25 | 27 | 27 | 28 | 24 | 22 | 8.0 | 11.0 | 9.5 | 9.3 | 7.4 | 8.4 | 11.4 | 1.1 |
| CAT | 16 | 18 | 18 | 18 | 16 | 17 | 0.0 | 8.0 | 4.0 | 0.1 | 7.3 | 3.7 | 6.4 | 1.1 |
| CRC Convention | 16 | 25 | 27 | 21 | 17 | 17 | 9.0 | 9.0 | 9.0 | 8.0 | 9.0 | 8.5 | 9.2 | 1.1 |
| CRC-OPAC | 10 | 10 | 3 | 8 | 4 | 2 | 0.0 | 0.0 | 0.0 |  |  |  |  |  |
| CRC-OPSC | 8 | 10 | 6 | 7 | 5 | 3 | 0.0 | 0.0 | 0.0 |  |  |  |  |  |
| CMW | 6 | 8 | 8 | 6 | 5 | 7 | 0.0 | 3.0 | 1.5 | 0.0 | 4.0 | 2.0 | 2.3 | 0.8 |
| CRPD | 9 | 14 | 14 | 14 | 14 | 18 | 0.0 | 3.0 | 1.5 | 6.0 | 9.0 | 7.5 | 6.7 | 0.2 |
| CED | 4 | 5 | 5 | 5 | 6 | 5 | 1.0 | 1.0 | 1.0 | 2.0 | 4.0 | 3.0 | 1.9 | 0.3 |
| **Total** | **147** | **175** | **166** | **158** | **140** | **133** | **28.0** | **59.0** | 43.5 | **45.9** | **68.0** | **57.0** | **57.0** |  |
| **Average** |  |  |  |  |  |  |  |  |  |  |  |  |  | 0.8 |

\* *Nota bene*: In 2020-2021, the work of the treaty bodies was severely disrupted due to COVID-19.

Annex V

State party reports pending review as at 31 December 2021

The number of reports pending review, commonly referred to as the backlog reflects the number of reports that have been received and are awaiting consideration by the relevant Committee. The backlog as at 31 December 2021 was 441 representing an increase of 141%, compared with the backlog of 183 as at 31 October 2019. The Committee on the Rights of Persons with Disabilities has the largest number of States party reports pending reviews, namely 76 as at 31 December 2021. As 2020 and 2021 were atypical years, taking the average number of reports reviewed by Committees in 2018-2019, which was 136.5, the Committees would, with their current working methods, need approximately 3.2 years to clear the backlog, if they were not to consider any new reports received.

**Table 1**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| *Treaty body* | *No. of State party reports pending review by the end of 31 Dec. 2013* | *No. of State party reports pending review by the end of 31 Dec. 2015 (1st SG's report)* | *No. of State party reports pending review by the end of 31 Dec. 2017 (2nd SG's report)* | *No. of State party reports pending review as of 31 October 2019* | *No. of State party reports pending review as at 31 December2021* | *Change in no. of State party reports pending review 2019- 2021* | *Percentage change State party reports pending review 2019- 2021* |
| CERD | 35.0 | 17.0 | 24.0 | 17.0 | 56.0 | 39.0 | 229.4% |
| HRCttee | 28.0 | 26.0 | 21.0 | 15.0 | 47.0 | 32.0 | 213.3% |
| CESCR | 39.0 | 20.0 | 17.0 | 14.0 | 39.0 | 25.0 | 178.6% |
| CEDAW | 42.0 | 44.0 | 35.0 | 23.0 | 59.0 | 36.0 | 156.5% |
| CAT | 22.0 | 22.0 | 24.0 | 16.0 | 56.0 | 40.0 | 250.0% |
| CRC Convention | 44.0 | 42.0 | 36.0 | 49.0 | 65.0 | 16.0 | 32.7% |
| CRC-OPAC | 22.0 | 6.0 | 4.0 | 2.0 | 6.0 | 4.0 | 200.0% |
| CRC-OPSC | 17.0 | 9.0 | 6.0 | 3.0 | 9.0 | 6.0 | 200.0% |
| CMW | 8.0 | 7.0 | 8.0 | 9.0 | 7.0 | -2.0 | -22.2% |
| CRPD | 39.0 | 52.0 | 47.0 | 30.0 | 76.0 | 46.0 | 153.3% |
| CED | 8.0 | 13.0 | 8.0 | 5.0 | 21.0 | 16.0 | 320.0% |
| **Total** | 304.0 | 258.0 | 230.0 | 183.0 | 441.0 | 258.0 | 141.0% |

Chart 1: State party reports pending review for each Committee in 2013, 2015, 2017, 2019 & 31 December 2021

**Table 2**

Annex VI

Individual communications registered as at 31 December 2021

From 1 January to December 2021, 399 new individual communications had been registered by the Committees with individual communications procedures, which is the second highest number since the adoption of resolution 68/268 with the exception of 2019 where a very high number of individual communications was registered. For the present report the reference period used was 2020-2021, and the average number of individual communications received and registered was 358 by all Committees. This represents a decrease of 33.7% compared to the average of 540.1 received in 2018-2019. This is because 203 individual communications received and registered separately in 2019 were joined in 2020.

Chart 1: New registered individual communications

In 2019, 203 individual communications received and registered separately were actually grouped together as one case in 2020.

**Table 1: New individual communications registered during the relevant year as at 31 December 2021**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *No. of communications registered* | *2012* | *2013* | *2014* | *2015* | *2016* | *2017* | *2018* | *2019* | *2020* | *2021* | *Average yearly in 2018-2019* | *Average yearly in 2020-2021* | *Percentage change in overage yearly in 2018-2019 and 2020-2021* |
| *Treaty body* |  |  |  |  | *(a)* | *(b)* | *(c)* | *(d)* | *(e)* | *(f)* | *A= (c)+(d)/2* | *B= (e)+(f)/2* | *C=(B-A)/A* |
| CERD | 3.0 | 2.0 | 2.0 | 1.0 | 3.0 | 1.0 | 6.0 | 3.6 | 3.0 | 6.0 | 4.8 | 4.5 | -6.3% |
| HRCttee | 102.0 | 93.0 | 191.0 | 196.0 | 211.0 | 168.0 | 190.0 | 468.0\* | 170.0 | 212.0 | 329.0 | 191.0 | -41.9% |
| CESCR | N/A | 1.0 | 3.0 | 7.0 | 8.0 | 3.0 | 68.0 | 91.2 | 26.0 | 50.0 | 79.6 | 38.0 | -52.3% |
| CEDAW | 11.0 | 16.0 | 15.0 | 18.0 | 13.0 | 13.0 | 16.0 | 14.4 | 11.0 | 14.0 | 15.2 | 12.5 | -17.8% |
| CAT | 48.0 | 45.0 | 68.0 | 76.0 | 69.0 | 65.0 | 49.0 | 70.8 | 72.0 | 69.0 | 59.9 | 70.5 | 17.7% |
| CRC | N/A | N/A | 1.0 | 1.0 | 6.0 | 31.0 | 30.0 | 40.8 | 25.0 | 36.0 | 35.4 | 30.5 | -13.8% |
| CRPD | 3.0 | 9.0 | 8.0 | 8.0 | 4.0 | 6.0 | 12.0 | 19.2 | 10.0 | 10.0 | 15.6 | 10.0 | -35.9% |
| CED | 0.0 | 1.0 | 0.0 | 0.0 | 0.0 | 1.0 | 0.0 | 1.2 | 0.0 | 2.0 | 0.6 | 1.0 | 66.7% |
| **Total** | **167.0** | **167.0** | **288.0** | **307.0** | **314.0** | **288.0** | **371.0** | **709.2** | **317.0** | **399.0** | **540.1** | **358.0** | -33.7% |

\* In 2019, 203 individual communications received and registered separately were joined in 2020.

Annex VII

Final decisions on communications adopted as at 31 December 2021

Eight of ten treaty bodies can receive individual complaints (IC) and adopt decisions or views. To determine the meeting time needs of the treaty bodies, the General Assembly, in resolution 68/268, took 1.3 hours of meeting time as the assumed rate of examination per communication (paragraph 26 (b)).

In terms of workload, the Committees adopted on average 276.5 final decisions in 2020-2021, over an average period of 10.5 weeks, which is above the target of 23 individual communications per week, namely 26. The Committees adopted on average 238.5 final decisions in 2018-2019, which represents an increase of 15.9%.

**Table 1**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | *No. of final decisions\* on IC adopted in 2015* | *No. of final decisions\* on IC adopted in 2016* | *No. of final decisions\*on IC adopted in 2017* | *No. of final decisions\*on IC adopted in 2018* | *No. of final decisions\*on IC adopted in 2019* | *No. of final decisions\*on IC adopted as at 31 Dec.2020* | *No. of final decisions\* on IC adopted as at 31 Dec.2021* | *Average number of final decisions adopted in 2018-2019* | *Average number of final decisions adopted in 2020-2021* |
| *Treaty body* |  |  |  | *A* | *B* | *C* | *D* | *E= (A+B)/2* | *F=*  *(C+D)/2* |
| CERD | 3.0 | 2.0 | 1.0 | 2.0 | 7.0 | 2.0 | 2.0 | 4.5 | 2.0 |
| HRCttee | 101.0 | 109.0 | 131.0 | 101.0 | 134.0 | 156.0 | 132.0 | 117.5 | 144.0 |
| CESCR | 1.0 | 5.0 | 2.0 | 4.0 | 21.0 | 13.0 | 35.0 | 12.5 | 24.0 |
| CEDAW | 9.0 | 12.0 | 13.0 | 18.0 | 19.0 | 16.0 | 8.0 | 18.5 | 12.0 |
| CAT | 65.0 | 53.0 | 65.0 | 68.0 | 63.0 | 24.0 | 98.0 | 65.5 | 61.0 |
| CRC | 1.0 | 1.0 | 2.0 | 9.0 | 15.0 | 20.0 | 32.0 | 12.0 | 26.0 |
| CRPD | 3.0 | 3.0 | 8.0 | 6.0 | 9.0 | 7.0 | 7.0 | 7.5 | 7.0 |
| CED | 0.0 | 1.0 | 0.0 | 1.0 | 0.0 | 1.0 | 0.0 | 0.5 | 0.5 |
| **Total decisions** | **183.0** | **186.0** | **222.0** | **209.0** | **268.0** | **239.0** | **314.0** | **238.5** | **276.5** |

\* Includes communications that were discontinued *en bloc*.

*Nota bene*: In 2020-2021, the work of the treaty bodies was severely interrupted due to COVID-19.

Annex VIII

Communications pending review as at 31 December 2021

The number of communications that have been registered and are pending before the relevant Committees was 1,800 as at 31 December 2021, representing an increase of 13.4% compared to 1,587 as at 31 October 2019. On average the Committees adopted 276.5 decisions per year in 2020-2021, meaning that with the current staff resources, the Committees would need approximately 6.5 years to clear the backlog, without considering any new individual communications received.

On 31 December 2021, out of the 1,800 individual communications pending, 420 communications had passed the stage of written observations between the parties and were ready for an admissibility and/or merits decision to be prepared and examined by the respective Committees.

**Table 1**

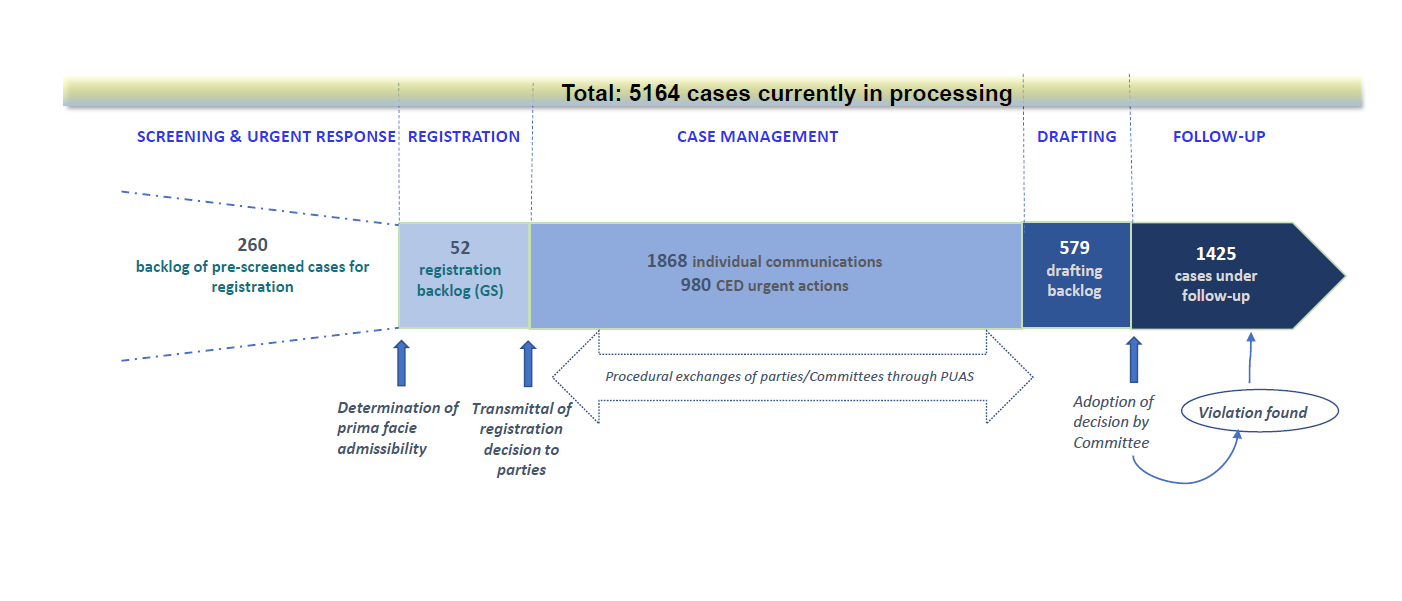
|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| *Treaty body* | *No. of communications pending review on 31 Dec. 2015* | *No. of communications pending review on 31 Dec. 2016* | *No. of communications pending review on 31 Dec. 2017* | *No. of communications pending review on 31 Dec. 2018* | *No. of communications pending review on 31 Dec. 2019* | *No. of communications pending review on 31 December. 2021* | *Change in percentage no. of communications pending review from 2019 to 2021* |
|  | *(a)* | *(b)* | *(c)* |  | *(d)* | *(e)* | *(f) = [(e) – (d)]/(d)* |
| CERD | 4.0 | 5.0 | 6.0 | 2.0 | 12.0 | 18.0 | 50.0% |
| HRCttee | 536.0 | 645.0 | 693.0 | 261.0 | 1123.0 | 1225.0 | 9.1% |
| CESCR | 10.0 | 10.0 | 8.0 | 3.0 | 136.0 | 158.0 | 16.2% |
| CEDAW | 40.0 | 43.0 | 44.0 | 22.0 | 41.0 | 40.0 | -2.4% |
| CAT | 150.0 | 170.0 | 168.0 | 75.0 | 159.0 | 236.0 | 48.4% |
| CRC | 1.0 | 6.0 | 35.0 | 25.0 | 79.0 | 81.0 | 2.5% |
| CRPD | 27.0 | 27.0 | 22.0 | 14.0 | 36.0 | 41.0 | 13.9% |
| CED | 1.0 | 0.0 | 1.0 | 0.0 | 1.0 | 1.0 | 0.0% |
| **Total** | **769.0** | **906.0** | **977.0** | **693.0** | **1587.0** | **1800.0** | **13.4%** |

Chart 1: Communications pending and ready for Committees’ review as at 31 December2022

Data as of 30 June 2022, Petitions and Urgent Actions Section of Human Rights Treaties Branch, OHCHR

There is currently an additional backlog of some 260 pre-screened individual cases that are pending registration, some 52 communications that were approved for registration by Committees are pending to be processed and notified to the parties, and some 579 individual communications which are pending drafting so that the case can be examined by the relevant Committee, both due to lack of sufficient staff resources.

**Chart 2: Additional information on the backlog of individual communications and urgent actions”**



*Nota bene*: The 5164 cases do not take into account the processing of communications received daily by the Committees and that do not meet admissibility requirements prima facie.

Annex IX

Subcommittee on Prevention of Torture

The mandate of the Subcommittee on Prevention of Torture (SPT) is to carry out visits to places of deprivation of liberty, as per article 1 of the Optional Protocol to the Convention against Torture (OPCAT), and to provide assistance and advice to the national preventive mechanisms (NPMs) to be established or designated by each State party. States parties to the OPCAT are obliged to allow visits by the SPT.

**Table 1**

|  | *2014* | *2015* | *2016* | *2017* | *2018* | *2019* | *2020* | *2021* |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| No. of visits | 7 | 8 | 10 | 10 | 6 | 7 | 1 | 1 |
| Reports to State parties or National Preventive Mechanisms | 8 | 10 | 14 | 13 | 12 | 10 | 7 | 2 |
| Weeks of session | 3 | 3 | 3 | 3 | 3 | 4 | 3\* | 3\* |

*Nota bene*: In 2020-2021 the visits were severely interrupted due to COVID-19.

\* Due to COVID-19 the SPT was only able to meet one week in person and two weeks on line in 2020 and in 2021.

Annex X

Committee on Enforced Disappearances: Urgent actions as at 31 December 2021

The Committee on Enforced Disappearances has the authority to receive requests for urgent action, including from relatives of a person who has disappeared, for the person to be sought and found. The Committee may request the State party to provide it with information on the situation of the persons sought within a time limit and, in very serious and urgent cases, it may ask the State party to adopt measures to avoid irreparable harm to the person concerned or for other information relevant to locating the person (interim measures).

From 1 January to December 2021, the Committee had registered a total of 459 new urgent actions requesting assistance in the location of individuals who had disappeared, compared with 192 from 1 January to December 2020 as of 31 October 2019, which represents an increase of 139%. Prior to the adoption of GA res. 68/268 the Committee had registered 7 urgent actions from 1 January to 31 December 2013.

From 1 January to 31 December 2021, the Committee had closed, discontinued or suspended 206 decisions compared with 76 decisions from 1 January to 31 December 2020. The Committee has 1,254 urgent actions under consideration and pending review, which represents its backlog, and it had 906 urgent actions under consideration and pending review as at 31 October 2020, which represents an increase of 38.4%.

**Chart 1: Registered urgent actions by year**

**Table 1: Registered urgent actions by year**

|  | *2012* | *2013* | *2014* | *2015* | *2016* | *2017* | *2018* | *2019* | *2020* | *2021* |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Total number of Registered Actions | 5 | 12 | 63 | 274 | 359 | 445 | 561 | 790 | 982 | 1460 |
| Actions register per year | 5 | 7 | 51 | 211 | 85 | 88 | 116 | 229 | 192 | 459 |
| Open or Actions Under Consideration | 5 | 12 | 61 | 267 | 344 | 405 | 521 | 725 | 906 | 1254 |
| Total Urgent actions closed, discontinued or suspended | 0 | 0 | 2 | 7 | 15 | 40 | 40 | 65 | 76 | 206 |

Annex XI

Inquiries and country visits as at 31 December 2021

Five Committees (CESCR, CEDAW, CAT, CRC, CRPD) have a mandate to conduct inquiries when they receive reliable information indicating grave or systematic violations by a State party of rights set forth in the respective treaty, if the State party has recognized the competence of the Committee under the specific provision. Whenever the Committee considers it of relevance and the State party so accepts, the inquiry can be carried out through a visit. In the case of CED, it can request a country visits to any State party to the Convention whenever it receives reliable information indicating that this State is “seriously violating” the Convention on Enforced Disappearances. In all cases, once the Committee is satisfied that the information complies with the set criteria, it will invite the State party to submit its observations and consider other relevant information and then decide to designate one or more of its members to conduct the inquiry or visit. The outcome of these procedures is a report to the State party, with specific recommendations on the issue at stake.

In 2020-2021, three out of the five Committees with a mandate to carry out inquiries or visit had examined eleven requests since the previous reference period, and carried out one visit. CED carried out a visit to Mexico and adopted the corresponding report.

**Table 1**

|  | *No. of requests for inquiries/country visits received in 2017* | *No. of requests for inquiries/ country visits received in 2018* | *No. of requests for inquiries/country visits received in 2019* | *No. of requests for inquiries/country visits received in 2020* | *No. of requests for inquiries/country visits received in 2021* |  |  | *No of inquiries conducted without a visit*  *in 2017 (date of issuance of report)* | *No of inquiries conducted without a visit*  *in 2018 (date of issuance of report)* | *No of inquiries conducted without a visit*  *in 2019 (date of issuance of report)* | *No of inquiries conducted without a visit*  *in 2020 (date of issuance of report)* | *No of inquiries conducted without a visit*  *in 2021 (date of issuance of report)* | *No of country visits/inquiries conducted with a visit*  *in 2017 (date of issuance of report)* | *No of country visits/inquiries conducted with a visit*  *in 2018 (date of issuance of report)* | *No of country visits/inquiries conducted with a visit*  *in 2019 (date of issuance of report)* | *No of country visits/inquiries conducted with a visit*  *in 2020 (date of issuance of report)* | *No of country visits/inquiries conducted with a visit*  *in 2021 (date of issuance of report)* |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Treaty body* | *(a)* | *(b)* |  |  |  |  |  | *(c)* | *(d)* |  |  |  | *(e)* | *(f)* |  |  |  |
| CESCR | 0 |  | 0 | 0 | 0 |  |  | 0 |  | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CEDAW | 3 | 1 | 2 | 0 | 1 |  |  | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 | 0 | 1 |
| CAT | 2 | 0 | 1 | 0 | 4 |  |  | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CRC | 1 | 0 | 6 | 3 | 1 |  |  | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CRPD | 1 | 1 | 1 | 0 | 0 |  |  | 0 | 0 | 1 |  |  | 1 | 0 | 1 | 0 | 0 |
| CED | 0 | 0 | 3 | 1 | 1 |  |  | 0 | 0 | 0 | N/A | N/A | 0 | 0 | 0 | 0 | 1 |
| **Total** (6 TBs**)** | **7** | **2** | **5** | **4** | **7** |  |  | **1** | **1** | **2** | **0** | **0** | **1** | **1** | **2** | **0** | **2** |

Annex XII

Capacity building programme

Between January 2015 and December 2021, the capacity building programme contributed to 36 new treaty ratifications and 142 submissions of outstanding State Party reports, responses to lists of issues and lists of issues prior to reporting, as well as common core documents. The capacity building programme encouraged and assisted 49 States to establish new or strengthened National Mechanisms for Reporting and Follow-up. To date, the programme held 883 activities, with some 15,165 participants representing 158 states. An average of 36% of women participated in these activities.

In addition, the capacity building programme conceived and issued five publications: a [Practical Guide](https://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf) and a [Study](https://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_Study.pdf) on National Mechanisms for Reporting and Follow-up in 2016. A [training package on treaty reporting](https://www.ohchr.org/EN/PublicationsResources/Pages/TrainingPackage.aspx), containing a Treaty [Reporting Manual](https://www.ohchr.org/Documents/Publications/PTS20_HRTB_Training_Guide_PartI.pdf), a [Trainers Guide](https://www.ohchr.org/Documents/Publications/PTS20_HRTB_Training_Guide_NotesforFacilitators_PartII.pdf) and a corresponding [online training](https://ecampus.itcilo.org/login/index.php) in 2018; A [Practical Guide on National Mechanisms for Prevention of Torture](https://www.ohchr.org/Documents/Publications/NPM_Guide_EN.pdf) in 2018; and a Training Guide on [Reporting under the International Covenant on Civil and Political Rights](https://www.ohchr.org/Documents/Publications/Reporting-ICCPR-Training-Guide.pdf) in 2020. The capacity building programme manages the [OPCAT Special Fund](https://www.ohchr.org/EN/HRBodies/OPCAT/Fund/Pages/SpecialFund.aspx) which awards grants to support national preventive pechanisms following a visit by the Subcommittee on the Prevention of Torture.

The programme maintained and upgraded the [Universal Human Rights Index](https://uhri.ohchr.org/) (UHRI), a public online database which compiles all country-specific recommendations of the international human rights mechanisms in a user-friendly manner and tags the recommendations against the Sustainable Development Goals (SDGs). This facilitates human rights analysis by all stakeholders including to identify who may be at risk of being left behind as well as mapping systematic, recurring and unresolved issues, which may impede on the realization of the 2030 Agenda. The UHRI was fully redesigned in 2021 and receives about 40,000 views every year.

To support States in tracking the implementation of the recommendations received from the human rights mechanisms, the capacity building programme has developed and commenced rolling-out a generic [National Recommendations Tracking Database](https://www.youtube.com/watch?v=Ybz2ecDeNA0&feature=youtu.be) (NRTD). The digital tool integrates human rights and the SDGs in a single platform and enables the tracking of the implementation of recommendations and supports the drafting of reports.

**Table 1**

|  |  |  |  |
| --- | --- | --- | --- |
| **Treaty/Committee** | **Number of Ratifications following TBCBP advocacy** | **Number of Outstanding Reports Submitted with support from TBCBP** | **Number of Constructive Dialogues held after capacity building at national level** |
| **ICESCR** | 4 | 10 | 1 |
| **ICCPR** | 4  (+2 ICCPR-OP2+1 lifting of reservations) | 18 | 6 |
| **CAT** | 9 | 18 | 2 |
| **CRPD** | 7 | 14 | 2 |
| **CMW** | 2 | 6 | 1 |
| **CERD** | 2 | 18 | / |
| **CRC** | 2 CRC-OPIC  1 CRC-OPAC  1 CRC-OPSC | 22 | 8 |
| **CEDAW** | / | 30 | 15 |
| **CED** | 1 | 8 | / |
| **Common Core Documents** | N/A | 2 | N/A |

Annex XIII

Accessibility, reasonable accommodation and 5th language of interpretation

In April 2019, as the result of a process launched by the Secretary-General in April 2018 to strengthen system-wide accessibility and mainstreaming of the rights of persons with disabilities, the United Nations Disability Inclusion Strategy (UNDIS) was adopted to reaffirm that the full and complete realization of the human rights of all persons with disabilities is an inalienable, integral and indivisible part of all human rights and fundamental freedoms (Annex XIII). The Strategy includes an accountability framework and there is a specific Indicator 6.1 on accessibility and reasonable accommodation for persons with disabilities at conferences and events. [[2]](#footnote-3)[1]

Every effort has been extended to ensure that critical accessibility services would continue to be provided for the sessions of the Committee on the Rights of Persons with Disabilities (CRPD), even under the most challenging of circumstances and limited availability of conference facilities due to the ongoing SHP renovations. The use of the RSI platform, Zoom, fully accessible, has been extensively used to support all requests for accessible meetings including the sign language interpreters working in a fully remote manner through the RSI platforms. A multiservice team managed and coordinated the complex arrangements required to provide this service remotely. Furthermore, several physical and technical enhancements were implemented in the existing conference rooms now in use to ensure reasonable accommodation during the CRPD sessions, with a particular emphasis on ensuring the most up-to-date hardware and software to allow for effective remote participation during the meetings.

Due to the sanitary measures imposed since the outset of the COVID-19 pandemic in 2020, the number of rooms that UNOG were able to accommodate multiple languages of interpretation had been vastly reduced. Interpreters needed to work in individual booths, hence for a meeting in 5 languages, between 10-12 booths would be required, depending on the language combinations. With the restrictions in place, all the rooms that were previously able to host six languages of interpretation were only able to accommodate three languages of interpretation due to the physical distancing.

Coupled with the COVID 19 pandemic, the SHP renovations which were well underway at the same time, with many of the large conference rooms under renovation. Hence, UNOG’s capacity to facilitate meetings in multiple languages was further limited.

There is no longer physical distance in the rooms and in the interpretation booths. Hence the conference rooms in Palais Wilson now work with six languages and the rooms at room XXIII of Palais des Nations now works with five languages.

The United Nations Office at Geneva’s renovation project, the [Strategic Heritage Plan](https://www.unog.ch/80256EE600581D0E/(httpPages)/95C60EC8C4774E1B8025771C0051EC81?OpenDocument), integrates as one of its core objectives the principle of accessibility and reasonable accommodation for persons with disabilities. The project makes every effort to include the necessary features to eliminate barriers that prevent persons with disabilities from making use of the premises, leaving no one behind, notwithstanding heritage and budgetary constraints. It will strive to comply with host country accessibility standards and meet the principles of universal design for the existing renovated buildings and new building.

Regarding meetings of the treaty bodies held in 5 languages or more, for the period 1 January 2020 to 31 August 2021, a total of 7 meetings were held with five or more interpreted languages.

1. The Strategic Heritage Plan (SHP)

One of the main objectives of the Strategic Heritage Plan is, as a minimum, to bring the Palais des Nations in Geneva up to the Swiss Building Code standards, which in themselves are of a high international standard, in terms of accessibility and the elimination of barriers that prevent persons with disabilities from making use of the premises, whilst respecting the principles of the original design and historical features of the existing buildings that are being renovated.

In its resolution 70/248 A, section X, paragraph 30 and subsequent resolutions 71/272 A, section XVIII, paragraph 13, and resolution 72/262 A, section XVI, paragraph 10, the General Assembly requested the Secretary-General to ensure that implementation of the strategic heritage plan takes into account measures to eliminate physical, communications and technical barriers to persons with disabilities, in particular regarding improvement of the conference facilities, with full respect for the provisions of the Convention on the Rights of Persons with Disabilities. In line with this requirement, a full and comprehensive accessibility masterplan was produced by a specialist accessibility consultancy firm, and accessibility audits have and will continue to be implemented throughout the different design stages for both the new building and the existing buildings that will be renovated.

While the primary focus of the SHP project is on renovation and rehabilitation works carried out within the physical boundaries of existing buildings of the Palais des Nations, additional interventions are included in the project scope to ensure that the external approach to the Palais will become fully accessible. All of the envisaged accessibility-related works were included in the overall Accessibility Masterplan, which was developed in consultation with, and approved by, the SHP Accessibility Working Group that has been meeting on a regular basis. The Working Group, which includes members of the disabled community and other interested parties at UNOG, plays an important role in advising the SHP project team.

**Diagram 1**

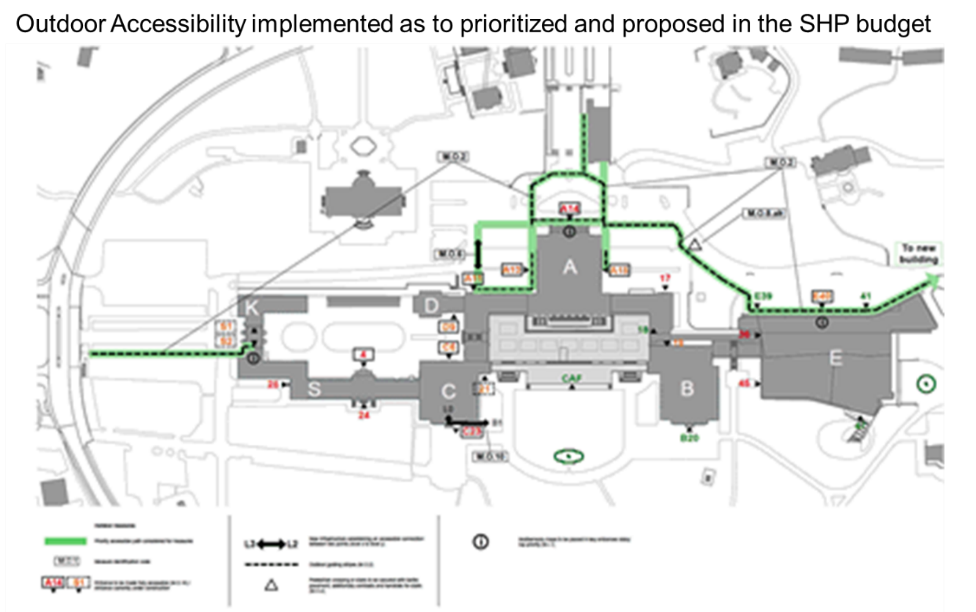


Diagram 1 above shows what is included in the scope of the SHP which is designed to provide reasonable accommodation of accessibility needs and to meet the local Swiss building codes:

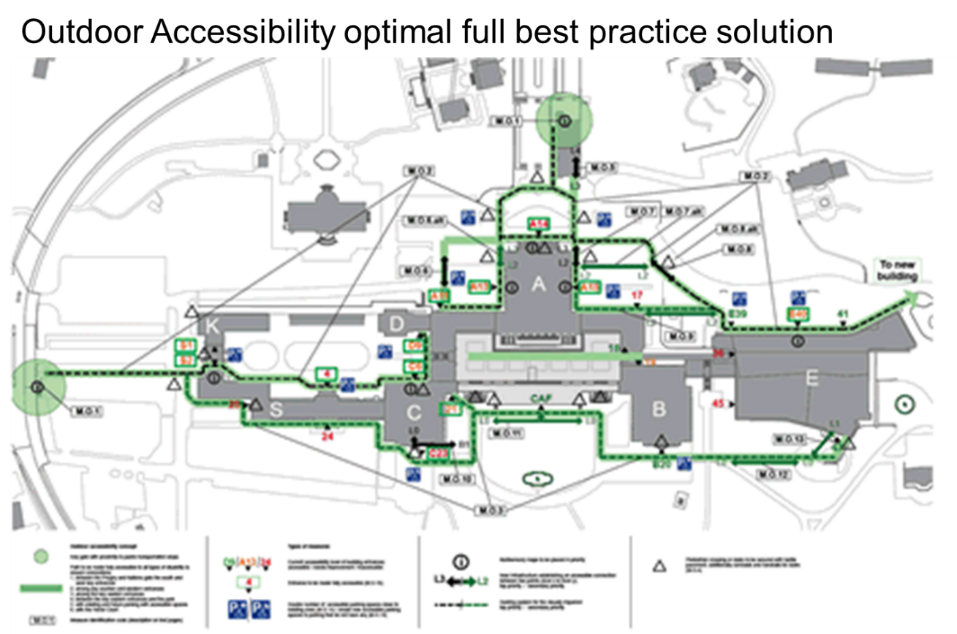
**Diagram 2**

Diagram 2 above illustrates even further optimal solution for outdoor accessibility, which goes well beyond the mandatory requirements and can be considered exemplary best practice solution, elements of which will be added if more funding becomes available in the future. This exemplary best practice solution has also been identified as a potential donation opportunity for any interested parties.

The design solutions, which were consulted with the disability working group were fully incorporated into the technical design documentation and are included in the contract for the renovation works in the historic 1930s and 1950s buildings and in the completed detailed design for building E that will be tendered during 2020/21. Furthermore, the requirements for new furniture, predominantly in the new permanent building, have also been defined to at least meet the high standard of the accessibility norms of the host country and in some instances beyond.

In November 2019, the Working Group on Accessibility participated together with other end users in the evaluation of potential furniture mock-ups proposed for the project.

Full size mock-ups with the proposed materials and finishes required by the applicable codes were built to allow them to be fully tested by the disability-working group, disabled people and other end users prior to the finalization of the procurement process. Once contracted the selected furniture will then be utilized throughout the different completed building and renovation works undertaken by the SHP.

The designs of the strategic heritage plan remain pragmatic and solution-oriented, putting emphasis on delivering a reasonable accommodation to provide the greatest accessibility for persons with disabilities while balancing that with other project objectives, including the preservation of the heritage of the Palais and the available budget approved for the project.

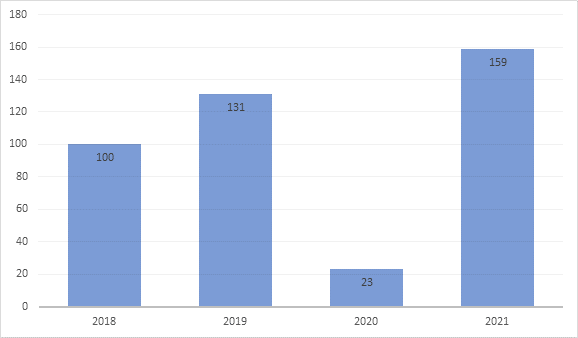
Examples of the planned interventions include increased space available for wheelchair users to manoeuvre in conference rooms; improvements in audiovisual technology in conference rooms, including Braille indications on the function of buttons on the panels; accessible pathways from public transport connections to the main Palais des Nations gates and from there to accessible entrance doors and routes between buildings; enhanced signage in key areas to ensure that it is easy to see or read by Braille; and adaptation of conference rooms, including one fully accessible designed for CRPD meetings, office space and amenity layouts, furniture and fixtures to facilitate easy access and use by persons with disabilities, etc.

Annex XIV

**Remote connections related to State party reviews (annual) as at 31 December 2021**

In specific cases, treaty bodies have offered the possibility to States parties to participate remotely in the consideration of their reports. This was done to improve the accessibility and visibility of the treaty bodies and to enhance States parties’ and stakeholders’ engagement with the work of the treaty bodies.

**Chart 1**



Annex XV

Simplified reporting procedure (SRP)

Paragraph 1 of resolution 68/268 encouraged the treaty bodies to offer the simplified reporting procedure to State parties for consideration and to set a limit on the number of questions (in the list of issues prior to reporting). Paragraph 2 of the resolution encouraged States parties to avail themselves of the simplified reporting procedure. The modalities of the simplified reporting procedure in the various treaty bodies are described in the table below which reflects the situation on 31 December 2021. The SRP does not apply to the Subcommittee on Prevention of Torture, given that this treaty body does not have a reporting procedure.

Opt-in/out procedure- A note verbal was sent to all States Parties announcing that SRP will be implemented to all unless they opted out/in.

**Table 1**

| *Treaty body* | *Procedure applied* | *Offers the SRP for* | *Limits the No. of questions in the list of issues prior to reporting* | *No of SPs that opt in/out* |
| --- | --- | --- | --- | --- |
| CERD | opt- in | periodic reports | Yes (25) | 16 (opt-in) |
| HRCttee | opt- out | All reports | Yes (25) | 8 (opt-out) |
| CESCR[[3]](#footnote-4) | opt- out | All reports | Yes (25) | 8 (opt-out) |
| CEDAW | opt- out | Periodic reports only | Yes (25) | Information not yet available. |
| CAT | opt- in | All reports | Yes[[4]](#footnote-5) | 170 (opt-in) |
| CRC | opt- out | All reports | Yes (30) | 100 (opt-in) |
| CMW | opt- out | All reports | Yes | 19 (opt-in) |
| CRPD | opt- in | All reports | Yes (30) | 41 (opt-in) |
| CED | n/a[[5]](#footnote-6) |  | n/a |  |

Annex XVI

Constructive dialogue

Paragraph 5 of resolution 68/268 encouraged the treaty bodies to align the methodology for the constructive dialogue with States parties. At their 26th meeting, the Chairs made a series of proposals (see A/69/285, paragraphs 94–100) and invited the treaty bodies to adopt a guidance note for States parties on the constructive dialogue (A/69/285, annex I), while underlining the need for each treaty body to have flexibility in conducting the dialogue.

The table below reflects the situation as at 31 December 2021.

The Subcommittee on Prevention of Torture is not included in this annex, given that this treaty body does not have a reporting procedure.

**Table 1**

|  | *Usually holds dialogue over two consecutive working days (A/68/285, para. 96)* | *Dialogue as of 2nd State party report focuses on priority issues (as opposed to covering all articles under Convention)*  *(A/69/285, para. 100)* | *Has adopted/endorsed the Guidance Note for States parties on the constructive dialogue (A/69/285,  annex I)* | *Has posted the Guidance Note on its webpage or shares it with States parties in advance of the dialogue* |
| --- | --- | --- | --- | --- |
| *Treaty body* | *(a)* | *(b)* | *(c)* | *(d)* |
| CERD | Yes | Yes | Yes | Yes |
| HRCttee | Yes | Yes | Yes | Yes |
| CESCR | Yes | No [[6]](#footnote-7) | Yes | Yes |
| CEDAW | Yes | No [[7]](#footnote-8) | Yes | Yes |
| CAT | Yes | Yes | Yes | Yes |
| CRC | Yes | Yes | Yes | Yes |
| CMW | Yes | Yes | Yes | Yes |
| CRPD | Yes | Yes | Yes | Yes |
| CED | Yes | Yes | Yes | Yes |
| **Total** | **9 (100%)** | **7 (78%)** | **9 (100%)** | **9 (100%)** |

Annex XVII

Concluding observations (COBs)

Paragraph 6 of resolution 68/268 encouraged the treaty bodies to adopt short, focused and concrete concluding observations, reflecting the dialogue with the State party, and to develop common guidelines for the elaboration of such concluding observations. At their 26th meeting, the Chairs made a series of proposals to the treaty bodies in this regard (see A/69/285, paragraphs 102–106) and invited them to adopt a framework for concluding observations, while underlining the need for each treaty be able to apply the framework flexibly (A/69/285, annex II).

The Subcommittee on Prevention of Torture is not included in Table 1 below, given that this treaty body does not adopt concluding observations.

Table 1 below reflects the situation as at 31 December 2021.

**Table 1**

| *Treaty body* | *Average length of concluding observations in 2021, in printed pages  (330 words per page)*  *(a)* | *Has adopted/endorsed the framework for concluding observations*  *(b)* |
| --- | --- | --- |
| CERD | 8 | Yes |
| HRCttee | 8 | Yes |
| CESCR | 10 | Yes |
| CEDAW | 9 | Yes |
| CAT | 10 | Yes |
| CRC | 17 | Yes |
| CMW | 10 | Yes |
| CRPD | 10 | Yes |
| CED | 7 | Yes |
| **Total** | **n/a** | **9 (100%)** |
| **Average** (9 TBs) | **10 pages (3,300 words)** | **n/a** |

Annex XVIII

General comments

Paragraph 14 of resolution 68/268 encouraged the treaty bodies to develop an aligned consultation process for the elaboration of general comments. At their 27th meeting, the Chairs endorsed elements for the elaboration of and consultation on general comments and recommended their generalization among all treaty bodies that issue general comments (see A/70/302, paragraph 91).

Table 1 below reflects the situation as at 31 December 2021.

**Table 1**

|  | *No. of general comments adopted since the establishment of the treaty body* | *No. of general comments under development* | *Has already adopted / endorsed the elements for the elaboration of and consultation on general comments observations endorsed by the Chairs in June 2015 (A/70/302, para. 91)* |
| --- | --- | --- | --- |
| *Treaty body* | *(a)* | *(b)* | *(c)* |
| CERD | 36 | 0 | Yes |
| HRCttee | 37 | 0 | Yes |
| CESCR | 25 | 1[[8]](#footnote-9) | Yes |
| CEDAW | 38 | 1[[9]](#footnote-10) | Yes |
| CAT | 4 | 0 | Yes |
| CRC | 25 | 1[[10]](#footnote-11) | Yes |
| CMW | 5 | 0 | Yes |
| CRPD | 7 | 1[[11]](#footnote-12) | Yes |
| CED | 0 | 0 | Yes |
| **Total** | **177** | **4** | **9 (100%)** |
| **Average** (9 TBs) | 19.7 | 0.4 | n/a |

Annex XIX

Gender composition of treaty bodies as at 31 December 2021

In paragraph 13 of General Assembly resolution 68/268 encouraged States parties to give due consideration, during the election of treaty body experts, to equitable geographic distribution, representation of different forms of civilization and legal systems, balanced gender representation and participation of experts with disabilities in the membership of the treaty bodies.

On 31 December 2021, out of 172 treaty body members, 49 per cent were women. Without CEDAW, the representation of women in the membership of the treaty bodies is 42 per cent.

**Table 1**

| *Treaty body* | *No. of treaty body members* | *No. of female members* | *No. of male members* | *Percentage of female members* | *Percentage of male members* |
| --- | --- | --- | --- | --- | --- |
| CERD | 18 | 9 | 9 | 50% | 50% |
| HRCttee | 18 | 7 | 11 | 39% | 61% |
| CESCR | 18 | 5 | 13 | 28% | 72% |
| CEDAW | 23 | 22 | 1 | 96% | 4% |
| CAT | 10 | 3 | 7 | 30% | 70% |
| CRC | 18 | 8 | 10 | 44% | 56% |
| CMW | 14 | 2 | 12 | 14% | 86% |
| CRPD | 18 | 12 | 6 | 67% | 33% |
| CED | 10 | 3 | 7 | 30% | 70% |
| SPT | 25 | 13 | 12 | 52% | 48% |
| **Total** | **172** | **84** | **88** | **49%** | **51%** |

Annex XX

Meeting time in 2020-2021

In its resolution 68/268, the General Assembly decided that the allocation of meeting time to the treaty bodies will be identified by (a) the number of weeks that each treaty body requires to review the reports of States parties it can expect annually, using the average number of reports received per Committee during the previous four years on the basis of an assumed attainable rate of review of at least 2.5 reports per week and, where relevant, at least 5 reports per week under the Optional Protocols to the human rights treaties; (b) an allocation of additional meeting time to those committees dealing with individual communications, on the basis of each such communication requiring 1.3 hours of meeting time for review and the average number of such communications received per year by those Committees; (c) a further allocation of two weeks of meeting time per Committee to allow for mandated activities; (d) an additional margin of 5% to prevent the recurrence of backlogs; and (e) an adequate allocation of financial and human resources to those treaty bodies whose main mandated role is to carry out field visits. [[12]](#footnote-13)[1]

The General Assembly further decided that the amount of meeting time allocated will be reviewed biennially and will be amended at the request of the Secretary-General in line with established budgetary procedures. The meeting time allocation will be based on actual reporting and individual communications considered and taking into account the increased capacity of States parties to submit reports, as well as increased ratifications of the various instruments. [[13]](#footnote-14)[2]

At the end of 2020, the General Assembly granted additional meeting time to treaty bodies for 2021 in its budget resolution. This was done on the basis of the assessed meeting time of a total of 101.6 weeks, in accordance with the Secretary-General’s third report on the status of the human rights treaty body system (A/74/643), as compared to 91 weeks in 2020 (A/73/309). However, the General Assembly did not approve a corresponding increase in requested staff resources.

Therefore, in 2020-2021, the treaty body system planned on using the assessed meeting time in the second Secretary-General’s report (A/73/309, Annex XVII) which provided a more realistic basis of work based on actual staff resources (57 weeks for review of States parties, 16 weeks for review of individual communications, and 18 weeks for other mandated activities, total of 91 weeks). This was further adjusted for individual communications from 16 weeks to 10.5 weeks to also take into account staff capacity to produce the necessary documentation and extraordinary steps taken to use existing resources to cover the staffing gap identified by the Secretary-General in his third report on the status of the human rights treaty body system [(A/74/643](https://www.ohchr.org/EN/HRBodies/HRTD/Pages/3rdBiennialReportbySG.aspx), para. 49). The COVID-19 pandemic, did not allow the treaty bodies to use the meeting time as planned. Instead of a total of annual 91 weeks assessed meeting time in 2020 and 2021, based on the criteria just mentioned Committees used some 53 weeks (in person and remote) in 2020 and 70.9 weeks in 2021 (in person and remote).

In 2020-2021, due to COVID-19, the Subcommittee for Prevention of Torture was not able to meet for four weeks and only met for three weeks per year in person and remote. In 2020-2021, the treaty body Chairs met for their annual meetings of one week per year remotely.

Table 1

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | *Actual No. of weeks for SP reviews in 2020* | *Actual No. of weeks for SP reviews in 2021* | *Actual No. of weeks for individual communications in 2020 &2021 per res. 68/268* | *No. of weeks for other mandated activities in 2020 &2021 per res. 68/268* | *Actual No. of weeks for SPT and Chairs in 2020 & 2021* | *Actual No. of meeting time in 2020, in weeks (with SPT and Chairs) in person and remote* | *Actual No. of meeting time in 2021, in weeks (with SPT and Chairs) n person and remote* | *Total meeting time entitlement in 2020 & 2021, in weeks (with SPT and Chairs)*  *As per Annex XVII of A/73/309 column (d)* |
| *Treaty body* |  |  |  |  |  |  |  |  |
| CERD | 0 | 3.2 | 0.1 | 2.0 |  | 4.0 | 8.0 | 9.4 |
| HRCttee\* | 2 | 2.8 | 6.1 | 2.0 |  | 12.0 | 12.0 | 19.1 |
| CESCR | 2 | 2.8 | 0.2 | 2.0 |  | 8.0 | 8.0 | 8.0 |
| CEDAW | 3.2 | 4.4 | 0.7 | 2.0 |  | 10.0 | 10.0 | 14.0 |
| CAT | 0 | 2.4 | [[14]](#footnote-15)3.0 | 2.0 |  | 0.0 | 7.4 | 11.3 |
| *CRC Convention* | 3.6 | 2.4 | 0.1 | 2.0 |  | 8.0 | 10.0 | 12.0 |
| CMW | 0 | 1.2 | 0.0 | 2.0 |  | 4.0 | 3.0 | 4.3 |
| CRPD | 0 | 1.2 | 0.3 | 2.0 |  | 7.0 | 8.5 | 8.9 |
| CED | 0.4 | 2.8 | 0.0 | 2.0 |  | 4.0 | 3.0 | 4.0 |
| **Total (9 treaty bodies)** | **11.2** | **23.2** | **10.5** | **18.0** |  | **53.0** | **70.9** | **91.0** |
| SPT\*\* |  |  |  |  | 3.0 | 3.0 | 3.0 | 4.0 |
| Chairs |  |  |  |  | 1.0 | 1.0 | 1.0 | 1.0 |
| **Total (10 treaty bodies and Chairs)** |  |  |  |  |  | **57.0** | **74.9** | **95.0** |

\* HRCttee was allocated 11 weeks for review of individual communications but the Secretariat was only able to support 6.1 weeks.

\*\* SPT was allocated 4 weeks of meeting time but due to COVID-19 the Secretariat was only able to support 3 weeks.

Annex XXI:

Core meeting time requirements per year in 2024 (ongoing workload, no consideration of backlog) according to res. 68/268

For ease of reference, the meeting time needed to enable the treaty bodies to address the expected ongoing workload is denominated ‘core’ meeting time. It does not include the meeting time to address the backlog (margin meeting time) referred to in paragraph 26 (c) of resolution 68/268. The core meeting time constitutes the baseline for the calculation of the margin meeting time for the backlog.

The following parameters are applied to determine the core meeting time needs for 2024, in accordance with resolution 68/268 (paragraphs 26 (a) and (b)):

1. The average number of State party reports received per year in the previous four years (2018–2021);

2. An assumed rate of 2.5 State party reviews per week (5 under CRC-OPAC and CRC-OPSC);

3. The average number of individual communications registered per year (2020-2021), since several communications procedures only recently entered into force);

4. A rate of 1.3 hours of meeting time to examine one communication;

5. Two weeks of standard meeting time per treaty body for other mandated activities;

6. The non-reduction of the number of weeks allocated to a treaty body on a permanent basis prior to the adoption of resolution 68/268 (paragraph 27).

Thus calculated, the core meeting time needs of the treaty body system in 2024 are 91.3 weeks per year. This excludes the Subcommittee on Prevention of Torture and the mandated annual treaty body Chairs meeting, since no periodic State party reports are reviewed or individual communications examined during their meetings.

**Table 1: Core meeting time requirements per year in 2024 (ongoing workload, no consideration backlog) according to res. 68/268**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | *No. of weeks of core meeting time entitlement in 2015 (excludes 15% margin) - (data from A/68/779, annex I, column (i))* | *Average No. of State party reports received per year (2018-2021 is the new reference period) – (data from annex III, column (i))* | *Average No. of individual communications registered per year (2020–2021 is the new reference period) – (data from annex VI, column (h))* | *No. of weeks per year required to review average No. of State party reports (at 2.5 reviews per week for treaties and 5 reviews per week for OPs-CRC) in 2024* | *No. of weeks per year required to examine average No. of individual communications registered (at rate of 1.3 hours per communication) in 2024* | *No. of weeks per year required for (other) mandated activities in 2024* | *No. of core meeting weeks per year required in 2024* |  |
|  |
| *Treaty body* | *(a)* | *B* | *C* | *D* | *E* | *F* |  | *G* |
| *not below the number of weeks in column (a)* |
| CERD | 6.0 | 19.5 | 4.5 | 7.8 | 0.2 | 2.0 | 10.0 | **10.0** |
| HRCttee | 12.0 | 14.8 | 191.0 | 5.9 | 8.3 | 2.0 | 16.2 | **16.2** |
| CESCR | 8.0 | 14.0 | 38.0 | 5.6 | 1.7 | 2.0 | 9.3 | **9.3** |
| CEDAW | 14.0 | 19.5 | 12.5 | 7.8 | 0.5 | 2.0 | 10.3 | **14.0** |
| CAT | 6.0 | 18.3 | 70.5 | 7.3 | 3.1 | 2.0 | 12.4 | **12.4** |
| CRC | 12.0 |  | 30.5 |  | 1.3 |  |  | **12.0** |
| includes Convention |  | 19.0 |  | 7.6 |  | 2.0 | 11.5 |  |
| includes CRC-OPAC |  | 1.0 |  | 0.2 | 0.0 |  |  |  |
| includes CRC-OPSC |  | 1.8 |  | 0.4 | 0.0 |  |  |  |
| CMW | 3.0 | 4.0 | N/a | 1.6 | N/a | 2.0 | 3.6 | **3.6** |
| CRPD | 7.0 | 15.3 | 10.0 | 6.1 | 0.4 | 2.0 | 8.6 | **8.6** |
| CED | 4.0 | 8.0 | 1.0 | 3.2 | 0.04 | 2.0 | 5.2 | **5.2** |
| **Total** | **72.0** | 135.2 | 358.0 | 54.1 | 15.6 | 18.0 | 87.6 | **91.3** |

Annex XXII

Total and new meeting time requirements per year in 2024 (core and margin meeting time) according to res. 68/268

Annex XXI yielded an annual core meeting time of 91.3 weeks per year for the treaty bodies in 2024, excluding the additional 5 per cent margin to prevent the recurrence of backlogs pursuant to paragraph 26 (c) resolution 68/268. The Subcommittee on Prevention of Torture and the mandated annual treaty body Chairs’ meeting are not included, since they do not review periodic State party reports nor do they examine individual communications during their meetings.

Pursuant to paragraph 26 (c) of resolution 68/268, a margin of 5% additional meeting time (5% of 91.3 weeks = 4.6 weeks) is to be applied to the core meeting time at the beginning of each biennium. The margin meeting time is allocated among the treaty bodies in function of the expected workload.

Together, the core meeting time (91.3 weeks) and the margin meeting time (4.6 weeks) constitute the total annual meeting time required of 95.9 weeks in 2024. For information, the assessed meeting time in the second Secretary-General’s report for 2020 was 91 weeks.

**Table1**

| **Total and new meeting time requirements per year in 2024 (core and margin meeting time)**  according to res. 68/268 | | | | | |
| --- | --- | --- | --- | --- | --- |
|  | *No. of weeks of assessed meeting time in 2020, includes 5% margin;*  *(data from Annex XVI, column (d), A/73/309)* | *No. of weeks of core meeting time required per year in 2024 (no margin) – (data from annex XXI, column (G))* | *No of weeks of MARGIN meeting time required per year in 2024*  *(= 5% of 91.3 weeks of core meeting time, excluding SPT and Chairs’ meeting = 4.6 weeks*  *CRPD add 1.5 weeks for SP reviews and HRCttee add 1.8 weeks for review of IC, CESCR add 0.7 weeks for review of IC, and CRC add 0.6 weeks for review of IC)* | *TOTAL No. of weeks of meeting time required per year in 2024*  *(core + 5 % margin)* | *No. of NEW weeks required per year in 2024 as compared to assessed meeting time in 2020* |
| *Treaty body* | *(a)* | *(b)* | *(c)* | *(d)= (b)+(c)* | *(e)= (d)- (a)* |
| CERD | 9.4 | 10.0 |  | 10.0 | 0.6 |
| HRCttee | 19.2 | 16.2 | 1.8 | 18.0 | -1.2 |
| CESCR | 8.0 | 9.3 | 0.7 | 10.0 | 2.0 |
| CEDAW | 14.0 | 10.3 |  | 14.0 | 0.0 |
| CAT | 11.3 | 12.4 |  | 13.0 | 1.7 |
| CRC | 12.0 | 11.5 | 0.6 | 12.0 | 0.0 |
| CMW | 4.3 | 3.6 |  | 3.6 | -0.7 |
| CRPD | 8.8 | 8.6 | 1.5 | 10.1 | 1.3 |
| CED | 4.0 | 5.2 |  | 5.2 | 1.2 |
| **Total** | **91.0** | **91.3** | **4.6** | **95.9** | 4.9 |

Annex XXIII

Annual meeting time in 2024 by type of activity according to res. 68/268

Annex XXII yielded the total meeting time needed by the treaty bodies per year in 2024 of 95.9 weeks. The meeting time thus obtained is broken down by type of activity: State party reviews, communications, and (other) mandated activities, since the type of activity has implications with respect to documentation and staffing requirements. One week of meeting time to review State party reports, for example, requires 15 weeks of professional staff support and 4 weeks of general service staff support, whereas one week of communications requires 70 weeks of professional staff time and 4 weeks of general service staff support. In relation to the two additional weeks for other mandated activities, one week of meeting time for other mandated activities was calculated on the basis of 15 weeks of professional staff support and 4 weeks of general service staff support.

Within the total meeting time of 95.9 weeks, 59.2 weeks will be devoted to State party reviews, 18.7 weeks to the review of individual communications and 18 weeks for other mandated activities, as mandated by paragraph 26 (b) of resolution 68/268.

The Subcommittee on Prevention of Torture and the mandated annual treaty body Chairs’ meeting are not included, since no periodic State party reports are reviewed or individual communications examined during their meetings.

**Table 1: Annual meeting time in 2024 by type of activity according to res. 68/268**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Annual meeting time in 2024 by type of activity** | | | | |
|  | *No. of weeks per year for SP reviews (incl. 5% margin) in 2024 (data from annex XXI, column D + 1.5 weeks for CRPD State party reviews)* | *No. of weeks per year for individual communication (incl. 5% margin) in 2024 (data from annex XXI, column E + 3.1 weeks of margin time for the HRCttee, CESCR and CAT for IC)* | *No. of weeks per year for other mandated activities in 2024* | *Total No. of weeks of annual meeting time in 2024 (data from annex XXII column (d))* |
| *Treaty body* | *(a)* | *(b)* | *(c)* | *(d)* |
| CERD | 7.8 | 0.2 | 2 | **10.0** |
| HRCttee | 5.9 | 10.1 | 2 | **18.0** |
| CESCR | 5.6 | 2.4 | 2 | **10.0** |
| CEDAW\* | 11.5 | 0.5 | 2 | **14.0** |
| CAT | 7.3 | 3.7 | 2 | **13.0** |
| CRC\*\* |  | 1.3 | 2 | **3.3** |
| includes Convention | 7.6 |  |  | **7.6** |
| includes CRC-OPAC | 0.5 |  |  | **0.5** |
| includes CRC-OPSC | 0.6 |  |  | **0.6** |
| CMW | 1.6 |  | 2 | **3.6** |
| CRPD | 7.6 | 0.4 | 2 | **10.0** |
| CED | 3.2 | 0.1 | 2 | **5.3** |
| **Total** | **59.2** | **18.7** | **18** | **95.9** |

\* CEDAW meeting time totals 10.3 weeks and has been brough up to 14 weeks so that not reduced below entitlement prior to GA res. 68/268. Additional 3.7 weeks allocated to SP reviews.

\*\* CRC meeting time totals 11.5 weeks and has been brough up to 12 weeks so that not reduced below entitlement prior to GA res. 68/268. Additional 0.5 weeks allocated to the review of the OPs.

*Nota bene*: Margin meeting time of 5% to reduce backlog, is 4.6 weeks in addition to 91.3 weeks so total of 95.9 weeks. Allocated the margin of 1.5 weeks to the CRPD which has the biggest number of pending reports to review and the margin of 3.1 weeks to the HRCttee, CESCR and CAT which have the biggest number of pending communicationss.

Annex XXIV

Predictable schedule of reviews

The Chairs agreed to establish a predictable schedule of States parties to be reviewed on an eight-year cycle with in between follow-up reviews for those Committees that receive periodic reports, namely, all Committees, except CED and SPT. CED will implement the predictable schedule by requesting additional information every 2, 4 or 8 years, depending on the level of fulfilment of States’ obligations and of implementation of the Committee’s recommendations; and on the evolution of the situation related to enforced disappearances in the States party. The SPT will implement the predictable schedule by carrying out its visiting mandate, on average, every eight years and discharging its advisory mandate to State parties and national preventive mechanisms by holding a cyclic dialogue with the States parties visited four years after each visit. The schedule will also take into consideration the calendar of UPR.

Based on the number of ratifications to the ICERD, ICCPR, ICESCR, CEDAW, CAT, CRC, ICRMW, and CRPD (total of 1,324) as at 31 December2021, some 68.5 meeting weeks per year would be required for the 8 treaty bodies who review State party reports for the full reviews every eight years. The assumption used is that a treaty body will review 2.5 reports per meeting week and 5 reports per meeting week under the two CRC Optional Protocols (CRC-OPAC and CRC-OPSC). The margin of 5% of additional meeting time provided in resolution 68/268 was not taken into consideration for the State party reviews or States engagement in dialogue. The review of the outstanding initial reports of the CRC Optional Protocols was prioritized over the eight-year cycle and would need to be phased out once all outstanding initial reports of those States parties who are also States parties to the Convention are reviewed.

The follow-up review in between the full reviews would require meeting time of some 4.5 weeks per year. The assumption used is that a treaty body will review 4 States parties per 3-hour meeting and 8 States parties per 3-hour meeting for the CRC Optional Protocols. The margin of 5% of additional meeting time provided in resolution 68/268 was not taken into consideration.

CED would require meeting time of 7 weeks per year to review the additional information requested by States parties every 2, 4 or 8 years, depending on the level of implementation of the Committee’s recommendations and fulfilment of States’ obligations and the evolution of the situation related to enforced disappearances in the States party. The margin of 5% of additional meeting time provided in resolution 68/268 was not taken into consideration.

SPT would require meeting time of 5.5 weeks per year to carry out its visiting mandate, on average, every eight years and discharging its advisory mandate to States parties and national preventive mechanisms by holding a cyclic dialogue with the States parties visited four years after each visit. The margin of 5% of additional meeting time provided in resolution 68/268 was not taken into consideration.

Therefore, the total meeting time required for the 10 treaty bodies for implementing the predictable schedule would be 85.5 weeks for State party reviews, including implementing the visiting and advisory mandate of SPT and the request for additional information of CED under their specific modalities.

The travel and DSA costs to implement the predictable schedule would total: USD 2,048,886. A 3rd session would be added for CESCR and a 3rd session would be added for CRPD, both currently only have two sessions per year. The additional meeting time compared with the current budgetary entitlement of 2022, would add the following meeting time; 3.1 weeks for HRCttee, 2.8 weeks for CAT, 3.6 weeks for CRC, 3.4 weeks for CESCR (organised in an additional 3rd session), 0.7 weeks for CMW, 1.5 weeks for SPT, 2.4 weeks for CERD, 3.1 weeks for CRPD (organised in an additional 3rd session). However, the cost of the additional SPT visits have not been calculated at this stage.

The additional meeting time represents an estimated 21 P-3 posts and 4 General Service (Other level) posts, and 9 months of P-3 GTA position), at an estimated cost of USD 4,163,763. Some USD 2,048,886 is estimated for travel and DSA of treaty body experts. The total cost for staffing, travel and DSA is estimated at USD 6,212,649.

|  |  |
| --- | --- |
| **TB additional annual budget from 2024:**  **Assessed meeting time to implement the Predictable schedule of review**  **Preliminary cost in USD** | |
| ***Budget for Travel and DSA*** | **2,048,886** |
| ***Budget for staffing*** | **4,163,763** |
| ***Total additional budget*** | **6,212,649** |

The assessed meeting time according to resolution 68/268 yields 59.2 weeks for the review of State party reports and 18.7 weeks for the review of individual communications and 18 weeks for other mandated activities for total meeting time of 95.9 weeks (Annex XXIII). The margin of 5% of additional meeting time provided in resolution 68/268 was taken into consideration.

This represents an estimated 14 P-3 posts and 1 General Service (Other level) post, 1.3 months of P-3 GTA position, and 9.8 months of a General Service (Other level) GTA position, and an estimated cost of USD3,001,701. In the assessed meeting time pursuant to resolution 68/268, as no new sessions are added, but rather what are already approved sessions would be extended as necessary, travel and DSA costs amount to USD390,371.

|  |  |
| --- | --- |
| **TB additional annual budget from 2024:**  **Assessed meeting time according to formula in GA Res.68/268**  **Preliminary cost in USD** | |
| ***Budget for Travel and DSA*** | **390,371** |
| ***Budget for staffing*** | **2,611,330** |
| ***Total additional budget*** | **3,001,701** |

In comparison, the assessed meeting time when resolution 68/268 was adopted totalled 92.6 weeks. This included, 66.3 weeks for State party reviews, 8.3 weeks for individual communications, and 18 for other mandated activities. The meeting time for State party reviews to implement the predictable schedule, including SPT and CED under their specific modalities, of some 85.5 weeks, represents a 23% increase in meeting time compared to the 69.3 for State party reviews in 2015 (including 3 weeks of the SPT).

The full costing for the additional OHCHR staff resources, travel and DSA of experts, documentation, conference services, and webcast and media coverage of meetings to implement the predictable schedule, harmonized working methods and the digital uplift will need to be done once a decision is made by the General Assembly on the resources needed to implement the predictable schedule of reviews.

Annex XXV: Mandated activities workload data

Actual workload data, *in weeks*

**Table 1**

| *Activities (per work unit)* | *Staff actual time based on historic data (weeks per year)*  *P* | *Staff actual time based on historic data (weeks per year)*  *GS* |
| --- | --- | --- |
|  |  |  |
| SP reviews: LOIPR/SRP | 4 | 2 |
| SP reviews: COBS/SRP | 4 | 2 |
| SPT preventive visit | 20 | 6 |
| Inquiries with visit and report | 11 | 1 |
| Inquiries without a visit but with report | 6 | 0.4 |
| Inquiries without visit/report | 3 | 0.2 |
| General comments | 6 |  |

Resource Gap Analysis treaty-based complaint procedures

To analyse the workflows and arrive at a fair and reasonable assessment of workload both for staff supporting the treaty-based individual communications procedures and managers within the Petitions and Urgent Actions Section, the Human Rights Treaties Branch undertook a workload assessment in 2019, which identified a need for 17 full time staff members. OIOS in its audit of the Human Rights Treaties Branch in 2021 noted that the productivity rates used in the staff funding formula are broad estimates, and that OHCHR needs to refine them based on available performance data such as historical averages or other relevant data generated from workload assessments (A/76/197, para. 11)

**I. Background**

As a fundamental part of the global human rights mechanism, treaty-based complaint mechanisms are an important and impactful tool of the United Nations human rights system They are the only quasi-judicial mechanism within this nomenklatura.

Since its start, the Treaty-based complaint procedures have multiplied with new ratifications and the entry into force of new instruments. The number of communications and urgent actions received, has over the years grown exponentially since the entry into force of OPIC, OP CESCR, CRPD and CED. Eight Treaty Bodies can currently receive individual communications, urgent actions and/or inter-State communications. The communications procedure of CMW is not yet in force.

The Chief of the Petitions and Urgent Actions Section leads, manages and coordinates the work of colleagues with the assistance of 3 managerial posts (P-4 level) plus 3 posts at the P-3 level which are currently undertaking coordination functions for CESCR, CERD and CAT, 14 professional substantive posts from the regular budget (including RB GTA) and 5 general services posts. The Section also receives funds from extra-budgetary contributions, including for general temporary assistance (GTA), for 5 positions (P-2/P-3) to support the work under the follow-up procedure of the Human Rights Committee, CERD inter-State communications and urgent actions under the Committee on Enforced Disappearances.

With the current level of staff support, the Section is able to provide core support to treaty-based individual communication mechanisms. This includes the processing of time-sensitive new communications, some with interim measures requests and urgent actions, preparation of draft decisions on cases and follow-up notes on urgent actions, organizing committee session in relation to individual communications and providing in-session support to experts. With the increase of workload at the entry level, as more time-sensitive requests are received and processed, the ability to support other areas is shrinking.

The increase numbers of new requests for urgent actions and interim measures related to individual communications that require to be processed in an expeditious fashion, including assisting the Committees making an initial legal assessment, affecting the ability to support other areas is shrinking. Activities to support Committees on individual communications, urgent actions and interstate communications are fully engaging, happening throughout the year and not restricted to any particular time, such as treaty body sessions. For example, staff members have on a daily basis to remain on alert to process new individual communication with an interim measures request that pertain to preventing irreparable harm to victims, such as protection of life and prohibition of torture deriving from non-refoulement obligations. They need, therefore, to be on call and respond within a very short time when informed of imminent executions, evictions, deportations or extraditions with the risk of persecution, torture, imprisonment etc. Similarly, case management is continuous and may require to carry out legal analysis on complex issues about admissibility requirements and requests for lifting interim measures. The drafting of decisions is carried out throughout the year and may also entail addressing complex factual and legal elements, in areas with very limited or no jurisprudential precedents.

The backlog of communications that have been received and are pending before Committees was 1,800 as at 31 December 2021, representing an increase of 13.4% compared to 1,587 as at 31 October 2019. On 31 December 2021, out of the 1,800 individual communications pending review, 420 communications had passed the stage of written observations between the parties and were ready for an admissibility and/or merits decision to be prepared and examined by the respective Committees. By way of comparison the backlog of communications pending review was 769 on 31 December 2015, representing an increase of 134% since the adoption of resolution 68/268 (Annex VIII). On average the Committees adopted 276.5 decisions per year in 2020-2021 (Annex VII), meaning that at current capacity, the Committees would need approximately 6.5 years to clear the backlog, without considering any new individual communications received. This would significantly delay or deny justice for victims of human rights violations who use these mechanisms and render them ineffective.

II. Petitions and Urgent Actions work – types and time

Managers, professionals and general services in the Petitions and Urgent Actions Section work together to deliver the tasks, but the nature of work differs amongst the group. For the purpose of this analysis, staff time is calculated based on work weeks instead of calendar weeks, where a work week refers to actual working days in a calendar week after deduction of weekends, UN official holidays, annual leave entitlements and average sick leave. This leads to an average of 44 work weeks in a calendar year. To arrive at a realistic estimate of staff time required per workflow, it is assumed that staff “will be working fulltime” only to each activity.

Following are the actions undertaken by professional staff supporting Treaty-based individual communications procedures, Urgent Actions under CED and inter State communications

A. Assessment for registration of new communication and interim measures request (Pre-registration phase)

The pre-registration phase comprises the phase from the receipt of a submission, and work done in relation to the legal assessment of new communications for registration (pre-registration stage) and interim measures and procedural requests to the first level action taken by the Committee. It comprises all steps from the review and processing of an individual complaint to the implementation of the decision to grant or deny registration, i.e. to convert it into a case to be added to the docket. Staff are currently processing submissions in English, French, Spanish and Russian.

Overall processing and registration figures have continued to increase with the entry into force of additional communications procedures under CESCR, CRC and under the procedure of the CED Urgent Actions.

The backlog tracking tool in the Petitions database, that was introduced in 2000, suggests that on average some 200 communications that underwent a preliminary assessment and are considered to be potential new cases, are not actioned upon in a given year and remain pending. This ‘not actioning’ of cases is due to the lack of resources/time to analyse them, assess their merits, prioritize them, and submit them for consideration to the treaty bodies.

While OIOS noted that regarding the working methods of the treaty bodies, there were varying practices in processing communications which presented the opportunity to identify and institutionalize best practices to enhance efficiency, in general, to review and process a submission and to decide if it may constitute a communication that merits registration and present it to a committee, a staff member is required to undertake the following steps:

I. distribute electronic and physical mail, including to refer complaints to other human rights mechanisms or other entities (incl. registry);

II. analyse correspondence received from authors/counsel;

III. manual registering of the correspondence by filling the database with details of the complaint at receipt;

IV. determine urgency and priority of cases;

V. initiate the process of research by completing missing information from source(s) including exhaustion of domestic remedies or seeking consent of victims or their family members and research on the issues involved including follow-up with authors on incomplete information;

VI. undertake initial analysis of prima facie admissibility criteria incl. liaise with regional human rights mechanisms to determine whether any prior action has been taken or is pending;

VII. Carry out a legal assessment of new communications for registration and interim measures and procedural requests by reviewing past cases/jurisprudence on the admissibility and substantive issues raised if any and/ or by the same author to determine whether the submission constitutes a new communication;

VIII. draft an analytical summary of complaint, prepare the legal assessment and recommendation on conversion into cases (i.e. registration) and granting or not of interim measures for protection for Treaty Bodies;

IX. initiate the internal clearance process of case presentation and proposed course of action;

X. validate the decision to grant/deny interim measures and register or not the complaint with the special rapporteur or members of the working group on new communications;

XI. clear letters granting interim measures or notify authors of prima facie inadmissibility decision;

XII. update the database with registration details and categorise the complaint incl. subject matter, articles, degree of urgency and complexity, and upload the registration summary;

XIII. prepare instruction forms for assistants to proceed with the registration of the case (when registration is approved by rapporteurs/WGs).

At the time of adoption of Resolution 68/268, this pre-registration phase was not factored into the General Assembly resource formula.

Based on historic workload data, average actual work time needed at the pre-registration phase in English, French, Russian and Spanish is 295 work weeks / year (i.e. 2 working days to register a communications, and 1.5 working work hours on average per unregistered communication). [[15]](#footnote-16)

B. Case management

As part of the daily work, staff members in the Petitions and Urgent Actions Section engage on case management. There are currently 1,226 cases in the phase of case management, i.e. the phase of the substantive and procedural written exchanges between the authors and the State Parties through the Secretariat. [[16]](#footnote-17) Working methods vary depending on the Committee, and some Committees have for instance restricted the rounds of interactions with the parties to two while others have not set any specific limitations. Workload may also vary depending on the languages.

The following steps are generally undertaken by staff members in the context of case management:

I. review, analyse, translate if required, and synthesize the submissions from authors of registered cases and States Parties, such as observations or procedural requests, including requests for the lifting of interim measures, requests for the separate consideration of the admissibility before deciding on the merits of a case (split requests), requests for the suspension of cases, seek clearance from supervisors and initiate the validation of the recommendation with Committee Special Rapporteur or members of the Working Group;

II. follow-up to cases pending observations from Government or authors by sending of statutory reminders to the parties;

III. review and assess requests seeking authorization to submit Third Party Interventions; validate such requests with the Special Rapporteurs or members of the Working Group and provide guidance to Third Party Interveners to target interventions; analyse the relevance and merits of a Third Party Intervention and synthesize them for the Committees to be taken into consideration at the decision making level on a case;

IV. keep record of all actions taken on a case, including update the petitions database and add all submissions to paper case files;

V. respond to status inquiries from authors and State Parties and provide guidance on procedural questions.

Guidelines for Third Party Interventions have only recently been adopted by a number of Committees and the numbers of Third-Party Interventions received are increasing. For the CRC, for instance, Third Party Interventions have been received in almost 50 percent of all cases registered so far.

On average actual time spent per case to undertake case management is 1 work day / year / living case or currently a total of 245.2 work weeks / year or 2.6 work hours / day / staff member. [[17]](#footnote-18)

While the actual time spent on case management is in line with the resource formula of the General Assembly, the Petitions database currently has 492 cases from 2015 to 2019 pending observations from Government, which suggests that case management is not up to date on some of these cases. This delay in case management is due to the lack of resources to review the case status and follow up on them as well as the lack of adequate tools.

C. Drafting of decisions

Preparation of draft decisions for Committees is a time-consuming exercise and formulation follows similar steps across the Treaty Bodies. It may entail addressing complex factual and legal elements, in areas with very limited or no jurisprudential precedents. In 2021, staff drafted a total of 314 decisions for treaty bodies (Annex VII).

In general, to prepare draft decisions a staff member is required to undertake the following steps:

I. Complex legal assessment/analysis and legal drafting, including interpreting legal provisions to be applied to specific factual context and developing standards by HRTB, research

jurisprudence, country specific context, including the functioning of internal remedies, thematic questions raised in the complaint (e.g. obstetric violence, climate change related human rights violations, rescue operations at sea, extraterritorial obligations, State-sponsored doping of athletes etc) through all relevant sources of information including consultations from within the Section;

II. prepare the draft decision, including the summary of facts and legal appreciation;

III. initiate internal clearance process of the draft;

IV. incorporate feedbacks and other guidance from supervisors;

V. submit the draft decision to the case rapporteur (treaty body expert) for approval, and conduct further research and make adjustments as requested;

VI. finalize the draft (10,700 words limit) for the case rapporteur;

VII. provide substantial support to case rapporteurs and experts during Working Group and plenary meetings to assist with clarification on case details, research on substantive issues, and the drafting of alternative reasoning as well as individual opinions;

VIII. finalize the document post-session for submission for processing and editing and follow-up with the implementation of the decision.

The High Commissioner, in her letter dated 14 November 2013 to the President of the General Assembly prior to the adoption of General Assembly resolution 68/268 had indicated that, on average, one Professional staff member needs two weeks (10 working days) to assist a treaty body with the examination of one communication which is ready for a treaty body’s decision . This calculation has been reflected in the resource formula of the General Assembly, accordingly.

Average time required by each staff member to prepare a draft decision for a Committee is 2 work weeks / case / staff / year or 498.6 work weeks.

D. Follow-up procedures

A significant aspect of the effectiveness of treaty bodies to protect human rights and ensure a direct impact of their decisions relates to their ability to follow-up to on the implementation of those decisions in which they found that the State Party violated treaty provisions. However, the Section is hardly able to undertake meaningful engagements in absence of adequate resources. For the time being, the Section is marginally able to engage in an effective follow-up to treaty body decisions on individual communications. At the time of this submission, there were 1,189 cases in the follow-up procedure.

The following steps are undertaken by staff on cases under the follow-up procedures:

I. review, analyse and synthesize the submissions from authors of cases and States Parties under the follow-up procedures for presentation to Committees, seek clearance from supervisors and initiate the validation of the recommendation with Committee Special Rapporteurs on follow-up;

II. keep record of all actions taken on a case, including update the petitions database and add all submissions to paper case files;

III. respond to status inquiries from authors and State Parties.

While follow-up to Committee decisions on cases in which they found a violation requires similar steps as case management, for actual purposes, the Section is generally unable to ensure systematic follow-up to cases. This reduces considerably both the effectiveness of the overall protection system of treaty bodies, and its ability to assess its real impact. This inability to ensure adequate follow-up impedes determination of the actual time required of these types of work.

The average time that would be required for systematic follow-up can be deduced from the average time required for case management per living case which is 1 day / case / year. Taking into account that some steps including on procedural request are not required, this average would need to be reduced by half, to 4 hours / follow-up case / year or 594.5 work days / year or a total of 118 work weeks / year. [[18]](#footnote-19)

E. Outreach and knowledge management

a. Press release & Media outputs

An important part of visibility and dissemination of Treaty Body jurisprudence comes from the use of press releases and social media (Tweets). These are normally issued following the adoption by a Committee of a decision (view) on a case to draw particular attention of the other judicial mechanisms, the academia and the general public on significant jurisprudential developments. The following steps are undertaken by staff for the issuance of press releases.

I. As a follow-up to the decision by the Committee, prepare draft statements by the professional staff acting as case officer in consultation with the Committee experts, the Chairperson and OHCHR Communications Section;

II. based on consultation with the experts, revise the draft statement;

III. in case more than one expert is involved, a consensus process needs to be adopted;

IV. Preparation of Talking Points for experts to respond to queries from the media;

V. Submit the draft for clearance within the Section and keep the experts and the Chair informed;

VI. Share a curtesy copy with the State Party concerned and the author of the communication (case) before issuance;

VII. Monitoring of on media pick up.

On average, it takes around 1.5 workdays to complete all steps of the process. Therefore, to complete on average media outputs (average of 13 press releases / year for 2020/2021) takes around 19.5 work days/ year or 3.9 work weeks.

b. Practical guidance

As part of the regular work, staff members in the Petitions and Urgent Actions Section engage in following tasks that contribute to facilitate the accessibility of the treaty-based complaint procedures and to raise public awareness on the jurisprudence of treaty bodies:

I. set-up meetings with the Permanent Missions and State delegations to address any issues of concern as relevant;

II. coordinate and discuss with regional mechanisms, NGOs, civil society, academics and lawyers engaged with individual communications and CED urgent actions;

III. set-up meetings within UN on raising awareness on the mandate related issues as relevant;

IV. develop and deliver trainings on treaty-based complaint procedures for line ministries, national human rights institutions, human rights defenders, lawyers and NGOs.

Based on historic workload data, average actual work time needed for practical guidance and capacity building activities for 13 capacity building activities (2019/2020 average) is work weeks / year.

c. Knowledge management, methodological support and tools

A significant aspect of the work of the Section is the development of methodology, manuals and tools to ensure that staff has access to relevant guidance and up to date information on procedural and jurisprudential developments across the eight Committees towards ensuring consistency and increasing efficiency.

As part of knowledge management, methodologic support and the further development of tools, staff members in the Petitions and Urgent Actions Section engage in following tasks:

I. decide on how to index decisions in order to update the jurisprudence database;

II. organize juris debate around significant jurisprudential developments;

III. verify and perform the product owner functions for the petitions database and continue it to align the tools with the workflow and introduce new functions to enhance processing and planning;

IV. regularly update the petitions manual and other guides and guidelines;

V. regularly review and further update correspondence templates.

Based actual work time, 20 percent of work time of two colleagues is currently spent on database development, or 17.6 work weeks / year of professional staff time

The Section is hardly able to undertake meaningful knowledge in absence of adequate resources. Systematic knowledge management, such as introducing the function of case law coordinators, which would be instrumental to increase efficiency in drafting of decision and ensure that it is done with the required quality and consistency would require 20 percent work time of three colleagues or a total of 26.4 work weeks / year.

F. Urgent Actions under CED

Through the Urgent Actions procedure, the Committee can request the State party in which a person was disappeared, or the State party of his or her nationality, to take immediate action to search for a disappeared person and investigate his or her disappearance. Such disappearance must have occurred after the entry into force of the Convention. Victims frequently highlight the importance of the support received from the Committee through this procedure for the search for their disappeared loved ones. The handling of urgent actions is time-sensitive and requires continual support from the Secretariat. Delays in replying to an Urgent Action request or to follow-up on the information provided by the State party and authors of the request bear the potential of causing irreparable harm to the victim(s) and put in question the legitimacy of the procedure and the Committee’s work.

In general, to process an urgent action a staff member is required to undertake the following steps:

I. review the urgent action request, undertake a legal assessment and analysis, including a determination as to a) whether the case qualifies as a disappearance under article 3 of the Convention or enforced disappearance under article 2, and b) whether the requirements in article 30(2) of the Convention are met, including whether there is sufficient substantiation and whether the disappearance has been reported to national authorities;

II. liaise with the Committee within 24 hours and validate the proposed course of action to grant or deny the urgent action request;

III. synthesise the request and draft a motivated recommendation from the Committee (i.e. a registration note) inviting the State party to adopt concrete measures to search for and locate the disappeared person, to investigate the disappearance, identify the perpetrators and ensure participation of relatives in search and investigation processes. Add requests for protection measures in case of actual or potential threats or risks to the life and integrity of relatives, representatives or any other persons involved in the search of the disappeared persons;

IV. draft letters of information for the source of the urgent action request at all stages of the status of its request register the action in the database, transmit the UA request to the State party with the Committee’s recommendation;

V. initiate internal approvals of letters and registration notes and seek validation from the CED Working Group on Urgent Actions;

VI. engage with field presences to follow-up on the implementation of the Committee’s recommendations and the evolution of the case;

VII. follow-up to a registered Urgent Action, including draft and send reminders to the State party;

VIII. analyse and synthesize information received from the authorities or author and draft follow-up notes with specific recommendations related to the development of the search and investigation on the case;

IX. initiate internal clearance and validation from the Working Group of the Committee and provide support during the review and adoption of the follow-up notes and letters, including by answering to requests for information and clarifications;

X. provide input for the report on urgent actions that are examined by the Committee at every session;

Most of the above steps are carried out independently from Committee sessions in the inter-sessional period by the staff in coordination with the Working Group on Urgent Actions of the Committee.

Prior to the adoption of Resolution 68/268, the Committee had registered 7 Urgent Actions from 1 January to 31 December 2013. It was then estimated that the available resources of the Secretariat of OHCHR Petitions and Urgent Actions Section were sufficient to provide the necessary support, and Urgent Actions were not included in the adopted formula. Since then, the number of Urgent Actions has thoroughly increased reaching in total 1,491 Urgent Actions registered in July 2022. At the time of this submission, July 2022, there are 966 Urgent Actions that are ‘open’, which means that the persons have not been located and that staff need to follow-up with the State and the author on a regular basis.

A professional staff on average needs 1 work day for a registration notes and 2 work days for a follow up note. Average actual time required for urgent actions at the level of 2021 numbers therefore is 1,344 work days / year or 269 work weeks / year of professional staff.

A general service staff requires 4 hours per case, including the creation of electronic files and transmittal of letters. Average actual time required for urgent actions at the level of 2021 numbers therefore is 292 work days / year or 53 work weeks / year of administrative support.

G. Inter-State communications

The Section currently supports two ad hoc Conciliation Commissions of five experts under CERD with the mandate to provide good offices to the States parties towards an amicable solution of the dispute. To discharge its mandate, the Commission holds intersessional meetings as well as three sessions a year in conjunction with the sessions of its parent body CERD, seeks to conduct an in-situ visit and is requested to report to the Committee.

In supporting the ad hoc Conciliation Commissions, a professional staff undertakes the following steps:

I. Support to inter-sessional meetings of the Commission as well as the formal session;

II. Determine documentation symbol numbers and forecast;

III. undertaking thematic research on issues raised in the communication, including by preparing background documents, conduct research on relevant laws, legal developments and also prepare notes on recommendations arising from other relevant mechanisms including treaty bodies, UPR;

IV. communicating in writing with the Governments concerned, and discussing with the permanent missions their participation and the status of the proceedings;

V. discuss with the Permanent Missions of the concerned States the terms of reference for the visit to ensure the necessary freedom of movement, access to information and to sources, and seeking commitment that none one cooperating with the mission will be subject to any form of retaliation;

VI. discuss with the Permanent Missions of the concerned States tentative visit plans and requests for assistance as required to facilitate information gathering on issues raised in the communication on the ground;

VII. In the event of an in situ visit;

-contacting local United Nations Country Team, resident Coordinator or UN presence to obtain its support with regard to logistical, administrative and financial (and sometimes interpretation) support;

-reaching out to other relevant actors, including as relevant civil society and other organizations, NHRIs, academic institutions, etc. to inform them about the visit, solicit information and organise briefing meetings ;

-analyse all inputs and discuss with members to finalize visit plan;

-prepare and organize visit logistics in consultation with the Governments concerned, UNDSS, OHCHR Security, UNDP and UNOG (for interpretation);

-prepare and issue media advisories before and after the mission;

-accompany the Commissioners during their visit, coordinating all meetings, taking notes, identifying additional sources of information, setting up meetings, etc.;

-support meetings with State officials and institutions as relevant and other relevant actors, including NGOs/ civil society / academics, as well as victims/ concerned persons, groups, communities as relevant, as well as UN Agencies and other human rights bodies or national human rights mechanisms as relevant and the local diplomatic community;

-Organize and support meetings with the Press and following end of mission prepare end of mission statement or preliminary observations as relevant and share it with the States concerned as well as the Permanent Missions in Geneva.

Based on the experience of similar bodies, it has been seen that on average, it takes six work weeks in organizing, supporting and following up on each session of the ad hoc Conciliation Commission including support to inter-sessional meetings and consultations for a staff including managerial/Secretary functions. ***Average time to support an ad hoc Conciliation Commission therefore is 18 work weeks / professional staff / year.***

The preparation of a field mission takes on average four work weeks, the conduct and the follow-up three work weeks, i.e. seven work weeks / Professional staff / year.

It would also require the support of two work weeks of a General Service staff to support a session of the ad hoc Conciliation Commission and seven work weeks to support the conduct of an in-situ visit.

Management and Coordination Responsibilities

The Section requires managers and staff with coordination functions to support the Section on the daily running of the Section and functions cutting across the Committees. There are quite a number of different types of activities undertaken in this regard by managers and staff with coordination function working with the Chief of the Section attending to among others in strengthening the Section-wide tasks. The following are a non-exhaustive list of such responsibilities.

A. Inter-sessional coordination and conduct of Committee sessions

The Section is supporting 8 Treaty Bodies that currently have individual communications and urgent actions procedures, with a total of 21 Committee sessions per year.

Following steps are required by staff with managerial/coordination roles to organize and conduct sessions of treaty bodies relating to individual and inter-State communications:

I. identify in discussion with staff (case officers) the cases to be drafted for upcoming sessions, seek agreement of the SR/Chair of WG, assign cases to colleagues, identify rapporteurs from among Committee members and distribute cases to be examined among them;

II. draw timeline for submission of the documents, prepare and circulate list of cases with pre-session submission deadlines and oversee that all drafts are finalized;

III. Legal analysis, research, drafting and review to clear all draft documents before submission to experts, including analytical registration summaries and registration notes, all correspondence, draft decisions, follow-up reports;

IV. update and share templates of documents, jurisprudential, substantive or procedural developments with colleagues;

V. coordinate the preparation of documentation forecasts with MDPU & DMS, oversee the preparation of meeting documentation and liaise with UNOG in this regard;

VI. determine the session programme of work on individual communications in liaison with the Committee Secretary and the Chair;

VII. organize meetings with stakeholders, such as judges from regional mechanisms, experts and civil society;

VIII. organize hearings with State parties and victims, as applicable;

IX. liaise with experts and provide regular updates on list of cases and session documentation;

X. act as Secretary during meetings on individual communications, ensure the smooth conduct of the meeting, including by providing substantive and procedural advice and support to the Chairperson, coordinate and oversee in-session support by colleagues to experts, and regularly update experts on the list of cases for consideration;

XI. Once adopted, ensure that decisions of the Committees are implemented, incl. keep record of actions taken and prepare and circulate an end of session implementation table, follow-up with administrative assistance to ensure that the case is implemented and sent for translation, validate implementation letters and clear for signature and finalized documents, and ensure all documents are sent to the parties and to MDPU for processing;

XII. Prepare end of meeting outcome document including analytical notes for policy making organs (PAG), weekly highlights and overviews of outcomes to experts;

XIII. Identify jurisprudence highlights/developments;

In addition, staff with managerial/coordination roles would draft complex cases, and elaborate analytical notes on treaty bodies jurisprudence.

It has been seen that on average, it takes 3.9 work weeks to prepare, to support and to follow-up to a Committee session, or 82.4 work weeks / year for 21 sessions of 8 Committees. [[19]](#footnote-20) Average actual time required for the review and clearance of registration summaries and letters as well as draft decisions is 78.5 work weeks per year. [[20]](#footnote-21)

B. Planning, coordination, methodology and change management and achieving maximum performance from the staff resources available to the Section

The Section is supporting the following responsibilities.

I direct and supervise the development of methodological tools, including to ensure consistency and effectiveness in the processing of individual communications and urgent actions and the preparation of draft decisions (such as templates, guidelines, manuals, submissions forms, case categories, priority policy, retention, digitalization etc);

II review work processes and functions to identify efficiency gains and streamline workflows;

III oversee the development and upgrading of tools including the petitions database and the jurisprudence databased;

IV oversee the correct application of criteria and methods of work applying to individual communications and urgent actions (petitions manual);

V define and refine statistical requirements and direct collection and management of data;

VI prepare and coordinate annual work planning and individual assignments, including coordinate and oversee urgent response rotation;

VII participate in OHCHR taskforces setup to enhance work efficiencies, substantive coordination, or development of policies and guidelines;

VIII direct and supervise substantive input into the annual meetings of TBs Chairpersons and the Treaty Body Strengthening process

IX assist in implementation of work processes that are recommended by internal and external auditors as an outcome of review process;

X Set performance objectives for the staff of the Section, undertaking regular qualitative reviews of performance, recognizing good performance and take appropriate action to address inadequate performance and fostering teamwork and communication among staff of and across organisational boundaries;

XI Identify learning and development needs of and opportunities for staff;

XII Provide a platform for interactions on staff wellbeing;

XIII Training and coaching of less senior staff.

On average each P-4 in the Section spends 2 work days / week on coordination, planning, methodology and change management and to achieving maximum performance from the staff resources available to the Section or 52.8 work weeks / year. [[21]](#footnote-22)

III. Observations

Based on above, the average total work weeks at the professional level required to support the pre-registration phase, case management and drafting would be following :

* processing of communications/pre-registration 295 work weeks / year
* case management\* 245.2 work weeks / year
* drafting 498.6 work weeks
* urgent actions under CED 269 work weeks / year
* follow-up to cases 118 work weeks / year
* outreach & knowledge management 87.86 work weeks / year
* Total 1,514.56 work weeks

As actual professional level capacity is 748 work weeks (17 P-3 (incl GTA) x 44 work weeks), this results in a gap of 766.56 work weeks or 17.42 professional posts.

It is to be noted that this calculation does not include any provisions for backlog reduction

\* As regarding case management, while the calculation of actual average time spent on case management comes close to the calculation of the GA resource formula, the petitions database suggests that case management is not up to date due to the lack of resources and adequate tools and that the gap would actually be higher.

Based on above, the average total work weeks on managerial tasks at the P-4 level is 213.7 work weeks, as well as 25 work weeks for inter-State communications, that is a total of 238.7 work weeks / year / staff with managerial functions, while actual managerial P-4 level capacity is 132 work weeks (3 P-4 x 44 work weeks), resulting in a gap of 106.7 work weeks or 2.4 P-4 level posts.

1. As the custodian of two Optional Protocols with reporting requirements, the CRC examines three types of State party reports. Since the consideration of reports submitted under the Optional Protocols is more limited in scope, more reports can be examined per week. Following the initial State party review, periodic reports to the CRC under the Optional Protocols are incorporated within the periodic report of the State party under the Convention. [↑](#footnote-ref-2)
2. [1]  <https://www.un.org/development/desa/disabilities/wp-content/uploads/sites/15/2019/03/UNDIS_20-March-2019_for-HLCM.P.pdf> [↑](#footnote-ref-3)
3. CESCR has not yet started offering this to States. It is on hold for now as there are no resources. [↑](#footnote-ref-4)
4. CAT does not limit the number of questions in LOIPR but the number of words. [↑](#footnote-ref-5)
5. CED began to request additional information to States parties under article 29 (4) of the Convention in 2018. [↑](#footnote-ref-6)
6. CESCR reviews State party compliance with all articles of the Convention. In doing so, it may grant more attention to some issues than others. [↑](#footnote-ref-7)
7. CEDAW reviews State party compliance with all articles of the Convention. In doing so, it may grant more attention to some issues than others. [↑](#footnote-ref-8)
8. Draft GC No.26 on Land and Economic, Social and Cultural Rights [↑](#footnote-ref-9)
9. Draft GC No. 39 on the rights of indigenous women and girls [↑](#footnote-ref-10)
10. Draft GC No. 26 on children’s rights and the environment [↑](#footnote-ref-11)
11. Draft GC No. 8 on the right of persons with disabilities to work and employment [↑](#footnote-ref-12)
12. [1] Para. 26 [↑](#footnote-ref-13)
13. [2] Paras. 27 and 28. [↑](#footnote-ref-14)
14. [↑](#footnote-ref-15)
15. 399 registered is about 10 percent of what is processed: 3,990-399= 3,591 communications that will be unregistered; 3,591 x 1.5 hours = 5,386.5 hours / 8h = 673.3 days / 5 = 134.7 weeks. Therefore, 159.6 work weeks on registered cases and 134.7 work weeks on unregistered cases = 294.3 work weeks overall. [↑](#footnote-ref-16)
16. The remaining ones are ready for drafting and are no longer counting them in terms of case management workload. [↑](#footnote-ref-17)
17. 1,226 living cases x 1 day /yr = 1,226 work days / yr

    1,226 work days / 17 s/m = 72.12 work days / s/m

    72.12 work days / s/m x 8 day hours = 576.96 work hours / per s/m / yr

    576.96 / 220 work hours per year (44 work weeks x 8 hours) = 2.6 hours / day / s/m [↑](#footnote-ref-18)
18. 1425 x 4 hours = 5,700 hours = 712.5 work days / 5 = 142.5 work weeks / year. [↑](#footnote-ref-19)
19. 3.9 weeks per session x 21 sessions = 82.4 work weeks. [↑](#footnote-ref-20)
20. Letters 18.1 + decisons 50.4 + summaries 10 = 78.5 work weeks. [↑](#footnote-ref-21)
21. 2 days per work week x 44 work weeks = 88 work days x 3 P4 = 264 work days / 5 = 52.8 work weeks. [↑](#footnote-ref-22)