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Twenty-first meeting of chairpersons
of the human rights treaty bodies
Geneva, 2 – 3 July 2009

Ninth Inter-Committee Meeting
of the human rights treaty bodies
Geneva, 29 June – 1 July 2009

Report of the eighth inter-committee meeting

I. INTRODUCTION

1. The eighth inter-committee meeting of the human rights treaty bodies (ICM) was held at the Office of the United Nations High Commissioner for Human Rights (OHCHR) at Geneva from 1 to 3 December 2008.

2. The following members of human rights treaty bodies attended:

Human Rights Committee
Abdelfattah Amor
Michael O'Flaherty

*Committee on the Elimination of
Discrimination against Women*
Dubravka Šimonović (Chairperson)
Cornelis Flinterman
Meriem Belmihoub-Zerdani

*Committee on the Elimination of Racial
Discrimination*
Fatima-Binta Victoire Dah (Chairperson)
Nourredine Amir
Pierre-Richard Prosper

Subcommittee on Prevention of Torture
Zdenek Hajek

*Committee on Economic, Social and
Cultural Rights*
Philippe Texier (Chairperson)
Rocio Barahona Riera
Waleed Sadi

Committee on the Rights of the Child
Yanghee Lee (Chairperson)
Kamel Filali
Lothar Friedrich Krappmann

Committee against Torture
Fernando Mariño Menéndez
Xuexian Wang

*Committee on the Protection of the Rights
of All Migrant Workers and Members of
Their Families*
Abdelhamid El Jamri (Chairperson)
Myriam Konsimbo Poussi

II. OPENING OF THE MEETING, ELECTION OF OFFICERS AND ADOPTION OF THE AGENDA

3. The Director of the Human Rights Council and Treaties Division welcomed all chairpersons and members present on behalf of the High Commissioner for Human Rights and delivered a statement on her behalf, in which she noted that since her appointment on 1 September 2008, she had had interesting discussions with a number of the treaty bodies. She noted that she had become more familiar with the challenges and obstacles that all treaty bodies had to overcome in order to meet increasing demands and fulfil their tasks effectively, including as a result of their ever-increasing workload. She was aware of concerns in relation to the current staffing situation and resources, generally, and reiterated that she would do her utmost to address these issues. She was pleased to see that the treaty bodies had continued to develop innovative working methods, drawing from each other's experience in the process, with a view to ensuring that the treaty body system provided the best possible protection for rights-holders.

4. The High Commissioner referred to the progress achieved with regard to harmonization of treaty body working methods, including with regard to the revised harmonized reporting guidelines and the adoption of a common approach to reservations, as well as efforts to harmonize other areas. She was pleased that the eighth treaty body monitoring a core treaty, the Committee on the Rights of Persons with Disabilities (CRPD), would soon begin its work and that the General Assembly's Third Committee had recently adopted the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights by consensus. She considered that these new instruments would strengthen the system which was not as accessible or visible as it should be. More treaty bodies might also be established in the future as treaties were developed to fill possible protection gaps, and harmonization, streamlining and simplification of the treaty body system were therefore imperatives.

5. The High Commissioner considered that the biannual ICMs could serve as the vehicle for the promotion and coordination of the treaty body system, including the harmonization of treaty body working methods. She strongly encouraged the participants to develop and adopt a long-term programme of work on possible areas for improvement and harmonization of treaty body working methods, and include targets and timelines for the work of the next four to six ICMs. She strongly recommended that members of treaty bodies designated to attend the ICMs be vested with authority to take decisions that were binding on their respective committees. Finally, she affirmed that she would be very happy to be involved with the treaty bodies in identifying long-term strategies to address the challenges and obstacles that the treaty body system was facing, including in the context of harmonization of working methods, and welcomed the suggestions of the ICM in this regard.

6. Following the High Commissioner's statement, Fatima-Binta Victoire Dah, Chairperson of the Committee on the Elimination of Racial Discrimination, was confirmed as the Chairperson/Rapporteur and Dubravka Šimonović, Chairperson of the Committee on the Elimination of Discrimination against Women, was confirmed as Vice-Chairperson. The participants adopted the agenda (HRI/ICM/2008/2), with the addition of a more general agenda item entitled "the inter-committee meeting", and the programme of work.

III. ENHANCING THE EFFECTIVENESS OF THE TREATY BODIES: A COORDINATED APPROACH TO THE WORK OF THE TREATY BODIES

7. Under this agenda item, participants discussed improvement and harmonization of the treaty body working methods. Pursuant to a recommendation of the seventh ICM, the eighth ICM focused on four issues: the revised treaty-specific guidelines; follow-up to concluding observations; consideration of a State party in the absence of a report; and the universal periodic review (UPR). Participants also considered a draft programme of work prepared by the Secretariat, identifying possible areas of harmonization. Non-governmental organizations (NGOs) present were provided with the opportunity to speak under each agenda item.

a) Revised treaty-specific guidelines

8. The participants provided information on progress in relation to the revised treaty-specific guidelines. CERD, CEDAW, CMW and most recently CESCR had adopted such treaty-specific guidelines, while other committees had initiated discussions on the matter. The HRC had decided to draft new guidelines and would appoint a rapporteur at its next session in March 2009. Following its forty-ninth session, CRC held a two-day workshop in October 2008, funded by the UNICEF National Committee for Korea, to discuss its revised treaty-specific guidelines on both the Convention and the two Optional Protocols. The Committee planned to adopt its revised guidelines at its next session in January 2009, while CAT had requested the Secretariat to prepare draft treaty-specific reporting guidelines, taking due account of the guidelines for the common core document, and would discuss the draft at its next session in May 2009.

9. Participants generally agreed that the treaty-specific guidelines simplified reporting and made the procedures more manageable for the States. The ICM endorsed the recommendation of the seventh ICM that all treaty should aim at adopting of their treaty-specific guidelines by the end of 2009. States parties would be urged to use the new reporting system as a whole, consisting of a common core document and a treaty-specific document, as of 2010. It was also agreed that States parties should be encouraged to use the approved harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (as contained in document HRI/GEN/2/Rev.5) and the treaty-specific guidelines already adopted, when submitting a report to any human rights treaty body. The importance of technical assistance for States parties that had encountered problems with their reporting or lacked the necessary capacity and/or resources was also underlined.

10. Participants discussed the need to set a date for evaluation of the new reporting system as a whole. Some participants were in favour of the identification of such a date so that concerns, including the difficulty to draw the line between what should be included in the common core document and the treaty-specific document, especially in the context of non-discrimination, could be addressed. Others were of the view that such an evaluation date should not be set at this stage.

b) Consideration of a State party in the absence of a report

11. Most committees had adopted the practice, sometimes referred to as the “review procedure”, of examining the implementation of the relevant treaty in the State party in the absence of a report and they highlighted their experiences in this respect. The representatives of CMW noted that the Committee had discussed the issue in preparation of the ICM but that it did not have a common position. Participants indicated that notification by a committee to a State party of its intention to examination of implementation in the absence of a report could be a very effective way of engaging non-reporting States parties, as they were generally prompted to submit the overdue report, or would signal their intention to do so. Participants reiterated that examination of States parties in the absence of a report should be a measure of last resort, with the focus being on engaging in a constructive dialogue with the State party concerned. The possibility of adopting common modalities was discussed, with participants stressing the importance of providing States parties with one last opportunity, via a reminder, to submit its report. In the absence of a response from the State party, the treaty bodies would often formulate and transmit a list of issues to the State party. In the absence of a reply from the State party, some committees, such as the HRC, adopted provisional concluding observations, while others, such as CERD, formulated public and final concluding observations.

12. The participants requested the Secretariat to produce a list of non-reporting States, including initial and periodic. Such a list would enable the committees and the ICM to identify trends and patterns of non-reporting and would facilitate a broader understanding of the problem, including reasons for non-reporting, be it: lack of resources, capacity or political will. The Secretariat was also requested to produce a paper on experiences of the review procedure. Participants noted that each non-reporting State should be considered in accordance with its specific situation, taking into account, in particular, the overdue period, the human rights situation in the country and any specific difficulties that the State party might face. Some participants stressed the important role of the OHCHR and encouraged the Office to engage proactively in capacity-building and technical assistance activities, in particular, through its regional and field presences.

c) Follow-up to concluding observations

13. Participants noted that all treaty bodies requested States parties to provide information on implementation of the recommendations contained in the previous concluding observations in their subsequent reports or during the constructive dialogue. Several treaty bodies had introduced formal procedures to monitor more closely implementation of specific concluding observations, and HRC, CERD and CAT had had a follow-up procedure for a significant period of time.

14. At its forty-first session in July 2008, CEDAW had introduced a follow-up procedure with the identification of urgent and protective follow-up recommendations contained in the concluding observations. The request would call upon States parties to provide such information to the Committee within a period of one or two years. The representatives of CESCR noted that the Committee might, in its concluding observations, make a specific

request to a State party to provide more information or statistical data prior to the date on which the next periodic report was due. Information provided in accordance with this procedure would be considered at the next pre-sessional working group.

15. CRC did not have a written follow-up procedure, nor did it identify priority issues for follow-up in its concluding observations as, given its heavy workload resulting from its mandate to consider reports under three treaties (the Convention and its two Protocols) and the special role that UNICEF played in follow-up to the CRC concluding observations, the introduction of a formal follow-up procedure was not considered the best approach. However, CRC was aware of the discussions taking place in the other treaty bodies and emphasized that it was open to a discussion on follow-up. CMW, being the youngest Committee, had yet to establish a follow-up procedure, but had discussed follow-up and would continue discussing this issue at its tenth session in April 2009.

16. A small working group of participants in the ICM, consisting of the follow-up rapporteurs, if applicable, and other interested members, was established to consider follow-up, and presented a brief paper on the issue to the plenary. Participants emphasized that follow-up procedures were affected by lack of human and financial resources for the work of treaty bodies generally. The suggestion was made that the follow-up rapporteurs, if applicable, or other representatives of the various committees, could meet and discuss best practices and exchange ideas in respect of follow-up to concluding observations, as well as follow-up workshops, and that an inter-committee working group or task force could be established for that purpose. The point was also made that there should be a discussion on common means of improving the follow-up procedure.

17. Participants highlighted the need for allocation of additional resources to follow-up activities, especially for workshops, meetings and country visits and that treaty body members be more involved in those activities. The ICM also emphasized the important role played by national human rights institutions (NHRIs) and civil society, including NGOs, in respect of follow-up at the national level.

18. Furthermore, participants recommended that each treaty body complete an assessment and analysis of its follow-up procedure, identifying difficulties, obstacles and results, by 2010. Based upon the results of the assessments at the committee-level, a common assessment of the follow-up procedures would then be conducted in 2010 by the working group/task force.

19. Based on a brief discussion of following up views on individual complaints, participants reaffirmed the importance of consolidating, and possibly strengthening, the procedures already in place. The suggestion was made that this issue should be included in the long-term programme of work on harmonization.

d) Discussion on UPR

20. The seventh ICM had decided to include UPR as a standing agenda item and participants at the eighth ICM continued their dialogue on this matter, taking into account the fact that the

UPR was still at an early stage in its development. It was generally agreed that there was a need to develop effective cooperation between the treaty bodies and the Human Rights Council and strengthen institutional links among them. The individual treaty bodies were encouraged to discuss this issue and make proposals that could be considered at the ninth ICM in June 2009.

21. Participants underlined the complementary and mutually reinforcing nature of the treaty body system and the UPR, but emphasized that the two processes were distinct. Participants also discussed whether treaty body members should be present during the UPR dialogue. One member noted that the treaty bodies should institutionally form part of the UPR and underlined the need to create organic links between the two, whereas most members, referring to the dual nature of the two processes, did not support this proposal.

22. Participants highlighted experiences from their respective committees with regard to UPR documentation. Most found that the UPR documents had proven very helpful in their consideration of State reports. Some members noted that the compilations prepared by OHCHR with summaries of UN information, including treaty body information, were useful as they condensed a great deal of information. The outcome documents of the UPR, and particularly the pledges made by States parties, such as in relation to reservations had been referred to in some instances, and the meeting encouraged the treaty bodies to continue this practice. The Secretariat was called on to routinely make the compilations prepared by OHCHR for the UPR, as well as the output of the reviews available to treaty bodies.

23. Some participants commented that the compilation's page limit of 10 pages was inadequate. Others were of the view that the treaty bodies should be directly involved in the drafting processes and that there was a need for enhanced cooperation with the Secretariat when producing the compilations. Some participants noted that the UPR process motivated the treaty bodies to produce even better and more concrete concluding observations and that the UPR could be seen as an impetus for the treaty bodies to improve their work. A few members highlighted that the biggest potential of UPR could lie in the national consultation process and there should be more emphasis on treaty obligations in this process. It was suggested that treaty bodies should consider further prioritizing concerns in their concluding observations so that these are appropriately reflected in the UN compilations prepared by OHCHR.

e) Other issues

24. In addition to the four identified areas, participants discussed a number of other potential areas for harmonization, including modalities of the participation of NGOs and NHRIs, the development of joint general comments and media strategies. All agreed that additional human and financial resources should be allocated by OHCHR to the Human Rights Treaties Branch in order to ensure effective and continuous support for the work of the treaty bodies.

25. The meeting agreed to adopt a programme of work on possible areas for improvement and harmonization of working methods, including targets, short and long-term objectives, and timelines for the next three to four ICMs. The meeting also agreed that the agenda items for

the ninth ICM would be: the identity/role of the country rapporteur/country task force, cross-referencing the work of other treaty bodies, standardization of terminology, participation of NHRIs, States parties and NGOs, and the UPR.

IV. DIALOGUE WITH NON-GOVERNMENTAL ORGANIZATIONS

26. Representatives of a number of NGOs participated in the eighth inter-committee meeting, including Amnesty International; International Women's Rights Action Watch; International Service for Human Rights; Friends World Committee for Consultation (Quaker United Nations Office); ARC International; and the Centre for Civil and Political Rights.

27. The NGO representatives pointed to a number of issues in respect of possible areas of harmonization with a view to enhancing the effectiveness of human rights treaty monitoring bodies and improving NGO contributions in the treaty body procedures. Other issues raised by the NGOs included: the relationship between the UPR and the treaty bodies, the possibility of issuing joint general comments and of adopting media strategies to increase the visibility of the treaty body system, as well as the criteria for treaty body membership. While acknowledging that they sometimes submitted too much information to the treaty bodies, the NGOs noted that they would attempt to limit the number of pages and to submit more joint NGO reports, including through NGO coalitions.

28. The ICM participants highlighted the importance of NGO information for the work of the treaty bodies and they welcomed the interesting and pertinent suggestions from the NGOs on how to improve their working methods, short-term and long-term, as well as the coordination between the treaty bodies.

29. Participants emphasized the important role played by national human rights institutions and civil society, including NGOs, in respect of follow-up at the national level. The point was made that, in addition to follow-up activities, NGOs should spread the word as to how States parties were living up to their international commitments. One NGO suggested the establishment of a joint early-warning procedure to deal with serious human rights violations.

30. Some ICM participants stressed that the best timing for NGO input was in the process of drafting lists of issues and they reiterated that NGOs should send information well in advance of treaty body sessions to allow committee members the opportunity to take those important submissions into account, including for the preparation of lists of issues, and to continue to reinforce and strengthen the implementation of the conclusions of the treaty bodies. NGOs were encouraged to provide information on all States parties whose reports were going to be considered by the treaty bodies, and endeavour to create NGO coalitions to facilitate the participation of national NGOs.

31. Several ICM participants underlined that with regard to the relationship between UPR and the treaty bodies, it was important to keep the autonomy of the treaty bodies and not put their independence at risk. The common aim of both systems was to assist States parties in strengthening the protection of human rights at the national level. The appointment of treaty body experts and their independence was also discussed and one member suggested that a

selection panel could be established to interview potential experts in order to, *inter alia*, ensure that they had a human rights profile.

32. As regards joint general comments, the point was made that at present there was no shared vision as to the purpose of general comments. For some committees it was a rather juridical text, for others a more broad policy level approach and the general comments might have different functions. However, some members underlined that the process of elaborating general comments benefited from NGO contributions.

33. The participants decided to include the issue of NGO participation as an agenda item for the ninth inter-committee meeting and the Chairperson suggested that NGOs should provide more concrete information on their current activities and what they intended to do in the future.

V. INFORMAL CONSULTATIONS WITH STATES PARTIES

34. The eighth ICM held informal consultations with States parties on 2 December 2008 in which approximately 35 States participated.

35. The Chairperson noted that this was the first time that the ICM had held two annual meetings. She indicated that the deadline for the completion of all treaty-specific guidelines had been reconfirmed for the end of 2009 and that, as of 2010, the States parties would be urged to use the new reporting system as a whole, consisting of a common core document and a treaty-specific document. She informed States parties that the issue of follow-up had been discussed and the ICM had decided to set up a working group/task force on follow-up to concluding observations. She highlighted the recommendations of the ICM in respect of the consideration of a State party in the absence of a report and the relationship between the treaty bodies and the UPR. In this respect, she indicated the meeting had discussed the possibility of adopting concluding observations with a certain amount of prioritization. She also noted that the High Commissioner had strongly recommended that members of treaty bodies designated to attend the ICM be vested with authority to take decisions that were binding on their respective committees.

36. States welcomed the opportunity to engage in consultations with the ICM, indicating that these provided a platform for dialogue and interaction. Reiterating their support for the work of the treaty bodies, they stressed that the treaty bodies were crucial and fundamental for protecting and promoting human rights throughout the world.

37. Several States commended the treaty bodies for their continued engagement in the process of reform and their preparedness to test new approaches, adopt innovative working methods and explore areas of harmonization. However, States agreed that there was room for improvement and they supported and encouraged further harmonization and coordination of the working methods of the treaty bodies, including in the examination of reports and follow-up procedures, which would make the system more comprehensible and accessible.

38. A large number of States noted that the treaty body system and the UPR should complement and mutually reinforce each other. UPR should not duplicate other existing mechanisms and there was a need to create positive synergies between the UPR and the treaty body system was stressed. In addition, many States emphasized the independent role and rationale of treaty bodies vis-à-vis the UPR. Noting that they had a certain amount of experience with the procedure, some States referred to their own experiences in the first three UPR sessions, both as States under review and when reviewing others. Several references had been made to treaty body recommendations as well as to the need to ratify the core treaties to which the State concerned was not yet a member. Some States noted that the UPR could provide an additional tool in the follow-up of treaty body recommendations and vice versa. One State considered that the treaty bodies should not refer to the voluntary contributions/pledges made by the States parties in the context of the UPR as these could only be followed up by the UPR. The compilation of treaty body and special procedures information prepared by OHCHR was highlighted as an important tool for UPR and treaty bodies were encouraged to prioritize their concerns and recommendations.

39. Drawing on their own experiences, a number of States noted that the treaty bodies could improve their working methods in the consideration of reports. Some States suggested that there should be an equal proportion of time dedicated to questions and remarks by treaty body members and answers by the State party concerned. Repetition of questions and more lengthy statements should be avoided, and questions should be focused on matters addressed by the treaty concern and questions could refer to the relevant articles.

40. Some States expressed concern at possible uneven treatment of countries in the reporting procedure, not only in terms of content but also procedure. They underlined that the human rights situation in each country should be evaluated in an objective manner, which focussed on the current situation rather than previous reviews. Some States suggested that the concluding observations should reflect the positive commitment of Governments expressed during the constructive dialogue.

41. A few States referred to the information gathering processes and expressed regret that some sources were given priority over others and they highlighted the need for transparency when examining information. As it was important for the committees to acquire full knowledge of national legislation, one State suggested that legal advisers provided by the State party could assist during the consideration of the report. The possibility of tripartite meetings among the treaty body, the State party concerned and NGOs was also put forward.

42. One State noted that requests for follow-up information included in the concluding observations were not envisaged in the treaties themselves, and that this practice might be an unworkable and burdensome requirement, whereas treaty bodies should focus their limited resources on reporting etc. instead of follow-up.

43. Some States noted that a number of treaty bodies had requested the General Assembly to grant them additional meeting time, especially in light of increased ratifications. They recommended that treaty bodies should consider adopting a common and comprehensive

strategy in this context. One State noted that extension of the meeting time of treaty bodies might discourage some experts from agreeing to be put forward for membership of treaty bodies because of the time commitments involved.

44. A number of States noted that the Committees should reflect on ways to address their respective backlogs and possibly adopt a common strategy in order to achieve a durable solution. Other issues raised included the possibility of targeted or focused reports, including on the basis of a list of issues sent to the State prior to the submission of its report. The point was also made that NGOs and NHRIs have a key role to play in the review process. Some States welcomed the idea of setting up an inter-committee working group to exchange information among the committees so as to facilitate the work and improve efficiency. There was also a call for harmonization in the practices relating to the appointment of rapporteurs, and whether their identities were known.

45. Some States highlighted that the comments and suggestions put forward in the course of the informal consultations should be given due regard and that the ICM should reflect on how this could be done in the best possible way. A number of States supported treaty bodies, including those more recently established, in their quest for more human and financial resources. States drew attention to the importance of translation of documentation and made clear that if documents were not available in all UN languages, access would be limited.

46. In response, committee members referred to the progress that had taken place in respect of harmonization of working methods, including the adoption of a programme of work on harmonization. They described the experiences of their individual committees in respect of backlog, as well as requests for additional meeting time and/or parallel chambers, noting that approval of such requests, generally resulted in clearing of the backlog. The point was also made that when treaty bodies requested more meeting time, this was decided on an objective and treaty-specific basis by each individual treaty body.

47. In response to a question raised by one State party with respect to possible dialogues among the treaty bodies and the Human Rights Council and UN General Assembly's Third Committee, some members noted that when treaty bodies had had an opportunity to come before the Council or the Third Committee, they had only come to report without the possibility to engage in a constructive dialogue and they were hoping that this be changed in the future.

48. Suggesting that a full day be devoted at the ninth ICM in 2009 for the informal consultations with States to continue the dialogue, members welcomed the comments and constructive criticism from the States parties and took note of the reservations expressed. Some members referred to the concerns expressed by a number of States in respect of sources of information, including suggestions of lack of balance and transparency. They noted that they received information from variety of sources and wished to keep this diversity. However, they valued transparency and public and reports from NGOs were posted on the website, and thus made available to States parties.

VI. DRAFT POINTS OF AGREEMENT OF THE EIGHTH INTER-COMMITTEE MEETING

49. The eighth inter-committee meeting decided on the following points of agreement, to be transmitted to the twenty-first meeting of chairpersons in June/July 2009:

Inter-committee meeting

(a) The eighth inter-committee meeting reiterated the view that the inter-committee meeting provided a useful forum for discussing matters of mutual concern and strengthening harmonization among the treaty bodies.

(b) The eighth inter-committee meeting decided that the agenda items for the ninth inter-committee meeting would be the following: the identity/role of the country rapporteur/country task force, cross-referencing the work of other treaty bodies, standardization of terminology, participation of NHRIs, States parties and NGOs, and the universal periodic review mechanism of the Human Rights Council.

(c) The eighth inter-committee meeting requested the Secretariat to prepare a briefing note on the history of the inter-committee meeting and meeting of chairpersons and distribute it to all the treaty bodies. All treaty bodies should carefully study the note and discuss the possibility of a merger of the inter-committee meeting and meeting of chairpersons which would allow for the ninth inter-committee meeting to take a decision on this issue. All treaty bodies should also consider whether the inter-committee meeting should be given an enhanced decision-making role with regard to harmonization of working methods.

Human and financial resources

(d) The eighth inter-committee meeting recommended that OHCHR should allocate additional human and financial resources for the Human Rights Treaties Branch in order to ensure effective and continuous support for the work of the treaty bodies.

Revised harmonized reporting guidelines

(e) Noting that a majority of treaty bodies had adopted revised guidelines for treaty-specific documents on reporting under the international human rights treaties, the eighth inter-committee meeting reaffirmed that the remaining treaty bodies should aim at completing the adoption of their revised guidelines by the end of 2009. As of 2010, States parties would be urged to use the new reporting system as a whole, consisting of a common core document and a treaty-specific document. In the meantime, States parties were encouraged to use the approved harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (as contained in document HRI/GEN/2/Rev.5) and the treaty-specific guidelines already adopted, when submitting a report to a human rights treaty body. OHCHR is encouraged to proactively engage in capacity-building and technical assistance activities, in particular, through its regional and field presences.

Consideration of a State party in the absence of a report

(f) The eighth inter-committee meeting noted that the absence of State party reports on treaty implementation, including initial reports, affected all treaty bodies. While the consideration of a report, as well as the establishment of a constructive dialogue with States parties, will always be the objective of treaty bodies, long overdue initial and periodic reports would seriously hamper the monitoring mandate of treaty bodies and the implementation of treaty provisions. Non-reporting States should be reminded of their overdue reporting obligations and encouraged to report, and, as a last resort, treaty bodies should consider reviewing the implementation of treaties in the absence of a report and adopt concluding observations in that respect.

(g) The eighth inter-committee meeting requested the Secretariat to produce a list of non-reporting States, including initial and periodic, in order to identify trends and patterns of non-reporting. The Secretariat was also requested to produce a paper on best practices/lessons learned from the review procedure. Each non-reporting State should be considered in accordance with its specific situation, taking into account, in particular, the overdue period, the human rights situation in the country and any specific difficulties that the State party might face. OHCHR is encouraged to proactively engage in capacity-building and technical assistance activities in relation to the submission of reports, in particular, through its regional and field presences.

Follow-up to concluding observations

(h) The eighth inter-committee meeting reiterated its previous recommendation that each treaty body consider adopting a procedure within a reasonable period of time to ensure effective follow-up to concluding observations, such as the appointment of a rapporteur on follow-up or any other appropriate mechanism.

(i) The eighth inter-committee meeting reiterated its previous recommendation that additional resources be allocated to follow-up activities, especially for workshops, meetings and country visits and that treaty body members be more involved in those activities. The eighth inter-committee meeting also emphasized the important role played by NHRIs and civil society, including NGOs, in respect of follow-up at the national level.

(j) The eighth inter-committee meeting also reiterated its previous recommendation that a working group/task force on follow-up to concluding observations be established inter-sessionally, consisting of the rapporteur for follow-up on concluding observations of each treaty body, if applicable, or the members responsible for follow-up activities. Such a working group/task force could, among other things, identify best practices in respect of follow-up and consider possible areas of harmonization in this respect, and consider the possibility of integrated follow-up. The working group/task force should report back to the ninth inter-committee meeting in 2009 on its findings.

(k) The eighth inter-committee meeting recommended that each treaty body complete an assessment and analysis of its follow-up procedure, identifying difficulties, obstacles and results, by 2010. Based upon the results of the assessments at the committee-level, the eighth inter-committee meeting recommended that a common assessment of the follow-up

procedures be conducted in 2010 by the working group/task force. Such an assessment would facilitate the identification of possible areas of harmonization and the future development of the best possible procedure on follow-up for all the treaty bodies.

(l) The eighth inter-committee meeting further recommended that follow-up information received by one treaty body be shared with the other treaty bodies, including in respect of cross-cutting issues and issues of common concern.

Follow-up on individual communications

(m) The eighth inter-committee meeting reaffirmed the importance of consolidating, and possibly strengthening, the procedures in place for following up on individual communications. The rapporteurs on follow-up to individual communications should join the working group/task force on follow-up.

Universal periodic review mechanism of the Human Rights Council

(n) The eighth inter-committee meeting reiterated the conclusion of the twentieth meeting of chairpersons of human rights treaty bodies that there was a need to develop effective cooperation between the treaty bodies and the Human Rights Council and strengthen institutional links among them. It recommended that treaty bodies discuss this issue and make proposals that could be discussed at the ninth inter-committee meeting in June 2009.

(o) The eighth inter-committee meeting recalled the conclusion of the twentieth meeting of chairpersons of human rights treaty bodies underlining the complementary and mutually reinforcing nature of the treaty body system and the universal periodic review mechanism of the Human Rights Council. The meeting also emphasized the importance of a continuing dialogue on this matter, taking into account the fact that the universal periodic review mechanism is still at an early stage in its development.

(p) The eighth inter-committee meeting repeated the recommendation of the seventh inter-committee meeting that the secretariat routinely make available to the treaty bodies the compilations prepared by OHCHR for the universal periodic review mechanism, as well as the output of the reviews.

(q) The eighth inter-committee meeting recommended that human rights treaty bodies should consider further prioritizing concerns in their concluding observations so that these are appropriately reflected in the compilations that contain summaries of UN information, including treaty body information, and are prepared by OHCHR.

(r) The eighth inter-committee meeting recommended that treaty bodies continue to refer to the pledges and commitments made by States parties in the context of universal periodic review during their dialogue with States parties and concluding observations.

Informal consultations with States parties

(s) The eighth inter-committee meeting emphasized that the informal consultations with States parties provided an important platform for dialogue and interaction and recommended that a full one-day meeting should be allocated for the informal consultations with States parties in the context of the ninth inter-committee meeting in 2009. The inter-committee

meeting requested the Secretariat, in consultation with the treaty bodies, to prepare a specific and focused agenda for this meeting.

Cooperation with non-governmental organizations

(t) The eighth inter-committee meeting reiterated previous recommendations that NGOs send information well in advance of treaty body sessions to allow committee members the opportunity to take those important submissions into account, including for the preparation of lists of issues, and to continue to reinforce and strengthen the implementation of the conclusions of the treaty bodies.

Access to treaty body deliberations

(u) The eighth inter-committee meeting emphasized the necessity to make the work of treaty bodies more widely known and encouraged the treaty bodies that had not already done so to discuss and adopt media strategies and also to work towards a common media strategy, with the assistance and advice of OHCHR. The inter-committee meeting also recommended that OHCHR explore alternative means of facilitating the broadest public access to the treaty body public examinations of periodic reports, including the possibility of webcasting and using other modern technologies.

Treaty body documentation

(v) The eighth inter-committee meeting, noting the increasing difficulties the various treaty bodies are facing in terms of translation:

- (i) Expresses its deep concern for the more and more limited assistance in terms of translation;
- (ii) Considers that this situation jeopardizes the quality of their work, and generally, renders the functioning of their committees increasingly problematic; and
- (iii) Calls insistently for the translation services, as well as all the other concerned authorities, to provide sufficient services in terms of translation so as to enable a normal functioning of treaty bodies, in particular during sessions, pre-sessions meetings, and for the preparations of meetings.
