

# Treaty bodies

The [human rights treaty bodies](#) are committees of independent experts that are elected to monitor implementation of the [core international human rights treaties](#). Each State party to a treaty has an obligation respect, protect and fulfil relevant human rights to ensure that everyone in the State can enjoy the rights set out in the treaty. The recommendations and views adopted by the treaty bodies can encourage action by States and can engage UN and civil society actors to support their implementation. Protection clusters, with their extensive experience and access on the ground, can bring information the attention of the treaty bodies to better inform their work

How does it work?	
Which human rights are covered?	Only the rights that are covered by the specific treaty.
Which countries are covered?	Only the countries that are <a href="#">party to the treaty</a> .
How frequent is the monitoring?	Varies: States should report every four years (depending on the treaty) but reviews are generally more spaced that every four years. This is because the process depends on when a country submits its reports and on the treaty body's own backlog. Only the Human Rights Committee reviews States every eight years according to a fixed calendar. If a State has agreed to it, treaty bodies can also review individual complaints and undertake inquiries.
What are its tools?	State review procedure, <a href="#">individual complaints procedure</a> , <a href="#">state inquiries</a> , development of <a href="#">General Comments</a> /General Recommendations, urgent actions relating to enforced disappearances as well as racial discrimination, inter-state complaints procedure.
Can they make country visits?	Limited. Only the Subcommittee on Prevention of Torture conducts regular country visits (places of detention). Most Committees can undertake inquiries, generally including a country visit.
Who makes the recommendations and to whom?	Committees of experts make recommendations to States.
What type of impact do they produce?	Varies from limited to significant impact based on the level of compliance and implementation by States. <sup>1</sup> The means of engagement and the response and follow-up activities of clusters and other actors to the outcomes of the treaty bodies may vary based on the State's level of compliance and implementation.

<sup>1</sup> Recommendations to States on implementing their legal obligations. However, the recommendations made to States are non-binding, and political pressure to comply/implement the recommendations is often needed.

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	There are no sanctions if States do not respect recommendations. Political pressure to comply is primarily at the national level as well as internationally through committee follow-up procedures.
How quickly does it react?	Frequency of State reviews depends on the particular treaty body's reporting schedule and when the relevant States submits information. Individual complaints may take several years to be fully considered, depending on the current backlog. However, interim measures can be issued quickly on individual complaints in order to prevent irreversible harm. Urgent actions related to enforced disappearances are followed up immediately.
How accessible is it?	Very: any organization can engage by submitting information for State reviews or supporting individuals to file complaints (where applicable/appropriate).

Advocacy impact	
Immediate impact	Individual complaints can be used to address cases of violations of human rights of individuals or groups of individuals only for States which have ratified the relevant treaty and accepted its complaints procedure. Treaty bodies can request <b>interim measures</b> in urgent cases, pending a decision; States have an obligation to give effect to decisions. Complainant must have exhausted domestic remedies and committees may not consider a case that is already before another international or regional mechanism. The process may take 2 to 4 years, on average, before a final decision is reached. The urgent actions procedure for cases of enforced disappearance can be effective in seeking rapid international action to search for a disappeared person.
Medium-term advocacy	The reporting process can address protection challenges in States which have ratified a relevant treaty and are currently scheduled for an upcoming review by the respective treaty body. It therefore represents an opportunity to humanitarian actors to provide information in a confidential manner and raise sensitive issues. States are expected to take steps to implement the Committees' recommendations. The review process may have a lower public profile than UPR sessions and it is important to know the extent to which a given State comply with their reporting obligations or actively engage in the review process. Humanitarian actors can use recommendations from treaty bodies to support

Decisions on individual cases (where applicable) – Depending on a State's legal framework (for those States who have accepted the authority of treaty bodies to decide individual cases), the degree to which the decisions of treaty bodies on individual cases are binding or serve as precedent may vary. While many States comply with such decisions, not all do so.

Standard setting – Committees adopt "General Comments" or "General Recommendations" which provide guidance on the interpretation and application of their respective treaties. These commentaries can affect how States implement their obligations.

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	calls for change, building on the independent and expert nature of treaty bodies that give authority to recommendations.
Long-term advocacy	Action can be taken to prepare for future reporting processes if a State has ratified a relevant treaty but is not currently scheduled for review. Thematic inputs can be provided unilaterally, or in response to calls for input by treaty bodies, including in relation to the development of General Comments/Recommendations.

## How can the protection cluster engage?

*Potential action (direct, indirect, or in collaboration with other entities)*

1. Stay informed on the [calendar](#) of treaty body reviews for your country of operation
2. Share the calendar with PC members
3. Contribute written information or participate in briefings in relation to treaty bodies' reviews
4. Familiarise protection cluster members with key General Comments issued by the treaty bodies as relevant to the country operation and priority protection concerns (HRE TT can assist as needed)
5. Engage protection cluster members to identify possibilities for referring individuals to submit complaints to the treaty bodies where relevant and appropriate
6. Support and enable individuals who want to submit complaints to the relevant treaty bodies
7. Provide information to the relevant committee when rights contained in a convention monitored by that committee are systematically violated by the country and the country has ratified the appropriate protocol to enable "state inquiries" by the relevant committee
8. Share relevant information with treaty bodies when new General Comments / General Recommendations are being developed
9. Use recommendations in advocacy efforts for change
10. Advocate for and offer technical assistance for the implementation of recommendations
11. Analyse recommendations to see if they are early warning indicators of conflict or crisis
12. Use the reporting process to build relationships and dialogue between State, civil society and humanitarian actors

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13. Bring suspected cases of enforced disappearances to the attention of the Committee on Enforced Disappearance

14. Utilize references to recommendations, reports or other outcomes of the TBs in the protection cluster's advocacy strategy and/or activities

How did the protection cluster engage?				
Actions taken from the list above	What did the cluster do under this action	What challenges did the cluster face in taking this action	Result of the action	Further support needed from HRE TT
1. <input type="checkbox"/>				
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