



Human Rights Council

Resolution 9/8. Effective implementation of international human rights instruments

The Human Rights Council,

Reaffirming that the full and effective implementation of United Nations human rights instruments is of major importance to the efforts of the United Nations to promote universal respect for and observance of human rights and fundamental freedoms, and that the effective functioning of human rights treaty bodies is indispensable for the full and effective implementation of such instruments,

Stressing the importance of preserving the independence of the human rights treaty bodies,

Recalling General Assembly resolution 57/202 of 18 December 2002, Commission on Human Rights resolution 2004/78 of 21 April 2004, and Council resolution 2/5 of 28 November 2006,

Welcoming the establishment of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which began its work in 2007,

Welcoming also the entry into force on 3 May 2008 of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, which creates a ninth human rights treaty body which will begin its work in 2009,

Acknowledging with appreciation the adoption of the International Convention on the Protection of All Persons from Enforced Disappearance by the General Assembly on 20 December 2006, and noting that, once it enters into force, it will establish an additional treaty body,

Noting the provisions in the Optional Protocol to the Convention against Torture, the Convention on the Rights of Persons with Disabilities and the International Convention on the

Protection of All Persons from Enforced Disappearance, which establish a two-term limit for members of the relevant treaty bodies,

1. *Acknowledges* the important contribution of the human rights treaty bodies in furthering the effective implementation of the human rights treaties and the interpretation of the rights contained therein;

2. *Takes note with appreciation of:*

(a) The report of the Secretary-General on the effective implementation of international instruments on human rights (A/HRC/4/81);

(b) The reports of the Secretary-General containing the reports of the chairpersons of the human rights treaty bodies on their sixteenth to nineteenth meetings (A/59/254, A/60/278, A/61/385 and A/62/224), held in the period 2004-2007, and the reports of the inter-committee meetings of human rights treaty bodies annexed thereto;

3. *Welcomes* the measures taken by the human rights treaty bodies to date to improve their functioning, and encourages continuing efforts aimed at improving the effectiveness of the treaty body system with a view to a more coordinated approach to its activities and standardized reporting, including by streamlining, rationalizing, rendering more transparent and otherwise improving working methods and reporting procedures, inter alia by:

(a) Reducing the duplication of reporting required under the different instruments as well as the reporting burden on States parties, including through the use of the common-core document, without impairing the quality of reporting, and focused periodic reports based on the concluding observations;

(b) Harmonizing the general guidelines regarding the form and content of reports across all treaty bodies, including through the adoption by each treaty body of revised reporting guidelines for treaty-specific documents;

(c) Providing preliminary lists of issues to States in advance of consideration of reports by treaty bodies;

- (d) Coordinating the schedule for the consideration of reports;
- (e) Limiting the length of States parties' reports;
- (f) Establishing improved and harmonized methods of work for the treaty bodies and harmonizing rules of procedure;
- (g) Enhancing efforts to provide concrete and practical concluding observations addressed to States parties, taking into consideration views expressed during the constructive dialogues with them;
- (h) Harmonizing practices relating to the publication and reporting of responses by States parties to concluding observations and comments made during the constructive dialogues with a view to enhancing transparency;
- (i) Considering harmonizing practices for inviting comments from States and other stakeholders in the elaboration of general comments, including by publishing a single list of general comments under consideration;
- (j) For treaty bodies dealing with individual complaints, considering further ways of improving their working methods in this regard;
- (k) Further enhancing emphasis on implementation and follow-up;
- (l) Taking further measures to assist States parties upon their request with their reporting obligations, and the preparation of common-core documents;
- (m) Harmonizing efforts to consider the situations of some States parties whose reports are overdue;
- (n) Considering the development of harmonized working methods for the exchange of credible and reliable information between the human rights treaty bodies and non-governmental organizations and national human rights institutions in all parts of the world;

(o) Monitoring more effectively the human rights of women in their activities, integrating a gender perspective throughout their work and assessing the effectiveness of those efforts;

4. *Welcomes* the holding of inter-committee meetings of human rights treaty bodies twice annually to discuss issues of common concern, including improving and further harmonizing the methods of work of the treaty bodies, and encourages those bodies to continue this practice;

5. *Also welcomes* the holding of regular meetings of treaty bodies with States parties, and encourages the treaty bodies to continue this practice;

6. *Further welcomes* the contribution to the work of the human rights treaty bodies made by other United Nations bodies, and encourages the specialized agencies, funds and programmes, other United Nations bodies, the various organs of the Council, including its special procedures, the Advisory Committee, the Office of the United Nations High Commissioner for Human Rights and the chairpersons of the human rights treaty bodies to continue to intensify this cooperation and improve communication and information flow to improve further the quality of their work, including by avoiding unnecessary duplication;

7. *Welcomes* the launch of the universal periodic review of the Council, which shall complement and not duplicate the work of the treaty bodies, and the potential of this mechanism to contribute to the ratification and to promote the implementation of the human rights treaties, including follow-up to the recommendations of the treaty bodies;

8. *Urges* States to:

(a) Consider signing and ratifying or acceding to the international human rights instruments and to consider accepting the individual communications procedures under applicable instruments if they have not already done so, and to effectively implement their obligations under instruments to which they are party;

(b) Make every effort to meet their reporting obligations under United Nations human rights instruments, in particular by submitting initial and overdue reports;

(c) Submit common-core documents, if they have not already done so, and take into consideration reporting guidelines for the common-core document and treaty-specific documents when preparing their reports;

(d) Provide effective follow-up to the concluding observations of the treaty bodies on their reports;

(e) Disseminate effectively in their territories the full text of the concluding observations of the treaty bodies on their reports;

(f) Consider carefully the views of the treaty bodies on individual communications relating to them and to provide adequate follow-up to such views;

(g) Encourage the involvement of civil society, including non-governmental organizations and other stakeholders including national human rights institutions, in the process of preparation of reports and in follow-up;

(h) Avail themselves, where necessary, of technical assistance for the purpose of submitting their core documents or initial reports under United Nations human rights instruments;

(i) When nominating their candidates to treaty bodies, consider the principle of non-accumulation of United Nations human rights mandates at a time;

9. *Expresses its appreciation* for the technical cooperation and training activities undertaken and reiterates that a priority of the Office of the United Nations High Commissioner for Human Rights should be to provide assistance to States parties, upon their request and, if possible, in coordination with other United Nations bodies, Governments and other interested parties, in order to assist States:

(a) In the process of ratifying United Nations human rights instruments;

(b) With the implementation of their obligations under such instruments, including the preparation of their core documents and initial reports;

(c) In following up on concluding observations, inter alia, by identifying specific possibilities for technical assistance which may facilitate such follow-up;

10. *Encourages* the human rights treaty bodies to continue to identify specific possibilities for technical assistance, to be provided by the Office of the United Nations High Commissioner for Human Rights at the request of the State concerned, in the regular course of their work of reviewing the periodic reports of States parties, and encourages States parties to consider carefully the concluding observations of the treaty bodies in identifying their needs for technical assistance;

11. *Welcomes* the availability of documentation regarding the treaty bodies on the website of the Office of the United Nations High Commissioner for Human Rights, and the electronic distribution of concluding observations, general comments and views issued by the treaty bodies, and encourages the Office to continue to enhance its use of modern technologies, such as webcasts, with a view to strengthening the treaty body system and its visibility and making it more accessible to the public, including persons with disabilities, and making more efficient use of existing resources, including through harmonizing the treaty body websites and providing the option to States of submitting and receiving electronic copies of documentation rather than hard copies;

12. *Emphasizes* the need to ensure financing and adequate staff and information resources for the operations of the human rights treaty bodies, in particular in view of the additional demands placed on the system by the creation of new treaty bodies and their mandates, new reporting requirements, the increasing number of ratifications and enhanced reporting by States and, with this in mind, reiterates its request that the Secretary-General provide adequate resources in respect of each treaty body while making the most efficient use of existing resources, in order to give the human rights treaty bodies adequate administrative support and better access to technical and legal expertise and relevant information;

13. *Requests* the Secretary-General to report to the Council annually, in accordance with its programme of work, on measures taken to implement the present resolution and on obstacles to its implementation, including recommendations for further improving the effectiveness of,

harmonizing, and reforming the treaty body system, and to seek the views of States and other stakeholders in this regard;

14. *Decides* to consider this question annually in accordance with its programme of work under the same agenda item.
