



Chairs of human rights treaty bodies

10 May 2019

Dear Secretary-General,

Dear High Commissioner,

On Tuesday, 30 April 2019, the Chairs of human rights treaty bodies received a letter from the High Commissioner regarding the current financial crisis in the United Nations (UN) brought about by the failure of some member States to meet their financial obligations to the organization. In that letter, the High Commissioner explained about general cuts in expenditure, including a 25% reduction in funding for the travel of high-level experts, impacting human rights treaty body members.

The cuts resulting from these budget constraints have been distributed among the different human rights mechanisms in such a way that six treaty bodies are likely to have their third sessions of the year cancelled. We assume that there are proportionately similar cuts affecting other human rights mechanisms, e.g., the special procedures and the Universal Period Review (UPR), but we have not been informed of these.

It is disturbing that cash flow problems and travel budget lines so easily undermine the work of the treaty bodies. Unlike special procedures and UPR, the work of the human rights treaty bodies is governed not by political decision-making but by force of law, through treaties adopted by the UN General Assembly and ratified by States parties. Legal obligations regarding the oversight of compliance of their human rights commitments should not be undermined by the simple expedient of cutting budgets. The cancellation of one session will increase the backlog of reports (which has now been largely absorbed) and communications and create inconvenience to States parties and other stakeholders involved in the cancelled sessions. Even more importantly, however, the cancellation may reduce the trust in treaty bodies as credible and stable human rights mechanisms and could lead to loss of respect for State party treaty obligations, including reporting obligations.

As the Chairs of treaty bodies we do not doubt the seriousness of the current financial situation, nor the need to respond to this by taking practical measures, including through savings in expenditure. However, we believe that the treaty body system, as an independent, legally based and expert driven system focused on the oversight of fundamental human rights, is entitled to expect greater protection.

It is particularly unfortunate that such undermining happens now since, as you will be aware, in 2020 the General Assembly will review of the human rights treaty body system. The Chairs are currently finalizing visionary and innovative proposals which will significantly enhance the future effectiveness of the treaty body system. The budget cuts and their consequences will be benchmarked into that review process and thus prevent it from making a positive and constructive contribution to the future of human rights protection.



We appreciate – and hope – that the current financial problems may be temporary and the situation soon resolved. As the Chairs of treaty bodies we are, however, very concerned that the current situation may continue, or even become worse. In either case, we believe that responding to this crisis by cutting back on legally obligatory oversight of human rights commitments sets a poor example and merely encourages those States whose human rights records require critical scrutiny to continue to evade their responsibilities by cutting funding even further. We believe that a more effective – and robust – response would be to protect the integrity of the human rights treaty body system, thereby sending a clear message to States that the legal oversight of their human rights obligations will not be resiled from.

We therefore urge you, as the Secretary-General of the United Nations, and the High Commissioner for Human Rights, to do your utmost to address and try to find solutions with member States as to ensure that the oversight mechanisms established as a matter of international treaty law continue to be able to fulfil their functions undiminished, as foreseen by the General Assembly itself in Assembly resolution 68/268.

Yours sincerely,

Nouredine Amir

Chair of the Chairs of human rights treaty bodies
Chair of the Committee on the Elimination of Racial Discrimination

Danlami Basharu, Chair of the Committee on the Rights of Persons with Disabilities

Malcolm Evans, Chair of the Subcommittee on Prevention of Torture

Ahmed Amin Fathalla, Chair of the Human Rights Committee

Hilary Gbedemah, Chair of the Committee on the Elimination of Discrimination against Women

Suela Janina, Chair of the Committee on Enforced Disappearances

Jens Modvig, Chair of the Committee against Torture

Ahmadou Tall, Chair of the Committee on Migrant Workers

Renate Winter, Committee on the Rights of the Child

Renato Zerbini Ribeiro Leao, Chair of the Committee on Economic, Social and Cultural Rights