Elections for the Human Rights Treaty Bodies

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What are the international human rights treaty bodies?

- 9 treaties / 10 bodies
- 8 result of treaty and elected by SPs, 1 result of OP (to CAT – SPT), 1 ECOSOC resolution (elected by ECOSOC)
- Members are independent experts, nominated by SPs, serve in personal capacity. Number varies most 18, CAT and CED 10, CMW 14, CEDAW 23, SPT 25
- Functions: review State party reports, individual complaints, inquiries, country visits but also offering authoritative guidance through general comments.
What is the relationship between the treaty bodies and the UN?

- Independent
- OHCHR serves as secretariat supporting the committees on substantive and organisational matters.
- All treaty bodies meet in Geneva
- Budget provided by the UNGA (regular budget)
- Reporting to the GA (C.3 in October each year) / CESCR reports to ECOSOC as its functional committee
ELECTIONS

• In general: terms for 4 years and every 2 years elections for around half of the membership….but sometimes vacancies.
• CAT and OP-CAT at MoSPs in Geneva. CESC at ECOSOC regular elections (every two years, next in 2024).
• CRPD during the CoSP, organized by DESA.
• Remaining 6 – CRC, CEDAW, ICCPR (HRC) - CED, CMW, CERD stand-alone MoSPs – elections in New York, organized by OHCHR.
• JUNE = election month
NOMINATIONS

- NV sent 6 months ahead of time. 3 month window usually, deadline in April.
  - Gender and geo balance desired, no geo quota except for CESC (ECOSOC stipulated quota)
  - Expertise and high moral standing
  - Independence and impartiality (Addis Ababa Guidelines)
- Nominations deadline – administrative, not legal!!!
NOMINATIONS

- Withdrawal of candidates – possible to do up to balloting
- List of candidates on OHCHR site
- The committees with no limit on terms of membership are CERD, CMW, CAT, CESCR, HRCttee, CEDAW and CRC
  - CED, CRPD and SPT are the committees in which members can only be re-elected once
CREDENTIALS

- HoS or MFA need to sign.
- Credentials for several meetings in the same document possible (June grouping).
- Each meeting does usually adopt provisional credentials, however that could theoretically be legally challenged.
NUMBERS

- QUORUM 2/3s, meeting won’t start without.

- HIGHEST number of votes AND ABSOLUTE MAJORITY of states present and voting.
Upcoming elections

- Committee on Enforced Disappearance: 12 June (Chair WEOG)
- Committee on the Elimination of Racial Discrimination: 22 June (Chair GRULAC)
- Committee on the Rights of Migrant Workers and Members of Their Families: 27 June (Chair ASIA PACIFIC)
Questions?