



Statement by His Excellency Archbishop Ivan Jurkovič Permanent Observer of the Holy See
to the United Nations and Other International Organizations in Geneva
at the informal consultations on the process of review of the State of UN Human Rights Treaty
Body System
Harmonization and working methods
Geneva, 28 August 2020

Excellencies,

The present consultation concerns the review of the measures adopted in the UNGA resolution 68/268 and—if appropriate—may include the consideration of possible measures to further strengthen support to the treaty bodies. Therefore, the review is not about the “role and functioning” of the human rights treaty bodies, of which the particular competencies of each must be fully respected.

The Holy See suggests caution in the efforts to enhance the role of chairpersons (*cfr.* Operative Paragraph 37-39) since there is no legal basis for such an augmented role, particularly when it goes beyond purely procedural matters as set out in operative paragraph 38 of A/RES/68/268.

The Holy See also suggests that the human rights treaty bodies continue to enhance their efforts towards achieving greater efficiency, transparency, effectiveness and harmonization of their working methods, within their respective mandates, bearing in mind that these activities should fall under the provisions of the respective treaties, thus avoiding the creation of new obligations for State Parties as set out in operative paragraph 9 of A/RES/68/268.

In all matters regarding the reporting process, the specific provisions of the relevant treaty must be observed. The Holy See suggests much caution regarding the “strengthening of synergies” between the various human rights bodies as their nature and legal basis differ greatly. The recent practice whereby General Comments are co-authored by two or more treaty bodies is also a matter of concern, particularly for those States that have not ratified all the pertinent treaties. It is similarly a matter of concern when one treaty body relies upon a General Comment of another treaty body, which not all State Parties have ratified.

The legal obligation of States differ greatly since each has ratified a different number of human rights treaties. Therefore, the desire to promote synergy should not outweigh the necessity to respect the uniqueness of each legal regime nor lead to the analogous interpretations in the provisions of the treaties.

Thank you, Excellencies.