

## **Treaty Bodies under pressure: stronger together with the UPR**

Against a backdrop of significant challenges within the UN human rights system, the side event “*Treaty Bodies System in Crisis: Implications for the Human Rights Council*” held on 24 February 2026 during the 61st session of the Human Rights Council (HRC), offered a timely opportunity for reflection and dialogue. Bringing together key stakeholders, the discussions focused on how treaty bodies can remain effective, resilient and responsive to current and future challenges.

The event was organised by the Permanent Missions of the Netherlands, Costa Rica, Morocco, and Switzerland, and co-sponsored by the Permanent Missions of Australia, Finland, Germany, Iceland, Liechtenstein, and the Geneva Human Rights Hub. Invited to contribute, UPR Info used the occasion to highlight the role of the Universal Periodic Review (UPR) as a complementary mechanism supporting the work of treaty bodies.

### ***A system under pressure***

Opening the discussions, Mr. Mark Zellenrath of the Dutch Ministry of Foreign Affairs acknowledged the existence of the crisis affecting treaty bodies and the system as a whole, while calling for “optimism as a moral duty”. He stressed that these challenges go beyond financial constraints and emphasised the need for practical solutions, including better harmonisation of working methods, improved effectiveness, and ensuring a safe and inclusive environment for civil society participation.

Speaking on behalf of the host State, Mr. Christoph Spenté of the Swiss Federal Department of Foreign Affairs echoed these concerns and called for clarity and shared responsibilities. He highlighted how reduced meeting time, cancelled sessions, and delays in individual communications undermine effectiveness, accountability and predictability, with repercussions for the broader UN human rights framework. While recognising the resilience of treaty bodies, he called for a shift from analysis to implementation, with a focus on improving scheduling and enhancing follow-up.

### ***Strengthening resilience and exploring solutions***

Speakers also reflected on ways to make treaty bodies more resilient. Ms. Yvonne Donders, speaking in her personal capacity as a member of the Human Rights Committee, highlighted the impact of the crisis on the functioning of treaty bodies, including reduced resources, growing backlogs, and delays affecting individuals seeking redress, which risk undermining trust in the system. In this context, she emphasised the importance of developing solutions-oriented approaches, strengthening cooperation across mechanisms, and ensuring meaningful participation of civil society, including beyond Geneva.

Mr. Markus Schefer, a member of the Committee on the Rights of Persons with Disabilities, also expressed his views in his individual capacity. He pointed to deeper structural challenges, including limited coordination among treaty bodies, insufficient use of digital tools, the lack of cross-cutting integration of disability rights as well as barriers to participation for civil society. Drawing on regional pilot reviews in Fiji, he suggested exploring innovative approaches such as mixed panels of experts from different treaty bodies to conduct joint reviews, with a view to improving efficiency and better focusing recommendations on the most pressing issues.

### ***The UPR as a complementary mechanism to treaty bodies***

Ms. Mona M’Bikay, representing UPR Info, recalled the foundational relationship between the UPR and treaty bodies, highlighting that the 2006 General Assembly resolution establishing the UPR explicitly states it “shall complement and not duplicate the work of treaty bodies”. In practice, she explained, UPR recommendations have consistently reinforced, amplified, and supported the work of treaty bodies, contributing to a growing interaction between the two mechanisms.

She emphasised that the UPR is characterised by its universality and broad scope, as it examines all States and can address human rights issues regardless of treaty ratification. This makes it an important space to promote engagement with the international human rights system and to identify emerging issues. Importantly, linkages between the UPR and treaty bodies can be observed across all phases of the UPR cycle.

During the preparation phase, the UN Compilation Report brings together information from treaty bodies, Special Procedures, and other UN mechanisms, ensuring that treaty body findings directly inform the review. Civil society organisations (CSOs) are encouraged to reference these recommendations in their UPR submissions and advocacy strategies, allowing treaty body guidance to be amplified at the national level.

The interactive dialogue in Geneva further highlights the strong linkages between the UPR and treaty bodies. During these sessions, States under review receive recommendations that directly encourage treaty ratification and reinforce reporting obligations. According to UPR Info data, around 20% of all UPR recommendations relate to treaty ratification, demonstrating how systematically States use the mechanism to engage with international human rights instruments. Mona M'Bikay illustrated this with the example of Micronesia, which, following multiple recommendations from other States, indicated that it was actively considering ratifying the Convention against Torture. UPR recommendations are also used to remind States of their obligations, often drawing directly on treaty body findings to strengthen their implementation at the national level.

Regarding the implementation and follow-up phase, she stressed the importance of linking UPR recommendations with treaty body concluding observations, including through databases and tracking tools, to improve coherence and facilitate implementation. As UPR recommendations are often broad, treaty body guidance can help provide more precise direction. She also highlighted the growing role of the judiciary, noting that UPR recommendations increasingly address issues such as judicial independence, access to justice, and accountability, and can support legal interpretation and reasoning.

Mona M'Bikay further underlined the broader impact of the UPR in fostering national ownership. The mechanism encourages States to prioritise recommendations and develop national human rights plans, supported by indicators and inclusive processes involving civil society, national human rights institutions, and public authorities. Its regular cycle contributes to predictability, accountability, and transparency, while enabling sustained engagement across stakeholders.

Beyond implementation, UPR recommendations can also inform the interpretation of human rights treaties. When considered collectively, they can help demonstrate consistent State practice. The issue of the minimum age of marriage illustrates this dynamic: while the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) do not explicitly set 18 as the minimum age, treaty body interpretations consistently promote this standard, and nearly 2,000 UPR recommendations across cycles have reinforced it, pointing towards a widely supported emerging standard.

In conclusion, Mona M'Bikay noted the positive evolution in ratifications linked to the UPR, including the Convention against Torture and its Optional Protocol, as well as the Convention on the Rights of Persons with Disabilities. Overall, she emphasised that the UPR should be understood not as a separate process, but as a mechanism that complements and strengthens the treaty body system, helping translate recommendations into concrete action at the national level.