



New Challenges for the UN Human Rights Machinery: What Future for the UN Treaty Body System and the Human Rights Council Procedures?

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With the growth of the UN's Treaty Body System, the harmonization and the coordination of working methods between the treaty bodies has become a pressing issue. Commentators spoke of a crisis of the system: a victim of its own success. In 2002, the UN Secretary-General considered that the development of the system had increased pressure on resources of both States and the secretariat, and had implication on the ability of the States to continue to meet their reporting obligations, while the secretariat struggled to continue to provide quality service to all treaty bodies. The UN invited States to reflect on a number of reform initiatives that could help to modernize the system. The possibility of replacing the reporting obligations owed to each of the treaty bodies, with a single report, was suggested. The UN also wished that strengthening and harmonization efforts could eventually lead to a single human rights Treaty Body, which could enhance human rights protection at national level. These suggestions were largely unacceptable to States parties, but the concept itself - of having States submitting single reports to a single human rights mechanism - was tried in the new Charter-based Universal Periodic Review mechanism of the new Human Rights Council, set up in 2007. While the new procedure had little impact on the challenges to the separate Treaty Body System which continued to grow, it certainly reinvigorated calls for a better coordination between the different elements of the UN Human Rights Machinery. In 2009, Navi Pillay, the UN High Commissioner for Human Rights, gave new impetus to the discussions by addressing a renewed call on relevant stakeholders to initiate a process of reflection on ways of strengthening the Treaty Body System and, by extension, the UN Human Rights Protection System as a whole. This impressive collection of essays is a response to the High Commissioner's call, which joins initiatives by other stakeholders. The book has two parts, with one section reflecting on the Treaty Body System, and the second section on the Human Rights Council Procedures. M. Cherif Bassiouni, in April 2012, received the Wolfgang Friedmann Memorial Award which is given by the Columbia Journal of Transnational Law to a distinguished scholar or practitioner who has made outstanding contributions to the field of international law.

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