



# General Assembly

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## Seventy-sixth session

Item 75 (b) of the provisional agenda\*

**Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms**

### **Promotion of equitable geographical distribution in the membership of the human rights treaty bodies**

#### **Report of the Secretary-General\*\***

#### *Summary*

In its resolution [74/155](#), the General Assembly requested the Secretary-General to submit to it, at its seventy-sixth session, a comprehensive updated report on the promotion of equitable geographical distribution in the membership of the human rights treaty bodies. The present report, submitted in response to that request, provides information on the system for the election of treaty body members and an analysis of the membership of each treaty body, by geographical region, as at 1 January 2021.

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\* [A/76/150](#).

\* The present report was submitted after the deadline in order to reflect the most recent information.



## I. Introduction

1. In its resolution [74/155](#), the General Assembly encouraged States parties to the United Nations human rights instruments to consider and adopt concrete actions, inter alia, the possible establishment of quotas by geographical region for membership of the treaty bodies, thereby ensuring the paramount objective of equitable geographical distribution in the membership of those human rights bodies. The Assembly recommended, when considering the possible allocation of seats on each treaty body on a regional basis, the introduction of flexible procedures that encompass the following criteria:

(a) Each of the five regional groups established by the Assembly is allocated seats on each treaty body in equivalent proportion to the number of States parties to the instrument in that group;

(b) There must be provision for periodic revisions of the allocation of seats in order to reflect the relative changes in the level of treaty ratification in each regional group;

(c) Automatic periodic revisions should be envisaged in order to avoid amending the text of the instrument when the quotas are revised.

2. The General Assembly stressed that the process needed to achieve the goal of equitable geographical distribution in the membership of human rights treaty bodies could contribute to raising awareness of the importance of gender balance, the representation of the principal legal systems and the principle that the members of the treaty bodies should be elected and should serve in their personal capacity, and should be of high moral character, acknowledged impartiality and recognized competence in the field of human rights.

3. The General Assembly requested the Secretary-General, in consultation with the Office of the United Nations High Commissioner for Human Rights, to submit to the Assembly, at its seventy-sixth session, a comprehensive updated report, including information on any steps taken by States parties to the United Nations human rights instruments, at their meetings or conferences, to address the matter of equitable geographical distribution in the membership of the human rights treaty bodies, as well as concrete recommendations on the implementation of resolution [74/155](#).

4. The present report, submitted in response to that request, provides an analysis of the composition of the membership of the human rights treaty bodies as at 1 January 2021.

## II. Human rights treaty bodies

5. There are 10 international human rights treaties, including the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which provide for the creation of a committee of experts to carry out the functions delineated in the relevant treaty and, where applicable, its optional protocols. Accordingly:

(a) The Committee on the Elimination of Racial Discrimination, established under the International Convention on the Elimination of All Forms of Racial Discrimination, began work in 1970;

(b) The Human Rights Committee, established under the International Covenant on Civil and Political Rights, began work in 1977 and is invested with functions by the Covenant and its two Optional Protocols;

(c) The Committee on the Elimination of Discrimination against Women, established under the Convention on the Elimination of All Forms of Discrimination against Women, began work in 1982 and is invested with functions by the Convention and its Optional Protocol;

(d) The Committee against Torture, established under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, began work in 1987;

(e) The Committee on the Rights of the Child, which began work in 1991, oversees the implementation of the Convention on the Rights of the Child and its three Optional Protocols;

(f) The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, established under the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, began work in 2004;

(g) The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, established under the Optional Protocol to the Convention against Torture, began work in 2007;

(h) The Committee on the Rights of Persons with Disabilities, established under the Convention on the Rights of Persons with Disabilities and its Optional Protocol, which began work in 2009, is invested with functions by the Convention and its Optional Protocol;

(i) The Committee on Enforced Disappearances, established under the International Convention for the Protection of All Persons from Enforced Disappearance, began work in 2011;

(j) The International Covenant on Economic, Social and Cultural Rights does not provide for the creation of a treaty body, but gives the Economic and Social Council a general mandate to oversee the implementation of the Covenant by States parties and the specialized agencies through the consideration of reports. In 1978, the Council created the Sessional Working Group of Governmental Experts on the implementation of the Covenant to assist it in considering the reports submitted by States parties (Council decision 1978/10). The composition of the Sessional Working Group was amended by the Council in 1985 (Council resolution [1985/17](#)), and it was renamed the Committee on Economic, Social and Cultural Rights. The Committee, which is treated as a treaty body, first met in 1987. Subsequently, the Human Rights Council has called for the regularization of the Committee so that its establishment is consistent with other treaty bodies (Human Rights Council resolution 4/7). The General Assembly, in its resolution [68/268](#), paragraph 11, recommended that the Economic and Social Council consider replacing the existing procedure for the election of experts to the Committee on Economic, Social and Cultural Rights with a meeting of States parties to the International Covenant on Economic, Social and Cultural Rights, while preserving the current structure, organization and administrative arrangement of the Committee as set forth in Council resolution [1985/17](#).

### III. Election of the members of the human rights treaty bodies

6. With the exception of the Committee on Economic, Social and Cultural Rights, whose elections are governed under the provisions of Economic and Social Council resolution [1985/17](#), the elections of members of treaty bodies are governed by the provisions set out in each treaty (International Convention on the Elimination of All Forms of Racial Discrimination, article 8; International Covenant on Civil and Political

Rights, articles 28–34; Convention on the Elimination of All Forms of Discrimination against Women, article 17; Convention against Torture, article 17; Convention on the Rights of the Child, article 43; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, article 72; Optional Protocol to the Convention against Torture, articles 5–9; Convention on the Rights of Persons with Disabilities, article 34; and International Convention for the Protection of All Persons from Enforced Disappearance, article 26).

7. In accordance with those provisions, each committee is composed of independent experts, ranging in number from 10 to 25, with provisions for an expansion of the membership being included in several treaties (up to a maximum of 14 under article 72 (1)(b) of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; up to a maximum of 25 under article 5 (1) of the Optional Protocol to the Convention against Torture; and up to a maximum of 18 under article 34 (2) of the Convention on the Rights of Persons with Disabilities).

8. In order to nominate or elect a member of a treaty body, a State must be a party to the treaty concerned (with the exception of the Committee on Economic, Social and Cultural Rights, where the election process is conducted under the auspices of the Economic and Social Council). Experts are nominated and elected by States parties for fixed renewable terms of four years by secret ballot. The elections of half of the committees' members are staggered every two years to ensure a balance between continuity and change in committee composition. All elected members serve in their personal capacity. Except in the case of the Subcommittee on Prevention of Torture, the Committee on Enforced Disappearances and the Committee on the Rights of Persons with Disabilities, which allow for the renomination of members only once, the treaty bodies do not limit the number of times a member's term may be renewed. With the exception of the International Covenant on Civil and Political Rights and the Optional Protocol to the Convention against Torture, which allow for the nomination of two candidates by each State party, all treaties limit the number of nominees to one. Candidates must be nationals of the nominating State party, except in the case of the Optional Protocol to the Convention against Torture, which entitles States parties, in nominating two candidates, to nominate a candidate who is a national of another State party: before it nominates a national of another State party, the nominating State must obtain the consent of the other State party (article 6).

9. Where the Committee on Economic, Social and Cultural Rights is concerned, the Economic and Social Council, in its resolution [1985/17](#), provides that the Committee is to consist of 18 members elected by the Council by secret ballot from a list of persons nominated by States parties to the Covenant. With regard to the composition of the Committee, the resolution stipulates that due consideration must be given to equitable geographical distribution and to the representation of different forms of social and legal systems. Accordingly, 15 seats on the Committee are distributed on the basis of regional groups and 3 seats are allocated in accordance with the increase in the total number of States parties per regional group.

10. On 9 April 2014, the General Assembly adopted resolution [68/268](#) on strengthening and enhancing the effective functioning of the human rights treaty body system. In paragraph 10, the Assembly encouraged States parties to continue their efforts to nominate experts of high moral standing and recognized competence and experience in the field of human rights, in particular in the field covered by the relevant treaty, and, as appropriate, to consider adopting national policies or processes with respect to the nomination of experts as candidates for human rights treaty bodies. In paragraph 13 of the same resolution, the Assembly also encouraged States parties, in the election of treaty body experts, to give due consideration, as stipulated in the relevant human rights instruments, to equitable geographical distribution, the

representation of the different forms of civilization and the principal legal systems, balanced gender representation and the participation of experts with disabilities in the membership of the human rights treaty bodies.

## **A. Qualifications for nomination as members**

11. The qualifications expected of nominees, set out in the human rights treaties and in Economic and Social Council resolution [1985/17](#), vary. In general, members are required to be of recognized competence and of high moral standing and acknowledged impartiality. The International Covenant on Civil and Political Rights also indicates that consideration should be given to the usefulness of the participation of some persons having legal experience (article 28 (2)), while the Convention against Torture provides that, in nominating candidates, States parties should bear in mind the usefulness of nominating persons who are also members of the Human Rights Committee and who are willing to serve on the Committee against Torture (article 17 (2)). The Optional Protocol to the Convention against Torture indicates that members should have proven professional experience in the field of the administration of justice, in particular criminal law, prison or police administration, or in the various fields relevant to persons deprived of their liberty (article 5 (2)). In the case of the Committee on the Rights of Persons with Disabilities, States parties are invited to give due consideration to article 4 (3) when nominating candidates (article 34 (3)). This requires States parties to closely consult and actively involve persons with disabilities, including children with disabilities, through their representative organizations, in the development and implementation of legislation and policies to implement the Convention and other decision-making processes concerning issues relating to persons with disabilities. All treaties and Council resolution [1985/17](#) indicate that members should serve in a personal capacity.

## **B. Criteria for the election of members**

12. The treaties and Economic and Social Council resolution [1985/17](#) provide criteria for States in the election of members of treaty bodies. With regard to the question of geographical balance, while consideration must be given to equitable geographical distribution in all cases, there is no formal quota, except in the case of the Committee on Economic, Social and Cultural Rights, where Council resolution [1985/17](#) establishes a formula for ensuring balance. Additional considerations include representation of the principal legal systems (the Convention on the Elimination of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities); the different forms of social and legal systems (the Committee on Economic, Social and Cultural Rights); the different forms of civilization (the Convention on the Elimination of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities); the different forms of civilization and legal systems of the States parties (the Optional Protocol to the Convention against Torture); and legal experience (the International Covenant on Civil and Political Rights and the Convention against Torture).

13. The newer treaties contain explicit provisions relating to gender balance. Thus, in the composition of the Subcommittee on Prevention of Torture, due consideration is to be given to balanced gender representation on the basis of the principles of equality and non-discrimination (article 5 (4)). Where the Committee on the Rights of Persons with Disabilities is concerned, States parties are also required to give consideration to balanced gender representation and the participation of experts with

disabilities. The International Convention for the Protection of All Persons from Enforced Disappearance also requires due consideration to be given to balanced gender representation (article 26 (1)).

14. Allocation of membership on a regional basis applies only in the case of the Committee on Economic, Social and Cultural Rights, with Economic and Social Council resolution 1985/17 providing that 15 seats on the Committee will be distributed equally among the regional groups, while the additional 3 seats will be allocated in accordance with the increase in the total number of States parties per regional group.

### C. Replacement of members

15. All treaties contain provisions for the replacement of any members who resign or die, or for any other reason cease to carry out their functions before the end of their term. In most cases, the State party that nominated the former member appoints another expert from among its nationals to fill the vacancy for the remainder of the term, subject in certain cases to the approval of the relevant treaty body: the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child and the Committee on Migrant Workers. In the case of the Committee against Torture, this is subject to the approval of other States parties. Although replacement in such cases has no impact on the existing geographical distribution of the committee concerned, article 34 of the International Covenant on Civil and Political Rights requires that vacancies on the Human Rights Committee be filled through a new round of nominations and elections, provided that at least six months remain before the expiration of the term of the member who is being replaced. Although that may result in a change in the geographical composition of the Committee, in practice, the nationality of the member has changed only once on the occasions when members of the Committee have been replaced, and, in that case, the replacement was from the same region as that of the original member.

## IV. Regions recognized by the General Assembly

16. According to a list compiled on the basis of the practice of States in elections at the General Assembly (see annex), the current five regions as recognized by the Assembly are as follows (the figures below correspond to the current 172 treaty body experts who serve as members of 10 treaty bodies).

Table 1

#### Current composition of the regions recognized by the General Assembly

African States	48
Asia-Pacific States	29
Eastern European States	23
Latin American and Caribbean States	35
Western European and other States	37
<b>Total</b>	<b>172</b>

17. The practice of some States differs for the purposes of elections and for other functions. For example, for the purpose of elections, Turkey votes with the Western European and other States, although it is also a member of the Asia-Pacific States.

The United States of America is not a member of any regional group, but attends meetings of the Western European and other States as an observer and is considered a member of that group for electoral purposes.<sup>1</sup>

## V. Geographical distribution

18. Currently, 172 individual experts from 88 countries are serving as members of the treaty bodies. The membership of each treaty body varies, ranging from 10 to 25 (see table 2).

Table 2  
**Membership of human rights treaty bodies**

<i>Committee</i>	<i>Membership</i>
Committee on the Elimination of Racial Discrimination	18
Human Rights Committee	18
Committee on Economic, Social and Cultural Rights	18
Committee on the Elimination of Discrimination against Women	23
Committee against Torture	10
Committee on the Rights of the Child	18
Committee on Migrant Workers	14
Subcommittee on Prevention of Torture	25
Committee on the Rights of Persons with Disabilities	18
Committee on Enforced Disappearances	10
<b>Total</b>	<b>172</b>

### A. Current status of geographical distribution of membership of treaty bodies

19. With regard to the current status of the geographical distribution of the membership of the human rights treaty bodies, the African States have 48 members (28 per cent), the Western European and other States have 37 members (22 per cent), the Latin American and Caribbean States have 35 members (20 per cent), the Asia-Pacific States have 29 members (17 per cent) and the Eastern European States have 23 members (13 per cent) (see table 3.1).

20. There is a variance between the percentage of treaty ratification by regional group and the percentage of membership by regional group. As at 1 January 2021, the groups with the highest variance between the percentage of members compared with the percentage of ratification are the Western European and other States, which are overrepresented by 6 per cent, and the Asia-Pacific States, which are underrepresented by 6 per cent (see table 3.1). The data show how variance between the percentage of treaty ratification and the percentage of membership by regional group has evolved as compared with 2019. In 2019, there was an underrepresentation of 6 per cent for the Asia-Pacific States, and an overrepresentation of 4 per cent each for the Western European and other States and the Eastern European States (see table 3.2).

<sup>1</sup> [www.un.org/dgacm/en/content/regional-groups](http://www.un.org/dgacm/en/content/regional-groups).

Table 3.1  
**Geographical distribution of membership of treaty bodies as at 1 January 2021**

<i>States</i>	<i>Number of members (percentage)</i>		<i>Number of ratifications (percentage)</i>	
African	48	(28)	426	(29)
Asia-Pacific	29	(17)	340	(23)
Eastern European	23	(13)	192	(13)
Latin American and Caribbean	35	(20)	267	(18)
Western European and other	37	(22)	243	(16)
Non-member <sup>a</sup>		–	13	(1)
<b>Total</b>	<b>172</b>	<b>(100.0)</b>	<b>1481</b>	<b>(100.0)</b>

<sup>a</sup> The calculation also includes a ratification of the Convention on the Rights of Persons with Disabilities by the European Union.

Table 3.2  
**Geographical distribution of membership of treaty bodies as at 1 January 2019**

<i>States</i>	<i>Number of members (percentage)</i>		<i>Number of ratifications (percentage)</i>	
African	47	(27)	420	(29)
Asia-Pacific	29	(17)	328	(23)
Eastern European	29	(17)	192	(13)
Latin American and Caribbean	32	(19)	259	(18)
Western European and other	35	(20)	238	(16)
Non-member <sup>a</sup>		–	11	(1)
<b>Total</b>	<b>172</b>	<b>(100.0)</b>	<b>1 448</b>	<b>(100.0)</b>

<sup>a</sup> The calculation also includes a ratification of the Convention on the Rights of Persons with Disabilities by the European Union.

21. The geographical distribution of membership relative to the level of treaty ratification, when examined by Committee, varies. What is listed below, for indicative purposes for each Committee, is the group that has the highest percentage of members compared with the percentage of ratification and the group that has the lowest percentage of members, compared with the percentage of ratification (see table 4):

(a) On the Committee on the Elimination of Racial Discrimination, the African States and Western European and other States are overrepresented by 4 and 5 per cent respectively, and the Eastern European States are underrepresented by 6 per cent;

(b) On the Human Rights Committee, the Western European and other States are overrepresented by 11 per cent, and the Asia-Pacific States are underrepresented by 11 per cent;

(c) On the Committee on Economic, Social and Cultural Rights, the Latin American and Caribbean States are overrepresented by 5 per cent, and the African States are underrepresented by 8 per cent;<sup>2</sup>

(d) On the Committee on the Elimination of Discrimination against Women, the Eastern European States are overrepresented by 5 per cent and the African States are underrepresented by 6 per cent;

(e) On the Committee against Torture, the Western European and other States are overrepresented by 12 per cent and the Asia-Pacific States and African States are underrepresented by 12 and 10 per cent, respectively;

(f) On the Committee on the Rights of the Child, the African States are overrepresented by 17 per cent and the Asia-Pacific States are underrepresented by 17 per cent;

(g) On the Committee on Migrant Workers, the Eastern European States are overrepresented by 8 per cent and the Latin American and Caribbean States are underrepresented by 12 per cent;

(h) On the Subcommittee on Prevention of Torture, the Latin American and Caribbean States and the Western European and other States are both overrepresented by 3 per cent each and the African States are underrepresented by 5 per cent;

(i) On the Committee on the Rights of Persons with Disabilities, the Latin American and Caribbean States are overrepresented by 10 per cent and the Eastern European States have no representation, compared with 13 per cent of ratifications;

(j) On the Committee on Enforced Disappearances, the Western European and other States are overrepresented by 11 per cent and the Eastern European States and Latin American and Caribbean States are both underrepresented by 5 per cent.

Table 4

**Ratifications and membership of each treaty body, by region, as at 1 January 2021**

	<i>Membership</i>	<i>Ratification</i>
	<i>Number (percentage)</i>	
<b>Committee on the Elimination of Racial Discrimination<sup>a</sup></b>		
Total: membership and ratifications	18	182
African	6 (33)	53 (29)
Asia-Pacific	4 (22)	41 (22)
Eastern European	1 (7)	23 (13)
Latin American and Caribbean	3 (17)	33 (18)
Western European and other	4 (22)	30 (17)
Non-member States	–	2 (1)
<b>Human Rights Committee<sup>b</sup></b>		
Total: membership and ratifications	18	173
African	6 (33)	52 (30)
Asia-Pacific	2 (11)	37 (22)

<sup>2</sup> In the case of the Committee on Economic, Social and Cultural Rights, the Economic and Social Council, in its resolution 1985/17, provides that due consideration must be given to equitable geographical distribution and to the representation of different forms of social and legal systems. Therefore, 15 seats on the Committee are distributed based on regional groups and 3 seats are allocated in accordance with the increase in the total number of States parties per regional group.

	<i>Membership</i>	<i>Ratification</i>
	<i>Number (percentage)</i>	
Eastern European	2 (11)	23 (13)
Latin American and Caribbean	3 (17)	30 (17)
Western European and other	5 (28)	30 (17)
Non-member States	–	1 (1)
<b>Committee on Economic, Social and Cultural Rights<sup>c</sup></b>		
Total: membership and ratifications	18	171
African	4 (22)	50 (30)
Asia-Pacific	4 (22)	39 (22)
Eastern European	3 (17)	23 (14)
Latin American and Caribbean	4 (22)	30 (17)
Western European and other	3 (17)	28 (16)
Non-member States	–	1 (1)
<b>Committee on the Elimination of Discrimination against Women<sup>d</sup></b>		
Total: membership and ratifications	23	189
African	5 (22)	52 (28)
Asia-Pacific	6 (26)	50 (26)
Eastern European	4 (17)	23 (12)
Latin American and Caribbean	4 (17)	33 (18)
Western European and other	4 (17)	29 (15)
Non-member States	–	2 (1)
<b>Committee against Torture<sup>e</sup></b>		
Total: membership and ratifications	10	171
African	1 (20)	51 (30)
Asia-Pacific	1 (10)	39 (22)
Eastern Europe	3 (20)	23 (14)
Latin American and Caribbean	2 (20)	26 (15)
Western European and other	3 (30)	30 (18)
Non-member States	–	2 (1)
<b>Committee on the Rights of the Child<sup>f</sup></b>		
Total: membership and ratifications	18	196
African	8 (44)	54 (27)
Asia-Pacific	2 (11)	55 (28)
Eastern Europe	2 (11)	23 (12)
Latin American and Caribbean	3 (17)	33 (17)
Western European and other	3 (17)	29 (15)
Non-member States	–	2 (1)
<b>Committee on Migrant Workers<sup>g</sup></b>		
Total: membership and ratifications	14	56
African	6 (43)	25 (44)
Asia-Pacific	2 (14)	9 (15)
Eastern European	2 (14)	3 (6)
Latin American and Caribbean	3 (21)	18 (33)

	<i>Membership</i>	<i>Ratification</i>
	<i>Number (percentage)</i>	
Western European and other	1 (7)	1 (2)
<b>Subcommittee on Prevention of Torture<sup>h</sup></b>		
Total: membership and ratifications	25	90
African	5 (20)	23 (25)
Asia-Pacific	3 (12)	10 (11)
Eastern European	5 (20)	19 (21)
Latin American and Caribbean	5 (20)	15 (17)
Western European and other	7 (28)	22 (25)
Non-member States	–	1 (1)
<b>Committee on the Rights of Persons with Disabilities<sup>i</sup></b>		
Total: membership and ratifications	18	182
African	4 (22)	49 (27)
Asia-Pacific	5 (28)	47 (26)
Eastern European	–	23 (13)
Latin American and Caribbean	5 (28)	33 (18)
Western European and other	4 (22)	29 (16)
Non-member States	–	1 (1)
<b>Committee on Enforced Disappearances<sup>j</sup></b>		
Total: membership and ratifications	10	63
African	3 (30)	17 (29)
Asia-Pacific	1 (10)	9 (12)
Eastern European	1 (10)	9 (15)
Latin American and Caribbean	2 (20)	16 (25)
Western European and other	3 (30)	12 (19)

<sup>a</sup> Most recent election of members was held on 24 June 2021.

<sup>b</sup> Most recent election of members was held on 15 June 2020.

<sup>c</sup> Most recent election of members was held on 15 April 2020.

<sup>d</sup> Most recent election of members was held on 9 November 2020.

<sup>e</sup> Next election of members to be held in 2021.

<sup>f</sup> Most recent election of members was held on 24 November 2020.

<sup>g</sup> Most recent election of members was held on 29 June 2021.

<sup>h</sup> Most recent election of members was held on 22 October 2020.

<sup>i</sup> Most recent elections of members were held on 30 November 2020 and 11 December 2020.

<sup>j</sup> Most recent election of members was held on 14 June 2021.

## B. Current gender balance in membership of treaty bodies

22. There are 84 women, representing 49 per cent of the total membership, among the 172 treaty body members. During the previous reporting period, the percentage was 45 per cent. Further analysis of the composition of the treaty bodies, which does not take into account the membership of the Committee on the Elimination of Discrimination against Women (all of whom, except one, are women), reveals however, that only 62 of the remaining 149 treaty body members (36 per cent) are women. Other than the Committee on the Elimination of Racial Discrimination, and the Subcommittee on Prevention of Torture, the membership of the treaty bodies has a majority of men (see table 5). In terms of percentages, in the Committee on the

Elimination of Discrimination against Women, 22 of the 23 members are women, and therefore it has the highest percentage rate of gender imbalance, as 96 per cent of the members are women. In the Committee on Migrant Workers, 2 of the 14 members are women, meaning that 86 per cent are men. In the Committee on Economic, Social and Cultural Rights, 5 of the 18 members are women, meaning that 72 per cent are men. In the Committee against Torture and the Committee on Enforced Disappearances, 3 of the 10 members in each Committee are women, meaning that 70 per cent are men. In the Committee on the Rights of Persons with Disabilities, 12 of the 18 members are women (67 per cent).

23. At its seventeenth session, held from 20 March to 12 April 2017, the Committee on the Rights of Persons with Disabilities expressed concern about the lack of gender parity and called upon States parties to include women with disabilities in future elections as part of efforts to ensure gender balance. The number of women among the members has since increased, from 6 in the previous reporting period to 12 as at 1 January 2021, representing an increase from 33 per cent to 67 per cent of the membership (see table 6).

Table 5  
**Gender composition of treaty bodies as at 1 January 2021**

<i>Committee</i>	<i>Total</i>	<i>Female</i>	<i>Male</i>
		<i>Number (percentage)</i>	
Committee on the Elimination of Racial Discrimination	18	9 (50)	9 (50)
Human Rights Committee	18	7 (39)	11 (61)
Committee on Economic, Social and Cultural Rights	18	5 (28)	13 (72)
Committee on the Elimination of Discrimination against Women	23	22 (96)	1 (4)
Committee against Torture	10	3 (30)	7 (70)
Committee on the Rights of the Child	18	8 (44)	10 (56)
Committee on Migrant Workers	14	2 (14)	12 (86)
Subcommittee on Prevention of Torture	25	13 (52)	12 (48)
Committee on the Rights of Persons with Disabilities	18	12 (67)	6 (33)
Committee on Enforced Disappearances	10	3 (30)	7 (70)
<b>Total</b>	<b>172</b>	<b>84 (49)</b>	<b>88 (51)</b>

Table 6  
**Evolution of number of women per Committee as at 1 January 2021**

<i>Committee</i>	<i>Number of women</i>				
	<i>2013</i>	<i>2015</i>	<i>2017</i>	<i>2019</i>	<i>2021</i>
Committee on the Elimination of Racial Discrimination	3	4	7	8	9
Human Rights Committee	5	5	8	6	7
Committee on Economic, Social and Cultural Rights	4	3	5	6	5
Committee on the Elimination of Discrimination against Women	22	22	22	21	22
Committee against Torture	4	3	4	4	3
Committee on the Rights of the Child	11	9	9	10	8
Committee on Migrant Workers	4	3	5	2	2
Subcommittee on Prevention of Torture	8	13	12	12	13

<i>Committee</i>	<i>Number of women</i>				
	<i>2013</i>	<i>2015</i>	<i>2017</i>	<i>2019</i>	<i>2021</i>
Committee on the Rights of Persons with Disabilities	7	6	1	6	12
Committee on Enforced Disappearances	1	2	2	3	3
<b>Total</b>	<b>69</b>	<b>70</b>	<b>75</b>	<b>78</b>	<b>84</b>

## VI. Conclusions and recommendations

24. Under the international human rights treaties and optional protocol that establish the 10 treaty bodies, the modalities for the nomination and election of treaty body members are a matter for the States parties to those instruments. In respect of the Committee on Economic, Social and Cultural Rights, the nomination of candidates for election is a matter for States parties, whereas elections are a matter for the members of the Economic and Social Council, with geographical distribution being subject to Council resolution 1985/17. In that regard, and recalling the recommendation made in paragraph 11 of General Assembly resolution 68/268, the Secretary-General recommends that the Council consider replacing the existing procedure for the election of experts to the Committee with a meeting of States parties to the International Covenant on Economic, Social and Cultural Rights, while preserving the current structure, organization and administrative arrangement of the Committee, as set forth in Council resolution 1985/17.

25. The Secretary-General is concerned about the persistent imbalances in equitable geographical distribution in the membership of the human rights treaty bodies. The Secretary-General wishes to draw attention to paragraph 10 of General Assembly resolution 68/268, in which the Assembly encouraged States parties to nominate experts of high moral standing and recognized competence and experience in the field of human rights, in particular in the field covered by the relevant treaty, and, as appropriate, to consider adopting national policies or processes with respect to the nomination of experts as candidates for human rights treaty bodies. The Secretary-General also wishes to draw attention to paragraph 13 of the same resolution, in which the Assembly encouraged States parties, with regard to the election of treaty body experts, to give due consideration, as stipulated in the relevant human rights instruments, to equitable geographical distribution, the representation of the different forms of civilization and the principal legal systems, balanced gender representation and the participation of experts with disabilities in the membership of the human rights treaty bodies. In that regard, the Secretary-General strongly recommends that:

(a) States parties, individually and through meetings of States parties, step up efforts to achieve equitable geographical representation in the treaty bodies when nominating new members or re-electing existing members;

(b) States parties to the United Nations human rights instruments, including the bureau members, include the subject in the agenda of each meeting and/or conference of States parties to those instruments so as to initiate a debate on ways and means to ensure equitable geographical distribution in the membership of the human rights treaty bodies, based on previous recommendations of the former Commission on Human Rights and the Economic and Social Council and the provisions of resolution 68/268.

26. The Secretary-General notes with satisfaction that, as at 1 January 2021, the Committee on the Elimination of Racial Discrimination and the Subcommittee on Prevention of Torture have achieved full gender balance. The former is composed of 18 members, 9 women and 9 men, and the latter is composed of 25 members, 13 women and 12 men. As regards the composition of the Committee on the Rights of Persons with Disabilities, the overrepresentation of men within the Committee has been reversed to an overrepresentation of women (67 per cent). This has contributed to the improvement in the overall representation of women within the composition of the treaty bodies. However, the Secretary-General remains concerned about the gender imbalance in the membership of certain treaty bodies, in particular those committees with the highest percentage of gender imbalance, including the Committee on the Elimination of Discrimination against Women (96 per cent women), the Committee on Migrant Workers (86 per cent men), and the Committee on Economic, Social and Cultural Rights (72 per cent men). The Secretary-General strongly recommends that States parties ensure the equal representation of women and men in the human rights treaty body membership through their nomination of candidates and voting.

27. In addition, the Secretary-General recommends that States parties to the Optional Protocol to the Convention against Torture, which allows for each State party to nominate two candidates, take into consideration the principles of equitable geographical distribution and gender balance, as appropriate, in nominating candidates for election to the Subcommittee on Prevention of Torture.

28. The Secretary-General recalls his recommendation that:

it is critical to ensure that Committee experts meet the highest level of recognized competence and expertise in the field of human rights and that they be of high moral standing and independent. Due consideration must also be given to equitable geographic distribution, the representation of different forms of civilization and the principal legal systems, balanced gender representation, and the participation of experts with disabilities. National competitive selection processes for the nomination of Committee experts, and/or other independent vetting processes, would be a major step towards ensuring that nominated candidates best fulfil the highest standards of competence, expertise and independence that are necessary for the treaty bodies to best discharge their protection functions. The practice of States to present “clean slates” should be strongly discouraged in order to increase the likelihood of candidates being elected on their own merits. (A/74/643, para. 71).

29. The Secretary-General also recommends that the present report be forwarded to the Chairs of the meetings or conferences of States parties, as well as to the Economic and Social Council, for consideration at the next meetings of those forums, in particular, those organized to elect members of the treaty bodies.

## Annex

### Regions established by the General Assembly

The statistics contained in the present report were calculated on the basis of the following regions established by the General Assembly:

#### African States (54 States)

Algeria	Liberia
Angola	Libya
Benin	Madagascar
Botswana	Malawi
Burkina Faso	Mali
Burundi	Mauritania
Cabo Verde	Mauritius
Cameroon	Morocco
Central African Republic	Mozambique
Chad	Namibia
Comoros	Niger
Congo	Nigeria
Côte d'Ivoire	Rwanda
Democratic Republic of the Congo	Sao Tome and Principe
Djibouti	Senegal
Egypt	Seychelles
Equatorial Guinea	Sierra Leone
Eritrea	Somalia
Eswatini	South Africa
Ethiopia	South Sudan
Gabon	Sudan
Gambia	Togo
Ghana	Tunisia
Guinea	Uganda
Guinea-Bissau	United Republic of Tanzania
Kenya	Zambia
Lesotho	Zimbabwe

**Asia-Pacific States (54 States)**

Afghanistan	Myanmar
Bahrain	Nauru
Bangladesh	Nepal
Bhutan	Oman
Brunei Darussalam	Pakistan
Cambodia	Palau
China	Papua New Guinea
Cyprus	Philippines
Democratic People's Republic of Korea	Qatar
Fiji	Republic of Korea
India	Samoa
Indonesia	Saudi Arabia
Iran (Islamic Republic of)	Singapore
Iraq	Solomon Islands
Japan	Sri Lanka
Jordan	Syrian Arab Republic
Kazakhstan	Tajikistan
Kiribati	Thailand
Kuwait	Timor-Leste
Kyrgyzstan	Tonga
Lao People's Democratic Republic	Turkmenistan
Lebanon	Tuvalu
Malaysia	United Arab Emirates
Maldives	Uzbekistan
Marshall Islands	Vanuatu
Micronesia (Federated States of)	Viet Nam
Mongolia	Yemen <sup>1</sup>

**Eastern European States (23 States)**

Albania	Lithuania <sup>2</sup>
Armenia <sup>2</sup>	Montenegro
Azerbaijan <sup>2</sup>	North Macedonia <sup>3</sup>
Belarus	Poland
Bosnia and Herzegovina <sup>3</sup>	Republic of Moldova <sup>2</sup>
Bulgaria	Romania
Croatia <sup>3</sup>	Russian Federation <sup>2</sup>
Czechia <sup>4</sup>	Serbia <sup>3</sup>
Estonia <sup>2</sup>	Slovakia <sup>4</sup>
Georgia <sup>2</sup>	Slovenia <sup>3</sup>
Hungary	Ukraine
Latvia <sup>2</sup>	

**Latin American and Caribbean States (33 States)**

Antigua and Barbuda	Guyana
Argentina	Haiti
Bahamas	Honduras
Barbados	Jamaica
Belize	Mexico
Bolivia (Plurinational State of)	Nicaragua
Brazil	Panama
Chile	Paraguay
Colombia	Peru
Costa Rica	Saint Kitts and Nevis
Cuba	Saint Lucia
Dominica	Saint Vincent and the Grenadines
Dominican Republic	Suriname
Ecuador	Trinidad and Tobago
El Salvador	Uruguay
Grenada	Venezuela (Bolivarian Republic of)
Guatemala	

**Western European and other States (29 States)**

Andorra	Luxembourg
Australia	Malta
Austria	Monaco
Belgium	Netherlands
Canada	New Zealand
Denmark	Norway
Finland	Portugal
France	San Marino
Germany <sup>5</sup>	Spain
Greece	Sweden
Iceland	Switzerland
Ireland	Turkey
Israel	United Kingdom of Great Britain and Northern Ireland
Italy	
Liechtenstein	United States of America

**Total: 193 Member States****States parties that are not members of the United Nations**

Cook Islands<sup>6</sup>  
Holy See<sup>7</sup>  
Niue<sup>6</sup>  
State of Palestine<sup>8</sup>

## (Footnotes to the annex)

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- <sup>1</sup> On 22 May 1990, the Yemen Arab Republic and the People's Democratic Republic of Yemen merged to form the Republic of Yemen. Between 6 April 1989 and 22 May 1990, both States were parties to the International Convention on the Elimination of All Forms of Racial Discrimination, resulting in an increase in the number of States parties from the Asia-Pacific States.
- <sup>2</sup> The Russian Federation, as at 24 December 1991, maintained full responsibility for the rights and obligations of the Union of Soviet Socialist Republics under the multilateral treaties deposited with the Secretary-General. The territory that formerly constituted the Union of Soviet Socialist Republics, entirely within the Eastern European States, is now represented by the Russian Federation and 12 other independent States, 7 within the Eastern European States (Armenia, Azerbaijan, Estonia, Georgia, Latvia, Lithuania and the Republic of Moldova) and 5 within the Asia-Pacific States (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan). Belarus (as the Byelorussian Soviet Socialist Republic) and Ukraine (as the Ukrainian Soviet Socialist Republic) were each founding members of the United Nations in their own right.
- <sup>3</sup> The following States succeeded to the treaty rights and obligations with effect from the dates indicated previously undertaken by the Socialist Federal Republic of Yugoslavia: Bosnia and Herzegovina (6 March 1992), Croatia (8 October 1991), Serbia and Montenegro (27 April 1992), Slovenia (25 June 1991) and formerly, the former Yugoslav Republic of Macedonia (17 September 1991), until 11 February 2019. The Socialist Federal Republic of Yugoslavia ceased to exist upon the independence of those five successor States. With regard to North Macedonia, further to the communication dated 14 February 2019, from the Permanent Mission addressed to the Protocol and Liaison Service, the country name was changed to the Republic of North Macedonia (short form: North Macedonia) from the former name of the former Yugoslav Republic of Macedonia, effective: 14 February 2019. With regard to Serbia and Montenegro, subsequently, the National Assembly of the Republic of Montenegro adopted its declaration of independence on 3 June 2006, following the referendum on 21 May 2006, which was conducted pursuant to article 60 of the Constitutional Charter of Serbia and Montenegro. Montenegro was admitted to membership in the United Nations by General Assembly resolution 60/264 on 28 June 2006. The Republic of Serbia continued the membership of Serbia and Montenegro in the United Nations, including all organs and organizations of the United Nations system, on the basis of article 60 of the Constitutional Charter of Serbia and Montenegro, activated by the declaration of independence adopted by the National Assembly of Montenegro.
- <sup>4</sup> Czechoslovakia ceased to exist on 1 January 1993, on which date the Czech Republic and Slovakia, as successor States to the former Czechoslovakia, considered themselves bound by the multilateral treaties deposited with the Secretary-General to which Czechoslovakia was party. Both States are within the Eastern European States. Since 17 May 2016, "Czechia" has replaced "Czech Republic" as the short name used in the United Nations.
- <sup>5</sup> The German Democratic Republic acceded to the Federal Republic of Germany on 3 October 1990, resulting in one fewer State within the Eastern European States.
- <sup>6</sup> The Cook Islands and Niue are self-governing territories in free association with New Zealand. The Convention on the Elimination of All Forms of Discrimination against Women was applied by New Zealand to the Cook Islands and Niue at the time of its ratification of the Convention, on 10 January 1985. The Secretary-General, as depositary of multilateral treaties, recognized the full treaty-making capacity of the Cook Islands in 1992 and of Niue in 1994. For the purpose of the present report, both States are included with the other Pacific States in the Asia-Pacific States, notwithstanding that New Zealand is part of the Western European and other States.
- <sup>7</sup> The Holy See has observer status at the United Nations and is a party to three human rights conventions: the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture and the Convention on the Rights of the Child. It is not a member of any group of States.
- <sup>8</sup> On 29 November 2012, the General Assembly accorded Palestine non-member observer State status in the United Nations. On 2 April 2014, the State of Palestine deposited with the Secretary-General its instruments of accession to a number of international human rights treaties.
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