Emerging Design Principles for Effective Treaty Monitoring
A Comparative Analysis of International and Regional Monitoring Models
An Age Knowble Working Paper to Inform the July 2026 Session of the Open-Ended Intergovernmental Working Group on Older Person's Human Rights (IGWG)

About this Working Paper

This working paper has been prepared by Age Knowble to contribute to discussions on monitoring arrangements for a future United Nations Convention on the Human Rights of Older Persons.

The paper presents an independent comparative analysis of representative international and regional treaty monitoring models. Rather than recommending a particular institutional arrangement, it identifies recurring design principles that appear to contribute to effective monitoring, implementation and accountability across diverse monitoring systems.

The paper is intended to stimulate discussion and does not necessarily represent a final institutional position.

Executive Summary

The development of a future United Nations Convention on the Human Rights of Older Persons requires consideration not only of the substantive rights contained within the treaty, but also of the monitoring arrangements that will support its implementation and accountability.

International and regional treaty monitoring systems offer decades of experience from which lessons may be drawn. Existing arrangements include independent expert committees, peer review mechanisms, preventive monitoring systems, judicial bodies, supervisory mechanisms and regional human rights institutions. Each reflects different institutional mandates, governance arrangements and operational approaches.

Rather than asking which existing monitoring model should be adopted for a future Convention, this paper asks a different question:

What functions appear to be consistently performed by effective treaty monitoring arrangements, regardless of institutional form?

To answer this question, the paper adopts a functional comparative methodology.

Eight representative international and regional treaty monitoring models were selected and examined using a common analytical framework. The comparative analysis deliberately shifted the unit of comparison from institutional structures to monitoring functions. Five analytical domains emerged through the comparative review:

- Governance and Institutional Credibility;
- Evidence and Assessment;
- Engagement and Participation;
- Accountability and Continuous Follow-up; and
- Learning and Continuous Improvement.

These domains were subsequently synthesized into five **Emerging Design Principles for Effective Monitoring**, which were then validated against the representative monitoring models.

The comparative analysis demonstrates that no single monitoring arrangement provides a complete blueprint for future treaty monitoring. Instead, diverse monitoring models consistently perform a common set of monitoring functions that appear to contribute to effective monitoring, implementation and accountability.

Accordingly, the paper proposes the following Emerging Design Principles for Effective Monitoring:

1. Credibility and Legitimacy;
2. Evidence-Informed Assessment;
3. Meaningful Engagement and Participation;
4. Accountability and Continuous Follow-up; and
5. Learning and Continuous Improvement.

These principles do not prescribe a particular institutional model. Rather, they provide an evidence-informed framework that may assist future discussions on the design of monitoring arrangements for a Convention on the Human Rights of Older Persons while preserving flexibility regarding institutional form.

The paper concludes by identifying broader operational considerations—including proportionality, sustainability, efficiency, scalability and adaptability—as important areas for future work once discussions progress from monitoring functions to institutional design.

1. Introduction

The establishment of effective monitoring arrangements is an essential component of every international human rights treaty. Monitoring helps ensure that treaty obligations are translated into practice by supporting implementation, strengthening accountability and contributing to the progressive realization of human rights.

As discussions advance on a future United Nations Convention on the Human Rights of Older Persons, attention will inevitably turn to the institutional arrangements that will monitor implementation of the Convention. International and regional experience offers a rich body of practice from which lessons may be drawn. Existing treaty monitoring arrangements employ a wide range of institutional designs, including independent expert committees, peer review mechanisms, preventive monitoring systems, judicial bodies, supervisory mechanisms and regional human rights institutions.

At this preliminary stage of the Open-ended Intergovernmental Working Group's discussions, however, the objective is not to determine which existing monitoring model should be replicated. Each monitoring arrangement has evolved within a particular legal, institutional and political context, and no single model can simply be transferred to a future Convention on the Human Rights of Older Persons. This paper therefore adopts a different approach.

Rather than comparing institutions to identify a preferred monitoring model, it compares the functions performed by different treaty monitoring arrangements. The central proposition is that effective monitoring may be better understood through the recurring functions performed across diverse institutional settings than through the characteristics of any individual monitoring body.

Using a functional comparative methodology, the paper examines representative international and regional treaty monitoring models to identify recurring monitoring functions and to derive a set of Emerging Design Principles for Effective Monitoring. These principles are intended to provide an evidence-informed framework to support future discussions on monitoring arrangements while remaining institutionally neutral.

In doing so, the paper contributes not only to discussions on a future Convention on the Human Rights of Older Persons but also to broader thinking about the design of effective treaty monitoring arrangements.

2. Research Question
This paper addresses the following research question:

What can be learned from international and regional treaty monitoring models used to review the implementation of international treaty obligations, and what characteristics appear to contribute to effective monitoring, implementation and accountability?

The objective is not to identify the "best" treaty monitoring model or recommend a particular institutional arrangement. Rather, the objective is to identify recurring design principles that may provide an evidence-informed framework for considering future monitoring arrangements for a Convention on the Human Rights of Older Persons.

To achieve this objective, the paper adopts a functional comparative methodology that examines diverse treaty monitoring models through the monitoring functions they perform rather than through their institutional structures alone.

3. Comparative Methodology
The comparative methodology adopts an **inductive functional comparative approach**.

Many comparative studies seek to determine which institutional model is most appropriate or effective. This paper adopts a different approach. Rather than comparing institutions directly, it compares the monitoring functions performed by diverse treaty monitoring arrangements in order to identify recurring design principles associated with effective monitoring.

This methodological approach rests on three propositions.

First, no single existing treaty monitoring arrangement provides a complete blueprint for future monitoring arrangements.

Second, monitoring models that differ significantly in institutional design may nevertheless perform similar monitoring functions.

Third, recurring monitoring functions observed across diverse institutional settings may provide transferable design principles capable of informing future treaty monitoring arrangements while remaining neutral with respect to institutional form.

Accordingly, the methodology deliberately shifts the unit of analysis from institutional models to monitoring functions.

The methodology comprises five sequential analytical steps:

1. Selection of representative treaty monitoring models.
2. Comparative observation using a common analytical framework.
3. Functional comparative analysis across five analytical domains.
4. Synthesis into Emerging Design Principles for Effective Monitoring.
5. Comparative validation of the emerging design principles.

Each step builds upon the previous one, allowing the Emerging Design Principles for Effective Monitoring to emerge inductively from the comparative evidence rather than being predetermined at the outset.

Step 1 – Selection of Representative Treaty Monitoring Models
The first step established a representative comparative sample of treaty monitoring models.

Rather than attempting to review every international and regional monitoring arrangement, a purposive sample was selected to capture the diversity of approaches currently used to monitor the implementation of international treaty obligations.

The objective was not to identify examples of best practice. Rather, it was to ensure that the comparative analysis reflected a broad range of institutional designs, monitoring philosophies and implementation approaches.

Representative models were selected to capture diversity across several dimensions, including:

- independent expert review;
- peer review;
- preventive monitoring;
- judicial oversight;
- supervisory systems;
- implementation review mechanisms; and
- regional human rights monitoring.

Collectively, the selected models represent many of the principal approaches currently used to monitor the implementation of international treaty obligations.

Table 1. Representative International and Regional Treaty Monitoring Models

Treaty Monitoring Model	Primary Monitoring Approach	Comparative Value
UN Treaty Bodies	Independent expert review	Represents the principal UN treaty body model for monitoring implementation of international human rights treaties.

Treaty Monitoring Model	Primary Monitoring Approach	Comparative Value
Universal Periodic Review (UPR)	Peer review	Represents a universal State-to-State peer review mechanism reviewing implementation of human rights obligations.
Optional Protocol to the Convention against Torture (OPCAT)	Preventive monitoring	Represents a preventive monitoring model centred on regular visits, direct observation and prevention of violations.
UN Special Procedures	Independent thematic and country monitoring	Represents a flexible monitoring model addressing thematic and country-specific human rights issues through independent mandate holders.
International Labour Organization (ILO) Supervisory System	Supervisory review	Represents a long-established supervisory system combining expert review with tripartite participation.
United Nations Convention against Corruption (UNCAC) Implementation Review Mechanism	Structured peer implementation review	Represents an implementation-focused treaty review mechanism emphasizing peer learning, technical assistance and implementation support.
European Court of Human Rights	Judicial monitoring	Represents a judicial model in which binding legal judgments determine State compliance and implementation.
African Commission on Human and Peoples' Rights	Regional human rights monitoring	Represents a regional human rights monitoring system employing multiple complementary monitoring mechanisms.

Outcome

Step 1 established a representative comparative sample that provided the foundation for the subsequent comparative analysis. The selected models were then examined using a common analytical framework to develop a standardized descriptive evidence base.

Step 2 – Comparative Observation

The second step established a standardized descriptive evidence base for comparative analysis.

Before identifying similarities, differences or emerging design principles, each representative treaty monitoring model was first examined independently to understand how it operates within its own legal and institutional context. The objective at this stage was observation rather than evaluation.

Separating observation from comparative analysis was an important methodological decision. By first documenting each monitoring model using a common analytical framework, subsequent comparative analysis could be undertaken systematically rather than drawing conclusions from isolated institutional characteristics or prior assumptions.

Analytical Framework
Each representative treaty monitoring model was examined using the same analytical framework comprising six dimensions.

Analytical Dimension	Purpose
Purpose	Identifies the overall objective of the monitoring arrangement and the role it is intended to perform.
Primary Monitoring Approach	Describes the principal mechanism through which implementation is monitored (for example, expert review, peer review, judicial determination or preventive monitoring).
Operational Approach	Examines how monitoring is conducted in practice, including reporting cycles, dialogue, visits, communications, investigations or other operational processes.
Accountability Relationship	Identifies who is accountable to whom and through what mechanisms accountability is promoted or reinforced.
Implementation and Follow-up	Examines how findings, recommendations or judgments are intended to influence implementation over time, including follow-up arrangements where applicable.
Observed Monitoring Characteristics	Documents notable monitoring characteristics without drawing conclusions regarding their effectiveness or transferability.

Applying the same analytical framework to each monitoring model ensured consistency across the comparative review despite substantial differences in institutional mandates, legal authority and operational design.

Comparative Observation
Using the common analytical framework, descriptive profiles were prepared for each of the eight representative treaty monitoring models.

Each profile documented the purpose of the monitoring arrangement, its principal monitoring approach, operational processes, accountability relationships, implementation and follow-up mechanisms, and observed monitoring characteristics.

Importantly, no comparative conclusions were drawn during this stage. The analysis intentionally avoided assessing whether one monitoring model was more effective than another or identifying preferred institutional arrangements.

Instead, each monitoring model was documented on its own terms, preserving the integrity of the descriptive evidence before comparative analysis commenced.

Table 2. Comparative Observation Matrix of Representative Treaty Monitoring Models

Treaty Monitoring Model	Purpose	Primary Monitoring Approach	Operational Approach	Accountability Relationship	Implementation and Follow-up	Observed Monitoring Characteristics
UN Treaty Bodies	Monitor implementation of treaty obligations by States Parties.	Independent expert review.	Periodic State reporting, constructive dialogue, concluding observations and follow-up procedures.	States Parties are accountable to the Treaty Body for implementation of treaty obligations.	Cyclical reporting; concluding observations; follow-up procedures; subsequent reporting assesses implementation of previous recommendations.	Independent expert oversight; periodic review; multi-source evidence; constructive dialogue; public recommendations; follow-up procedures; transparency through published observations.
Universal Periodic Review (UPR)	Review the human rights performance of all UN Member States.	Peer review.	National report, UN compilation, stakeholder submissions, interactive dialogue and recommendations.	States are accountable to peer States through the Human Rights Council.	Subsequent review cycles assess implementation of accepted recommendations.	Universal participation; peer review; three-source evidence; interactive dialogue; public recommendations; cyclical implementation review.
Optional Protocol to the Convention against Torture (OPCAT)	Prevent torture and ill-treatment through regular preventive oversight.	Independent preventive monitoring.	Regular visits to places of detention, direct observation, confidential dialogue and recommendations.	States are accountable for preventing torture through international and National Preventive Mechanisms.	Repeat visits; continuous preventive engagement; monitoring of implementation of recommendations.	Independent preventive monitoring; site visits; direct observation; confidential dialogue; prevention-oriented monitoring; continuous follow-up.
UN Special Procedures	Monitor thematic or country-specific human rights situations.	Independent mandate holders.	Country visits, communications, stakeholder consultations, thematic reporting and urgent interventions.	States are publicly accountable through international scrutiny and reporting.	Follow-up communications; subsequent country engagement; continuing thematic monitoring.	Independent expertise; country visits; communications procedures; multi-source evidence; thematic monitoring; flexibility and responsiveness.
International Labour Organization (ILO)	Supervise implementation of ratified	Independent expert review	State reports; employer and worker observations;	Governments are accountable within the ILO supervisory	Continuous supervision; repeated review; escalation	Independent expert oversight; tripartite participation; continuous

Treaty Monitoring Model	Purpose	Primary Monitoring Approach	Operational Approach	Accountability Relationship	Implementation and Follow-up	Observed Monitoring Characteristics
Supervisory System	international labour conventions.	with tripartite participation.	representations; complaints; supervisory review.	system with participation of employers and workers.	procedures where necessary; technical guidance.	supervision; implementation review; technical guidance; repeated follow-up.
United Nations Convention against Corruption (UNCAC) Implementation Review Mechanism	Review implementation of the United Nations Convention against Corruption.	Structured peer implementation review.	Self-assessment; peer review; documentary analysis; dialogue; country visits where undertaken.	States are accountable through structured implementation review by peer States.	Successive review cycles; identification of implementation gaps, good practices and technical assistance needs.	Structured peer review; standardized methodology; implementation-focused assessment; technical assistance; identification of good practices; cyclical review.
European Court of Human Rights	Determine alleged violations of the European Convention on Human Rights.	Independent judicial determination.	Individual applications; judicial proceedings; binding judgments.	States are legally accountable through binding judgments of the Court.	Supervision of execution of judgments by the Committee of Ministers until implementation is achieved.	Independent judiciary; binding legal authority; judicial assessment of evidence; binding judgments; supervision of implementation.
African Commission on Human and Peoples' Rights	Promote and protect rights under the African Charter on Human and Peoples' Rights.	Multiple complementary monitoring mechanisms.	State reporting; communications; Special Rapporteurs; Working Groups; promotional and fact-finding missions.	States are accountable through regional human rights monitoring and recommendations.	Continuing engagement through reporting cycles, special mechanisms and regional dialogue.	Multiple complementary monitoring mechanisms; State reporting; communications procedures; thematic mechanisms; stakeholder engagement; principles and guidelines; continuing follow-up.

Outcome
Step 2 produced a standardized comparative evidence base comprising descriptive profiles of eight representative treaty monitoring models.

The Comparative Observation Matrix documented each monitoring model using a common analytical framework while deliberately avoiding comparative conclusions. This provided a consistent descriptive foundation for the Functional Comparative Analysis undertaken in Step 3.

Step 3 – Functional Comparative Analysis
The purpose of Step 3 was to move beyond describing individual treaty monitoring models to identifying the common monitoring functions performed across diverse institutional arrangements.

Rather than comparing institutional structures directly, the analysis compared the functions performed by representative treaty monitoring models in order to identify recurring design objectives that appear to contribute to effective monitoring, implementation and accountability.

This represented the principal methodological shift in the study.

Methodological Approach
Traditional comparative analyses frequently compare institutions to identify similarities, differences or examples of best practice.

This analysis adopted a different approach. Rather than comparing **institutions**, it compared the **monitoring functions** performed by those institutions. The analysis therefore asked:

What monitoring functions appear to be consistently performed by effective treaty monitoring arrangements, regardless of their institutional design?

By shifting the unit of analysis from institutional form to monitoring function, the methodology sought to identify transferable design objectives rather than recommend a particular institutional model.

Development of the Analytical Domains
Review of the Comparative Observation Matrix (Table 2) demonstrated that, despite considerable institutional diversity, the representative treaty monitoring models consistently addressed five common functional questions. These recurring questions became the analytical domains for the Functional Comparative Analysis.

Analytical Domain	Guiding Question
Governance and Institutional Credibility	How does each monitoring model establish legitimacy, credibility and authority?
Evidence and Assessment	How does each monitoring model determine whether implementation is occurring?
Engagement and Participation	How does each monitoring model engage States, rights holders and other relevant actors?
Accountability and Continuous Follow-up	How does each monitoring model promote accountability and sustain implementation over time?
Learning and Continuous Improvement	How does each monitoring model contribute to improved implementation beyond assessing compliance?

Collectively, these analytical domains provided a common functional framework through which all eight representative treaty monitoring models could be compared.

Analytical Process
Each analytical domain was examined using the same structured analytical process.

First, each of the eight representative treaty monitoring models was examined independently against a single analytical domain.

Second, the findings were compared across all eight models to identify recurring approaches, important institutional differences, complementary practices and distinctive monitoring mechanisms.

Third, the comparative observations were synthesized to determine the broader monitoring function served by the different institutional approaches.

Rather than identifying recurring institutional characteristics, the analysis sought to identify the common **design objective** pursued through different institutional arrangements.

For example, institutional characteristics such as independent experts, judicial independence, peer review, regional legitimacy and tripartite participation were understood not as design principles in themselves, but as different institutional approaches to achieving a broader monitoring objective—establishing credibility and legitimacy.

This distinction transformed institutional characteristics into transferable design concepts.

Table 3. Comparative Functional Analysis Matrix

Analytical Domain	Comparative Findings	Emerging Design Objective
Governance and Institutional Credibility	Credibility is established through different institutional arrangements, including independent expertise, judicial authority, peer review, regional legitimacy and established governance structures. Although institutional approaches differ, each monitoring arrangement seeks to establish confidence, legitimacy and authority appropriate to its mandate.	Monitoring arrangements should command legitimacy, credibility and confidence through governance arrangements appropriate to their mandate and functions.
Evidence and Assessment	All representative monitoring models rely upon multiple sources of information appropriate to their mandates, including State reporting, stakeholder submissions, direct observation, country visits, communications, complaints, judicial evidence and peer review. Different approaches seek to produce sufficiently reliable and balanced assessments of implementation.	Monitoring arrangements should produce reliable, balanced and sufficiently comprehensive assessments of implementation.
Engagement and Participation	Representative monitoring models engage States, rights holders and other relevant actors through different mechanisms, including constructive dialogue, consultations, communications, judicial	Monitoring arrangements should provide structured and meaningful opportunities for States, rights holders and other

Analytical Domain	Comparative Findings	Emerging Design Objective
	proceedings, peer review and tripartite participation. The form of engagement varies according to institutional mandate while supporting more informed monitoring and implementation.	relevant actors to contribute according to their respective roles.
Accountability and Continuous Follow-up	All representative monitoring models include mechanisms that revisit implementation over time through reporting cycles, follow-up procedures, supervisory review, repeat visits, implementation review or supervision of judgments. Monitoring is consistently treated as an ongoing process rather than a single assessment.	Monitoring arrangements should sustain accountability and follow-up over time rather than treating monitoring as a single event.
Learning and Continuous Improvement	Representative monitoring models generate guidance, jurisprudence, good practices, thematic standards, technical advice and institutional learning that strengthen future implementation. Monitoring therefore contributes not only to accountability but also to continuous improvement and adaptation.	Monitoring arrangements should generate and apply learning that strengthens implementation, supports adaptation and improves future practice.

Outcome
Step 3 produced a Comparative Functional Analysis Matrix that synthesized the comparative evidence into five Emerging Design Objectives.

These design objectives represent the recurring monitoring functions observed across diverse treaty monitoring arrangements and provide the analytical bridge between the Comparative Observation Matrix (Table 2) and the Emerging Design Principles for Effective Monitoring developed in Step 4.

Step 4 – Synthesis into Emerging Design Principles for Effective Treaty Monitoring
The purpose of Step 4 was to synthesize the Emerging Design Objectives identified through the Functional Comparative Analysis (Step 3) into a coherent set of Emerging Design Principles for Effective Treaty Monitoring.

Whereas the Emerging Design Objectives describe the recurring monitoring functions identified through the comparative analysis, the Emerging Design Principles articulate the broader considerations that may guide the design of future treaty monitoring arrangements, regardless of institutional form.

Accordingly, the principles do not prescribe a particular institutional model. Rather, they identify the recurring design functions that appear to contribute to effective monitoring, implementation and accountability across diverse international and regional treaty monitoring arrangements.

Synthesis
The Functional Comparative Analysis demonstrated that, despite significant differences in institutional mandates, legal authority and operational approaches, the representative treaty monitoring models consistently performed five recurring monitoring functions.

These recurring functions were synthesized into five Emerging Design Principles for Effective Treaty Monitoring.

Each principle represents a transferable design consideration derived inductively from comparative evidence rather than from any individual treaty monitoring model.

Collectively, the principles provide an evidence-informed framework for considering future treaty monitoring arrangements while remaining neutral with respect to institutional design.

Table 4. Emerging Design Principles for Effective Treaty Monitoring

Emerging Design Principle	Description
Credibility and Legitimacy	Monitoring arrangements should command legitimacy, credibility and confidence through governance arrangements appropriate to their mandate and functions.
Evidence-Informed Assessment	Monitoring arrangements should produce reliable, balanced and sufficiently comprehensive assessments of implementation based on evidence appropriate to their mandate.
Meaningful Engagement and Participation	Monitoring arrangements should provide structured and meaningful opportunities for States, rights holders and other relevant actors to contribute according to their respective roles.
Accountability and Continuous Follow-up	Monitoring arrangements should promote accountability through ongoing review, follow-up and sustained attention to implementation over time.
Learning and Continuous Improvement	Monitoring arrangements should generate and apply learning that strengthens implementation, supports adaptation and responds to evolving implementation challenges.

Outcome
Step 4 produced an evidence-informed framework comprising five Emerging Design Principles for Effective Treaty Monitoring.

Together, these principles provide a transferable framework for considering future treaty monitoring arrangements while preserving flexibility with respect to institutional design.
The principles formed the basis for the Comparative Validation undertaken in Step 5.

Step 5 – Comparative Validation
The purpose of Step 5 was to examine whether the Emerging Design Principles for Effective Treaty Monitoring accurately reflected the comparative evidence generated through the preceding stages of the analysis.
Rather than validating the principles against theory or any individual treaty monitoring model, the analysis tested them against the comparative evidence represented by the eight representative treaty monitoring models.

Method
Each Emerging Design Principle was systematically examined against the comparative evidence documented in the Comparative Observation Matrix (Table 2) and synthesized through the Comparative Functional Analysis Matrix (Table 3). The validation addressed the following question:

Does the comparative evidence demonstrate that each Emerging Design Principle is reflected across diverse treaty monitoring arrangements?

The purpose was not to determine whether one institutional model was superior to another. Rather, it was to assess whether each principle consistently explained the recurring monitoring functions observed across diverse institutional arrangements.

Table 5. Comparative Validation Matrix

Representative Treaty Monitoring Model	Credibility & Legitimacy	Evidence-Informed Assessment	Meaningful Engagement & Participation	Accountability & Continuous Follow-up	Learning & Continuous Improvement
UN Treaty Bodies	✓	✓	✓	✓	✓
Universal Periodic Review (UPR)	✓	✓	✓	✓	✓
Optional Protocol to the Convention against Torture (OPCAT)	✓	✓	✓	✓	✓
UN Special Procedures	✓	✓	✓	✓	✓
International Labour Organization (ILO) Supervisory System	✓	✓	✓	✓	✓
United Nations Convention against Corruption (UNCAC) Implementation Review Mechanism	✓	✓	✓	✓	✓
European Court of Human Rights	✓	✓	✓	✓	✓
African Commission on Human and Peoples' Rights	✓	✓	✓	✓	✓

Findings

The comparative validation demonstrated that the comparative evidence consistently supported all five Emerging Design Principles for Effective Treaty Monitoring.

Although the representative treaty monitoring models differed significantly in their legal authority, governance arrangements, operational approaches and institutional mandates, each demonstrated evidence of the five recurring monitoring functions reflected in the principles.

This finding suggests that the principles describe recurring design functions associated with effective treaty monitoring rather than the characteristics of any individual institutional model.

Outcome
Step 5 confirmed that the Emerging Design Principles for Effective Treaty Monitoring are grounded in comparative evidence drawn from diverse international and regional treaty monitoring arrangements.

The completed comparative methodology therefore provides an evidence-informed and institutionally neutral framework that may assist future discussions on the design of treaty monitoring arrangements without prescribing a particular institutional model.

4. Discussion

The comparative methodology presented in this paper was intentionally designed to move beyond identifying similarities and differences among existing treaty monitoring arrangements. Rather than seeking to determine which institutional model should be adopted for a future Convention on the Human Rights of Older Persons, the analysis examined the monitoring functions performed across diverse international and regional treaty monitoring models.

This functional comparative approach represents the principal methodological contribution of the paper. By shifting the unit of analysis from institutional structures to monitoring functions, it was possible to identify recurring design objectives and, subsequently, a set of Emerging Design Principles for Effective Treaty Monitoring that are grounded in comparative evidence rather than the characteristics of any individual monitoring model.

The comparative analysis demonstrates that effective treaty monitoring does not depend upon a single institutional arrangement. Independent expert committees, peer review mechanisms, preventive monitoring systems, supervisory mechanisms, judicial bodies and regional human rights institutions each employ different governance structures, legal authorities and operational approaches. Nevertheless, the analysis found that all eight representative models consistently perform five recurring monitoring functions that contribute to effective monitoring, implementation and accountability.

This finding has important implications for future discussions on monitoring arrangements for a Convention on the Human Rights of Older Persons. Rather than framing discussions around the selection of an existing institutional model, consideration may instead focus on how different institutional arrangements can effectively perform the five monitoring functions reflected in the Emerging Design Principles for Effective Treaty Monitoring. This shifts the discussion from institutional preference to institutional performance.

The analysis also demonstrates the value of an institutionally neutral approach. The Emerging Design Principles do not prescribe a treaty body, peer review mechanism, regional commission, court or any other institutional arrangement. Instead, they provide an evidence-informed framework against which alternative monitoring arrangements may be considered and assessed. This preserves flexibility for future negotiations while ensuring that discussions remain grounded in the recurring functions associated with effective treaty monitoring.

More broadly, the methodology developed in this paper may have relevance beyond the immediate context of a future Convention on the Human Rights of Older Persons. The functional comparative approach provides a transparent and reproducible methodology for deriving design principles from diverse institutional practice. Rather than treating institutional characteristics as ends in themselves, the methodology seeks to understand the broader functions those characteristics perform. In doing so, it offers a structured approach for comparative institutional analysis that may be applicable to other areas of international treaty implementation and monitoring.

The Emerging Design Principles for Effective Treaty Monitoring should therefore be understood as the beginning rather than the end of the design process. They establish an evidence-informed foundation for considering future monitoring arrangements while recognising that institutional design involves additional considerations that extend beyond the scope of the present analysis.

5. Future Considerations

The comparative analysis presented in this paper focused on identifying recurring design principles associated with effective treaty monitoring. It did not seek to determine the most appropriate institutional model or evaluate the practical considerations associated with implementing different monitoring arrangements.

As discussions progress from identifying monitoring functions to designing institutional arrangements, additional considerations are likely to become increasingly important. These considerations were beyond the scope of the present comparative analysis and therefore are not presented as Emerging Design Principles. Nevertheless, they represent important areas for future analysis and discussion.

Operational Sustainability

Future monitoring arrangements should be capable of operating effectively over the long term within realistic financial, institutional and human resource constraints. Sustainability will be an important consideration in ensuring that monitoring mechanisms remain credible, responsive and capable of fulfilling their mandates over time.

Efficiency and Proportionality

Monitoring arrangements should achieve meaningful oversight while making effective use of available resources. Consideration may be given to how monitoring processes can maximize impact, minimize unnecessary administrative burden and remain proportionate to the objectives they are intended to achieve.

Scalability and Adaptability

Future monitoring arrangements should be capable of adapting to changing circumstances, evolving human rights challenges and increasing demands over time. Flexibility may become an important consideration in ensuring continued effectiveness without requiring fundamental institutional redesign.

Multi-level Monitoring Ecosystems

The comparative analysis highlighted that effective implementation is rarely supported by international mechanisms alone. Future work may usefully examine how international, regional and national monitoring arrangements can operate in complementary ways, recognizing the respective contributions of treaty bodies, regional human rights systems, national implementation mechanisms, national human rights institutions, civil society and rights holders.

Digital Innovation and Data

Technological developments and evolving approaches to data collection, analysis and communication may present opportunities to strengthen treaty monitoring. Future work could explore how digital tools and data systems may improve evidence gathering, transparency, accessibility and engagement while maintaining appropriate safeguards for human rights and privacy.

Future Comparative Research

The Emerging Design Principles for Effective Treaty Monitoring provide an evidence-informed framework for considering future monitoring arrangements. A logical next stage of research would be to examine alternative institutional models against these principles while also assessing operational sustainability, efficiency, proportionality, scalability and implementation feasibility.

Taken together, these considerations suggest that the design of future treaty monitoring arrangements involves two complementary questions. The first concerns **what functions** an effective monitoring arrangement should perform. The second concerns **how** those functions can most effectively, efficiently and sustainably be delivered in practice. This paper addresses the first question. The second remains an important agenda for future work.

6. Conclusion

This paper set out to examine what can be learned from international and regional treaty monitoring models used to review the implementation of international treaty obligations, and to identify the characteristics that appear to contribute to effective monitoring, implementation and accountability.

Rather than seeking to identify a preferred institutional model, the paper adopted an inductive functional comparative methodology that deliberately shifted the unit of analysis from institutional structures to monitoring functions. Through a systematic comparison of eight representative international and regional treaty monitoring models, the analysis identified five recurring monitoring functions that were synthesized into the Emerging Design Principles for Effective Treaty Monitoring and subsequently validated against the comparative evidence.

The analysis demonstrates that effective treaty monitoring is not defined by any single institutional arrangement. Diverse monitoring models—including treaty bodies, peer review mechanisms, preventive monitoring systems, supervisory mechanisms, judicial bodies and regional human rights institutions—perform common monitoring functions through different governance structures and operational approaches. This suggests that future discussions on monitoring arrangements need not focus solely on selecting or replicating an existing institutional model. Instead, they may be better served by considering how alternative institutional arrangements can effectively deliver the core monitoring functions reflected in the Emerging Design Principles.

The Emerging Design Principles for Effective Treaty Monitoring provide an evidence-informed and institutionally neutral framework for supporting these discussions. They do not prescribe a particular monitoring mechanism, nor do they seek to limit future institutional innovation. Rather, they identify recurring design functions that appear to contribute to effective monitoring, implementation and accountability across diverse international and regional practice.

While this paper has focused on identifying the functions that effective treaty monitoring arrangements appear to perform, the practical design of future monitoring arrangements will require consideration of additional operational questions, including sustainability, efficiency, proportionality, scalability and institutional feasibility. These considerations represent an important agenda for future work and should be examined alongside the Emerging Design Principles as discussions progress from functional design to institutional design.

It is hoped that the functional comparative methodology presented in this paper, together with the Emerging Design Principles for Effective Treaty Monitoring, will provide a constructive and evidence-informed contribution to ongoing discussions within the Open-ended Intergovernmental Working Group on the Human Rights of Older Persons and support the development of monitoring arrangements that are effective, credible, adaptable and capable of promoting the implementation and accountability of a future Convention over the decades to come.