# Universal Periodic Review (UPR)
# the 3rd cycle

## 2017-2021(2022)

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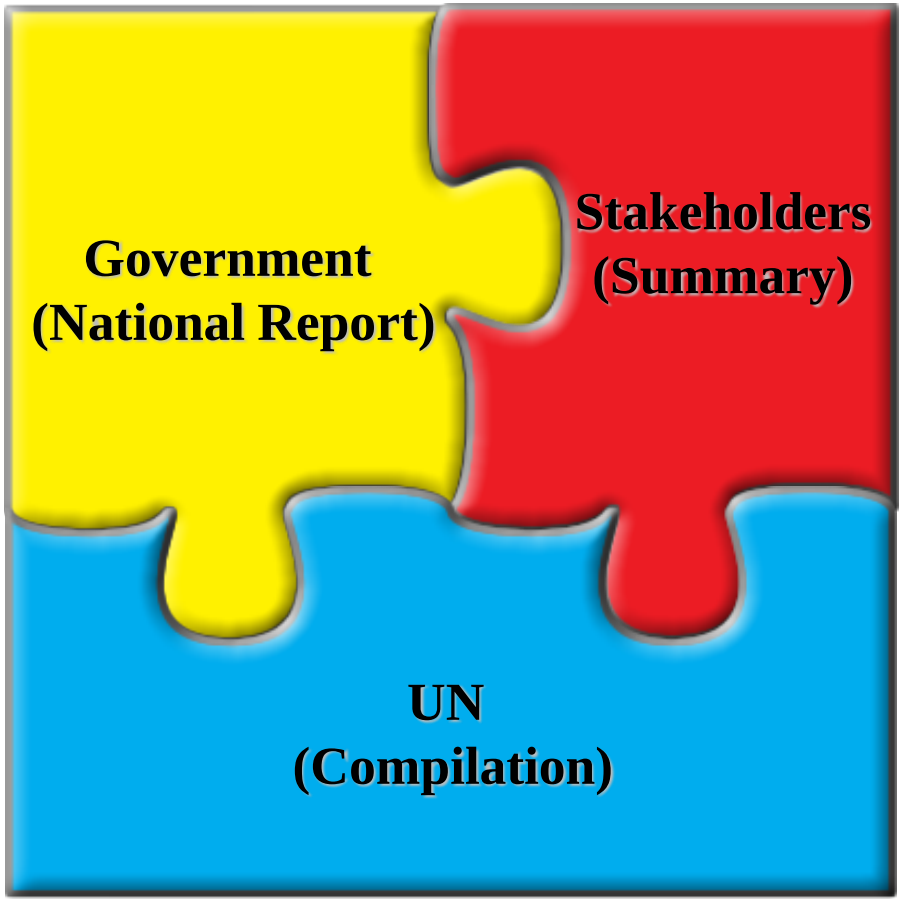
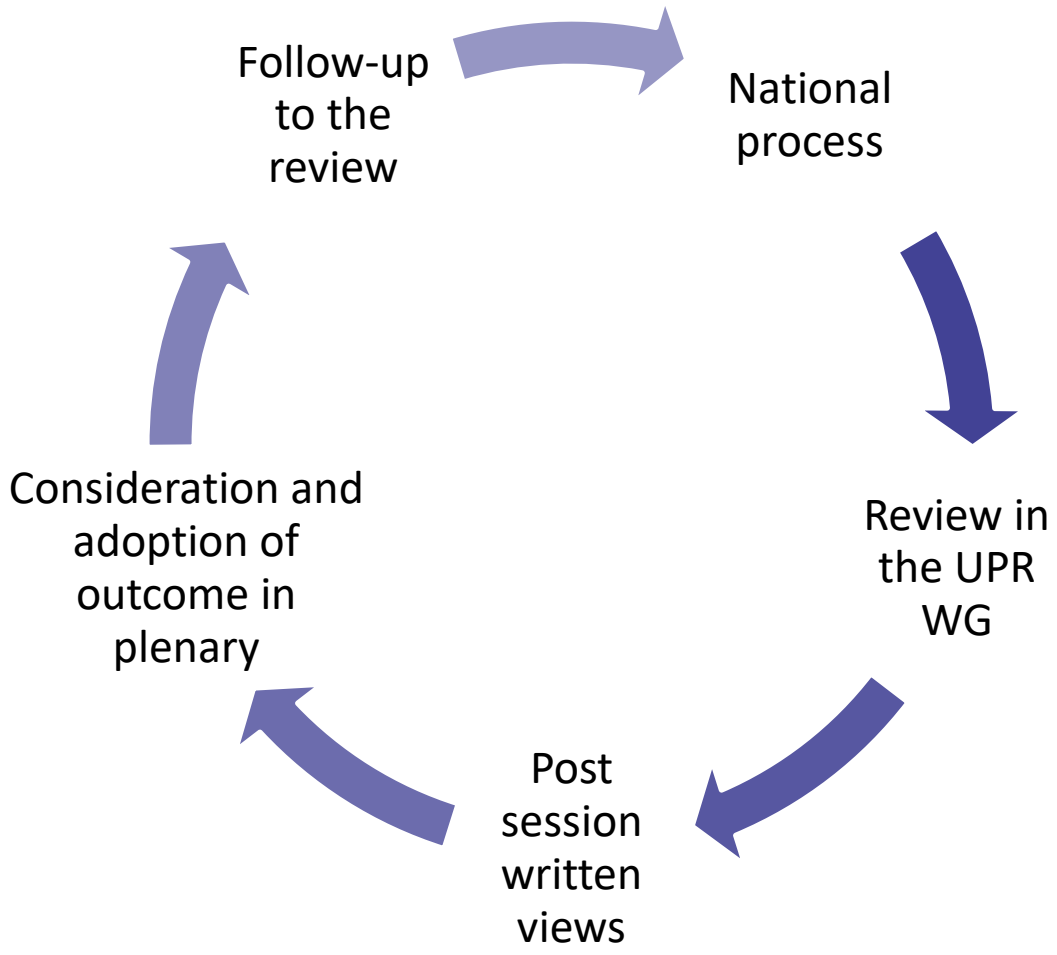
# UNIVERSAL PERIODIC REVIEW

- Created through the GA Resolution 60/251, paragraph 5.e (2006)
- Cooperative mechanism and a State-driven process which reviews the fulfillment of human rights obligations and commitments of all 193 UN Member States once every four and a half years
- Provides an opportunity for States to demonstrate actions taken to improve their human rights situation. Reminds States of their responsibility to fully respect all human rights and fundamental freedoms
- Aims at improving the human rights situation and supports States to that direction

# UNIVERSAL PERIODIC REVIEW



# UNIVERSAL PERIODIC REVIEW: CYCLE OF THE UPR



# UPR MODALITIES

*(HRC Resolutions 5/1 and 16/21 and HRC Decision 17/119)*

A) Interactive dialogue in the WG (the Review)

- Working Group: 47 member States of the HRC
- Member and Observer States participate in the review
- Stakeholders attend the review

# UPR MODALITIES

*(cnt'd)*

- The Troika facilitates the review and the preparation of the WG report, assisted by OHCHR

- 3h$^{1/2}$ for the review in the WG
  - 70 min. for the SuR
  - 140 min. for States

- 30 min. for the adoption of the WG report

# Modalities: Post-session Written Views

*(HRC PRST/9/2, GA PRST/8/1 and HRC Resolution 16/21)*

- The SuR should have taken a position on all of the recommendations received before the adoption of the outcome in plenary
  - Information to be sent to the HRC
  - In a written format (addendum)
  - Position should be clear

- SuRs have increasingly used this opportunity to communicate their position on pending recommendations, i.e. those recommendations on which the SuR did not take position in the UPR working group

# UPR MODALITIES

*(HRC Resolutions 5/1 and 16/21 and HRC Decision 17/119)*

## B) Adoption of the Outcome in the HRC Plenary

- The SuR must state its position on the recommendations
- Stakeholders and NHRIs may participate
- One hour is allocated for the adoption of the Outcome divided between SuR, States and Stakeholders:
  - 20 minutes SuR
  - 2 minutes NHRI of the SuR (A Status)
  - 20 minutes States and UN entities
  - 18 minutes Stakeholders

# The Human Rights Council Plenary
# Adoption of the Outcome

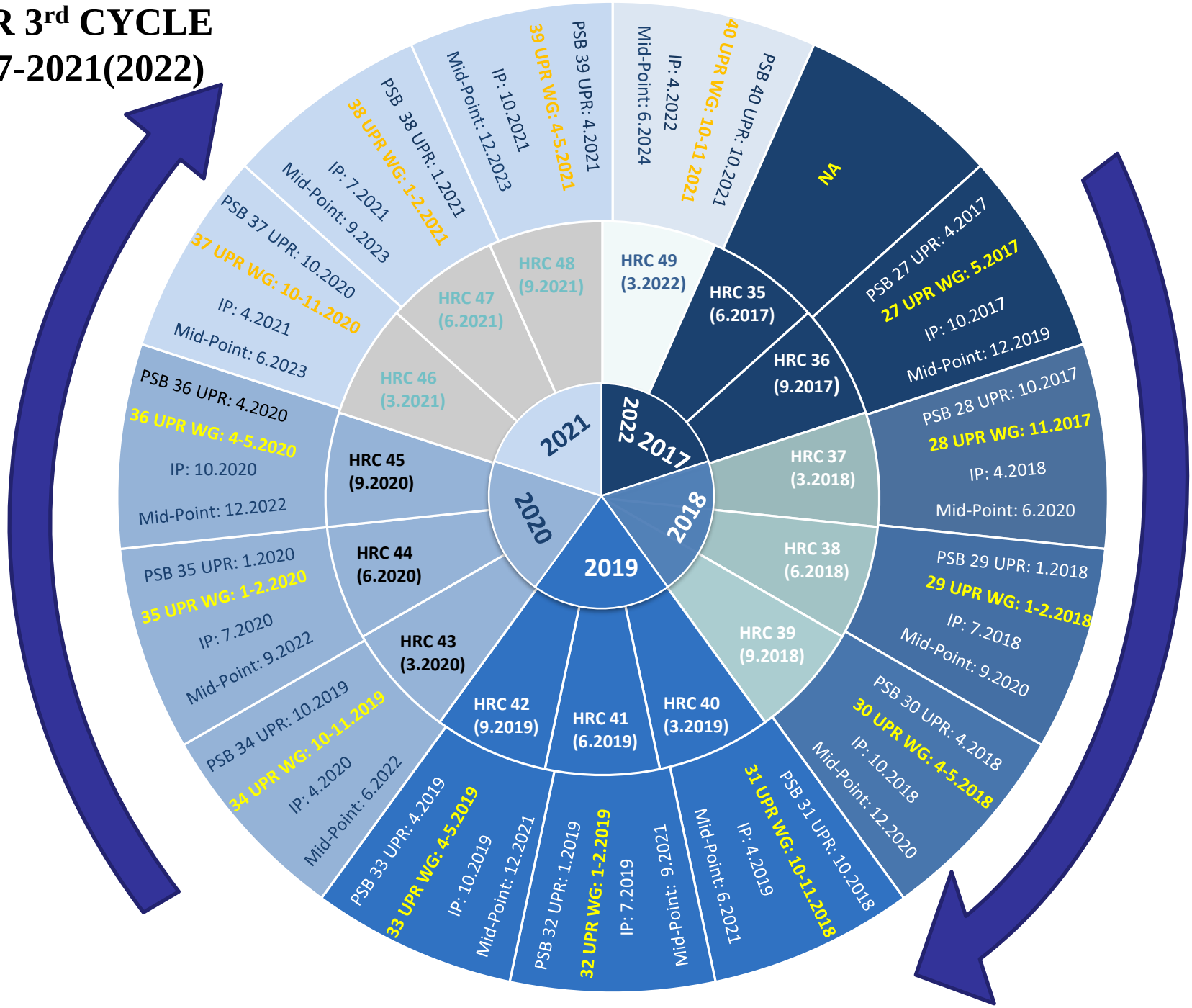
***What constitutes the Report of the HRC Plenary***

*(HRC PRST/9/2)*

- Summary of the statement made by the SuR in the plenary, before the adoption of the Outcome, and concluding remarks of the SuR
- Summary of the views expressed on the Outcome by Member and Observer States
- Summary of general comments made by other relevant Stakeholders, including the NHRI and NGOs, during the Plenary

**3,210 words per country**

# UPR 3rd CYCLE 2017-2021(2022)



**Human Rights Council Universal Periodic Review (Third Cycle)**

| | 27th session (1 12 May 2017) | 28th session (6-17 Nov 2017) | 29th session (Jan-Feb 2018) | 30th session (Apr-May 2018) | 31st session (Oct-Nov 2018) | 32nd session (Jan-Feb 2019) | 33rd session (Apr-May 2019) | 34th session (Oct-Nov 2019) | 35th session (Jan-Feb 2020) | 36th session (Apr-May 2020) | 37th session (Oct-Nov 2020) | 38th session (Jan-Feb) 2021) | 39th session (Apr-May 2021) | 40th session (Oct-Nov 2021) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| National report deadline | 3 February 2017 | 7 August 2017 | October 2017 (tentative) | February 2018 (tentative) | July 2018 (tentative) | October 2018 (tentative) | February 2019 (tentative) | July 2019 (tentative) | October 2019 (tentative) | February 2020 (tentative) | July 2020 (tentative) | October 2020 (tentative) | February 2021 (tentative) | July 2021 (tentative) |
| 1 | Bahrain | Czechia | France | Turkmenistan | Saudi Arabia | New Zealand | Norway | Italy | Kyrgyzstan | Belarus | Micronesia | Namibia | Suriname | Togo |
| 2 | Ecuador | Argentina | Tonga | Burkina Faso | Senegal | Afghanistan | Albania | El Salvador | Kiribati | Liberia | Lebanon | Niger | Greece | Syrian Arab Republic |
| 3 | Tunisia | Gabon | Romania | Cape Verde | China | Chile | Democratic Republic of the Congo | Gambia | Guinea | Malawi | Mauritania | Mozambique | Samoa | Venezuela (Bolivarian Republic of) |
| 4 | Morocco | Ghana | Mali | Colombia | Nigeria | Viet Nam | Côte d'Ivoire | Bolivia (Plurinational State of) | Lao People's Democratic Republic | Mongolia | Nauru | Estonia | Saint Vincent and the Grenadines | Iceland |
| 5 | Indonesia | Peru | Botswana | Uzbekistan | Mexico | Uruguay | Portugal | Fiji | Spain | Panama | Rwanda | Paraguay | Sudan | Zimbabwe |
| 6 | Finland | Guatemala | Bahamas | Tuvalu | Mauritius | Yemen | Bhutan | San Marino | Lesotho | Maldives | Nepal | Belgium | Hungary | Lithuania |
| 7 | United Kingdom of Great Britain and Northern Ireland | Benin | Burundi | Germany | Jordan | Vanuatu | Dominica | Kazakhstan | Kenya | Andorra | Saint Lucia | Denmark | Papua New Guinea | Uganda |
| 8 | India | Republic of Korea | Luxembourg | Djibouti | Malaysia | The former Yugoslav Republic of Macedonia | Democratic People's Republic of Korea | Angola | Armenia | Bulgaria | Oman | Palau | Tajikistan | Timor Leste |
| 9 | Brazil | Switzerland | Barbados | Canada | Central African Republic | Comoros | Brunei Darussalam | Iran (Islamic Republic of) | Guinea-Bissau | Honduras | Austria | Somalia | United Republic of Tanzania | Republic of Moldova |
| 10 | Philippines | Pakistan | Montenegro | Bangladesh | Monaco | Slovakia | Costa Rica | Madagascar | Sweden | United States of America | Myanmar | Seychelles | Antigua and Barbuda | Haiti |
| 11 | Algeria | Zambia | United Arab Emirates | Russian Federation | Belize | Eritrea | Equatorial Guinea | Iraq | Grenada | Marshall Islands | Australia | Solomon Islands | Swaziland | South Sudan |
| 12 | Poland | Japan | Israel | Azerbaijan | Chad | Cyprus | Ethiopia | Slovenia | Turkey | Croatia | Georgia | Latvia | Trinidad and Tobago | |
| 13 | Netherlands | Ukraine | Liechtenstein | Cameroon | Congo | Dominican Republic | Qatar | Egypt | Guyana | Jamaica | Saint Kitts and Nevis | Sierra Leone | Thailand | |
| 14 | South Africa | Sri Lanka | Serbia | Cuba | Malta | Cambodia | Nicaragua | Bosnia and Herzegovina | Kuwait | Libya | Sao Tome and Principe | Singapore | Ireland | |

# 3rd cycle of the UPR

**A new momentum for constructive and cooperative engagement**

*SG report A/72/351*

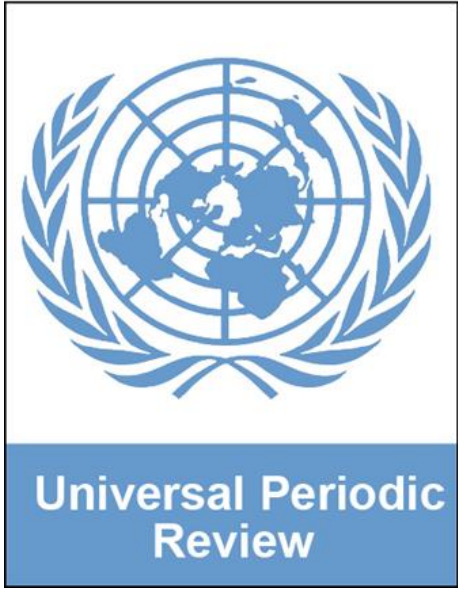
**An opportunity to strengthen the engagement with all States on the follow-up and implementation of the outcomes**

**Through cooperative efforts and sharing of best practices among States and other stakeholders**

**In order to create an environment conducive to addressing the root causes of human rights violations**

**And to provide an important basis for States to achieve greater results in both the implementation of the SDG and human rights protection at the country level**

# The UPR 3rd cycle : opportunities




- Improved quality of questions and recommendations:
  - In terms of substantive focus and detail
  - Pointing to the areas that need strengthening in order to address the root causes of human rights violations (i.e. cross-section of the critical human rights gaps at the country level)

- Active engagement of all stakeholders at the national and international levels

**Report of the Secretary-General, A/72/351 (2017):**

***"International co-operation including through human rights mechanisms and their recommendations provide an important basis for States to achieve greater results in both the implementation of the Sustainable Development Goals and human rights protection at the country level."***

# Role of Governments

- Inter-Ministerial coordination for reporting and follow-up to the UPR (NMRF)
- National Consultations with all stakeholders prior to the UPR review (Parliament, judiciary, NHRI, CSOs, the UNCT, regional human rights mechanisms, and others, such as HR defenders, academia, media)
- Preparation and submission of the National Report
- Participation during the UPR review in Geneva
- Adoption of the NHRAP and/or Recommendation Implementation Plan
- Coordination and cooperation with all stakeholders following the UPR review
- Submission of mid-term reports or yearly updates (on a voluntary basis)

# Importance of the UPR Mid-term Report

- Mid-term reports are submitted on a voluntary basis
- As of 28 January 2019, 73 countries had submitted mid-term reports
- Argentina, Armenia, Azerbaijan, Bahrain, Bulgaria, Chile, Denmark, Finland, France, Honduras, Japan, Kenya, Mauritius, Monaco, Netherlands, Poland, Portugal, Slovenia, Spain, Sweden, UK and Uruguay submitted mid-term reports following both cycles
- Mid-term reports:
  - provide further accountability
  - encourage follow-up to implementations of recommendations from the past UPR cycles
  - provide update on the status of implementation of recommendations
  - focus on concrete actions undertaken to address the human rights issues of concern
- In the 3rd UPR cycle, some MS (eg UK) have also presented a **yearly update** which is a most welcomed development

# National Mechanism for Reporting and Follow-up (NMRF)

A permanent governmental structure to:

- **Coordinate and prepare reports to and engage with** the international and regional human rights mechanisms (including the UPR, treaty bodies, and special procedures)
- **Coordinate and track national follow-up and implementation** of the treaty obligations and recommendations/decisions emanating from these mechanisms.

The national mechanism performs these functions in **coordination** with ministries, specialized State bodies (such as the national statistics office), SDG implementation focal point (agency/Ministry), Parliament and the Judiciary, as well as in **consultation** with the national human rights institution(s) and civil society.

# National Mechanisms for Reporting and Follow-up (NMRF)

An effective NMRF (standing body) should have the following four key capacities:

- Engagement capacity
- Coordination capacity
- Consultation capacity
- Information management capacity

***"NMRF have the potential to become one of the key components of the national human rights protection system, bringing international and regional human rights norms and practices directly to the national level by establishing a national coordination structure."***

*Report of the Secretary-General A/72/351*

# Benefits of an NMRF

- National coordination structure- national ownership and engagement in reporting to the UPR and other mechanisms and follow up
- Easier communication between ministries-efficient and maximum use of resources
- Systematic and rational engagement with international and regional HR mechanisms- national coherence
- Empowers ministerial focal points to communicate and explain the human rights system and its recommendations within their ministries
- Structured and formalized contacts with parliament, the judiciary, NHRI and the civil society
- Building human rights expertise in every State
- Development of Human Rights Action Plans and UPR Recommendations Implementations Plans (follow-up)

# Role of Parliaments and Judiciary

- Ensuring follow up to human rights recommendations which require national legislation and/or legislative reforms
- Participating in NMRF and contributing to the NHRAPs/RIPs
- Oversight of human rights policies and actions by Governments, especially the implementation of recommendations from human rights mechanisms, especially accepted UPR recommendations
- Increased reference to international human rights norms, jurisprudence and recommendations in court decisions
- Increasing compliance of judges, lawyers and prosecutors with the UN principles on the independence of the judiciary
- Increasing parliaments' engagement with human rights in line with A/HRC/38/25 which contains relevant draft principles (Annex)

# Role of other national stakeholders, NHRIs and NGOs

All stakeholders are encouraged to:

- Participate in the national consultations held by the State under Review
- Send information on the human rights situation in the country via the UPR database: **https://uprdoc.ohchr.org**.
- Take the floor at the Human Rights Council during the adoption of the report
- Monitor and participate in the implementation by the State under Review of the UPR recommendations

# Role of regional human rights mechanisms

- Reinforcing universal human rights standards at the regional level
- Cross-referencing of jurisprudence and other documentation with UPR recommendations
- Greater engagement in the UPR process and sharing of best practices in a continuous, consistent and systematic manner
- Mainstreaming recommendations from international human rights mechanisms in the regional human rights policies and jurisprudence
- Send information on the human rights situation in the country via the UPR database: **https://uprdoc.ohchr.org**.

# National Human Rights Action Plan (NHRAP)

- Comprehensive, nationally owned, plan, based on comprehensive base-line study
- Development involves wide consultations
- Content reflects narratives on status quo, challenges, priority thematic areas, planned programs and monitoring framework
- Limited time-frame (usually 4-5 years)
- HRM recommendations may inform priority issues and formulation of actions in the NHRAP (or any other national action plan including on SDG implementation)
- Methodology applied in elaborating a NHRAP may be applied to development of other national action plans, e.g. for plans for SDG implementation

***"A national human rights action plan offers a structured and practical approach towards strengthened human rights realization, by placing human rights improvements, as practical goals, in the context of public policy… a baseline study may also draw upon the concerns and recommendations as expressed by the human rights mechanisms, including the universal periodic review."***

*Report of the Secretary-General A/72/351*

# Recommendations Implementation Plan (RIP)

- Focused tool for use of Government entities
- Contains all HRM recommendations, thematically clustered
- Development largely an internal Government process, coordinated by the National Mechanism for Reporting and Follow-up (NMRF)
- Content reflects listings of clustered and prioritized recommendations
- Open-ended time frame (new recommendations to be integrated)
- Tracking its implementation will facilitate the periodic reporting to the HRMs
- Clustered recommendations can easily be cross-linked to SDGs to build synergies and linkages between the different follow-up and reporting for SDGs and human rights
- Useful tool for UNCTs to inform their CCA/UNDAF and interactions with the Government counterparts

*Report of the Secretary-General A/72/351*

# Letters by High Commissioner to FMs

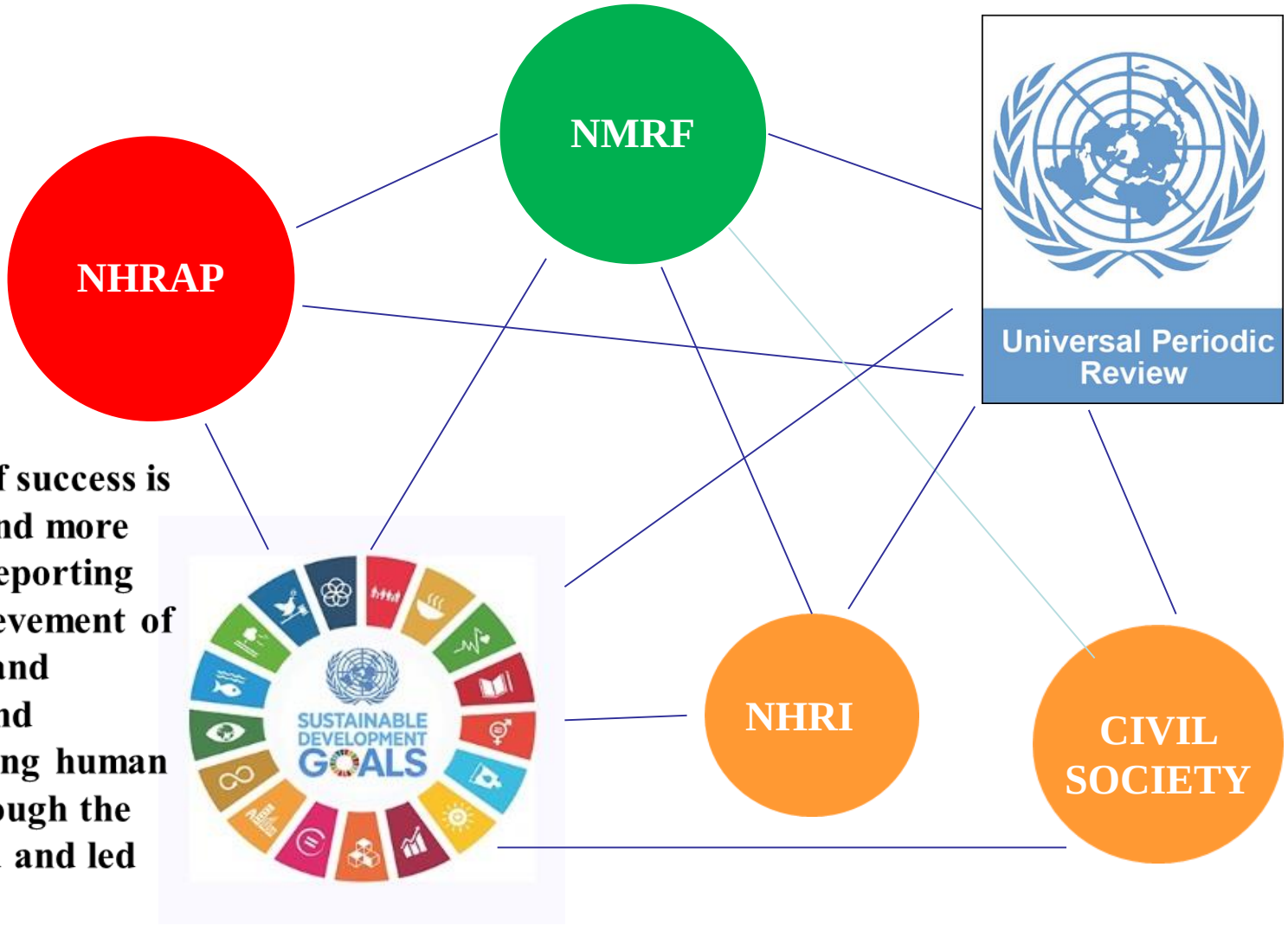
- Since the beginning of the 3rd UPR cycle, after the Adoption of the Outcome Report, the Foreign Minister (FM) of every States receives a letter from the High Commissioner for Human Rights.

- The letter is in line with the mandate of the High Commissioner for Human Rights (UN General Assembly resolution 48/141, especially operative paragraph 4 a, d, f, g, h, and i). The Annex to the letter contains areas which derive from the UPR documentation for the third cycle (National Report; the UN Compilation and Summary of Stakeholders reports); the interactive review in the UPR Working Group, the statements made during the adoption in the Human Rights Council – under item 6 – as well as available voluntary commitments and mid-term reports.
- Available at: https://www.ohchr.org/EN/HRBodies/UPR/Pages/CyclesUPR.aspx

30th UPR Working Group Session

| Country | Press releases | Letters* by the HC to the Foreign Ministers of Member States | Webcast snapshots of the adoption of the UPR outcome reports |
|---|---|---|---|
| Azerbaijan | English \| Azerbaijani | English | English |
| Bangladesh | English \| Bangla | English | English |
| Burkina Faso | English \| French | English \| French | English |
| Cabo Verde | English \| Portuguese | English | English |
| Cameroon | English | English \| French | English |
| Canada | English | English \| French | English |
| Colombia | English \| Spanish | English \| Spanish | English |

# UPR: Support to SDG implementation




**"A benchmark of success is not only better and more comprehensive reporting but also the achievement of concrete results and changes in law and practice, improving human rights for all through the nationally owned and led processes"**

*Report of the Secretary-General*
*A/72/351*

# Support to SDG implementation

Alignment with human rights standards

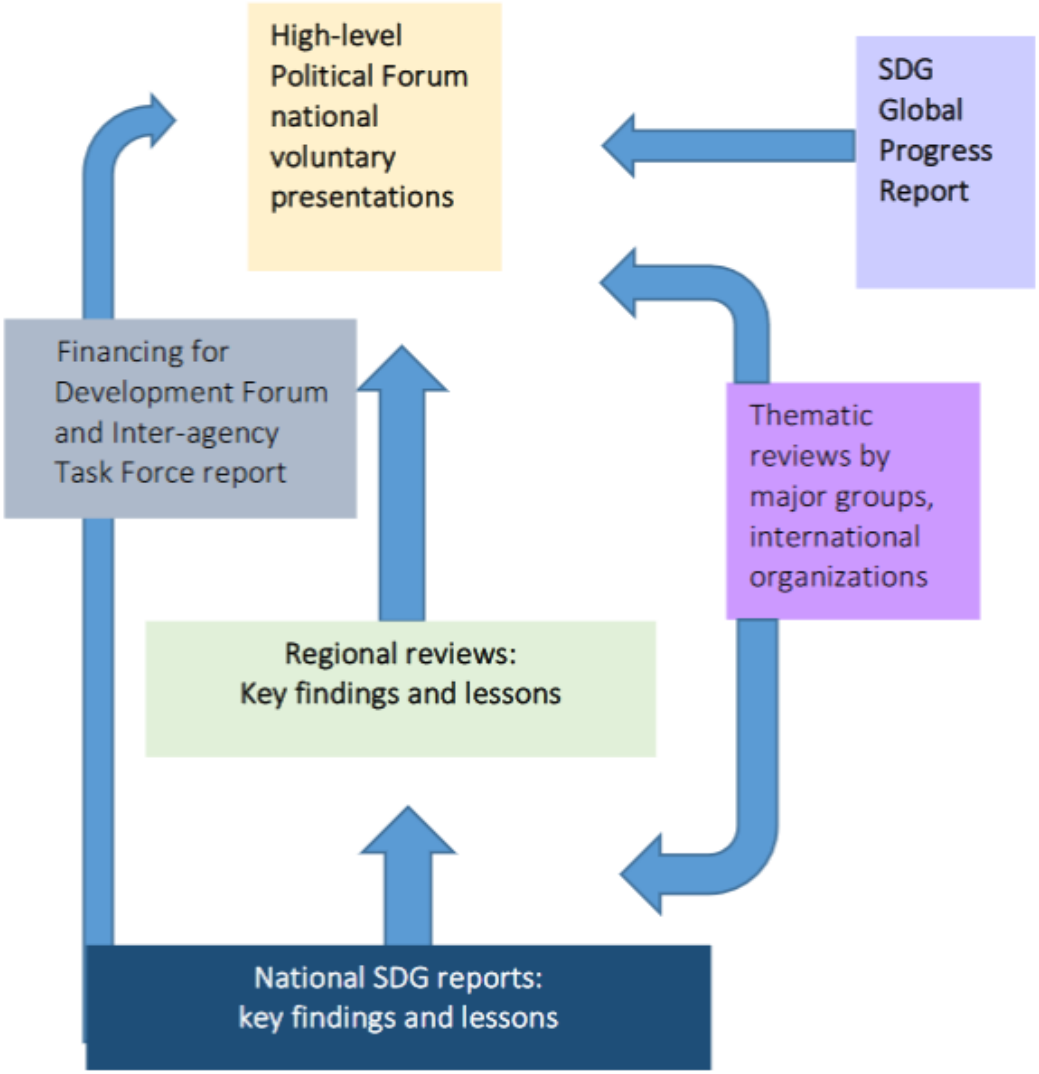
Equality and non-discrimination


Accountability

Participation

**"OHCHR's key priority is to ensure the SDGs are implemented in a manner consistent with international human rights standards."**

# High-level Political Forum on Sustainable Development



# Universal Human Rights Index

- Provides easy access to a country-specific human rights information
- Aims at raising awareness of recommendations from international human rights mechanisms and assists States in the implementation of these recommendations
- Provides information on the human rights situation worldwide, and on the legal interpretation of international human rights norms which have evolved over the past years
- Allows the clustering of all human rights recommendations received by States by SDG

# UHRI: Linking SDGs with HRM recommendations (incl. UPR)

# National Recommendations Tracking Database

- Easily access, search and identify recommendations – through a software provided by OHCHR upon request

- The Database is central to monitor Governments compliance with international treaty and convention obligations on human rights

- The Database facilitates state reporting to treaty bodies and to the UPR but also ensures the wide dissemination of these human rights recommendations to the general public for accountability

# Human Rights Indicators

- Highlight operational elements of recommendations
- Bridge recommendations with national policy framework
- Provide yardstick for measuring implementation / progress

*But it is only a tool, indicating something but not a substitute to more comprehensive and qualitative assessments*

# UN system support /OHCHR support through its field presences

- Support to Governments in establishing and strengthening standing NMRF and developing NHRAP
- Including the UPR recommendations in UN planning and programming processes, such as the UNDAF and other country level plans
- Support to Governments with UN policy advisory services and technical assistance for the UPR follow-up process
- Assistance to Governments with preparations for the UPR midterm review
- Dissemination of information on the UPR review outcomes

# OHCHR support through its field presences

## Examples

- In 2018, three regional workshops took place in Uganda, Senegal and Cabo Verde. The workshops covered a range of topics from explanation of UPR process, to implementation and monitoring of UPR recommendations and Sustainable Development Goals
- In Thailand 2017, OHCHR supported a broad consultation, including 250 human rights defenders, representatives from CSOs, and affected communities across Thailand to have draft the National Action Plan on Business and Human Rights.
- In Tunisia, OHCHR provided technical advice on the elaboration and adoption of a landmark law on eliminating violence against women and girls, in full compliance with international human rights standards.

# UPR Voluntary Trust Funds

*HRC resolutions 6/17 and 16/21*

## The Voluntary Trust Fund for Participation in the UPR Mechanism

- Funding for travel of developing States under UPR review, in particular LDCs, to Geneva
- Funding for travel of members of `troika´ from developing countries, in particular LDCs
- Training for member states in the preparation of national reports

*Request for funding should be submitted*
*six weeks prior to the UPR WG session*
*to uprstates@ohchr.org*

# UPR Voluntary Trust Funds

*HRC Resolutions 6/17 and 16/21*

**The Voluntary Trust Fund for the UPR implementation**

- A source of financial and technical assistance to help countries, especially LDCs and SIDSs, to:
  - Implement recommendations emanating from the UPR
  - Establish and/or strengthen the National Mechanism for Reporting and Follow-up (NMRF), including implementation action plan and recommendations tracking and monitoring database
- Integration of support in the wider United Nations Country Team programme on UPR, for instance in the context of the UNDAF
- Support to implementing key thematic priority recommendations, for instance, torture prevention, the right to health, etc.

*Applications can be submitted all year around*
*to hrimplementation@ohchr.org*

# The Voluntary Trust Fund for the UPR implementation

**Examples**

- In 2017, in the Republic of Moldova, OHCHR provided a training, in an effort to strengthen the national normative and institutional anti-discrimination framework, in order to align it with recommendations made in the context of the UPR and international human rights standards contained in the Convention on the Rights of Persons with Disabilities
- In the Dominican Republic, an independent assessment of the Office of the Ombudsman (*Defensor del Pueblo*) was initiated in February 2017 by OHCHR. In this regard, a number of activities were planned, including two workshops aimed at gathering relevant information and at raising awareness of Office personnel of their role and the need to comply with the Paris Principles.
- In Costa Rica, OHCHR provided technical assistance with the aim of strengthening internal management and coordination of the Inter-Institutional Commission for the Monitoring and Implementation of International Human Rights Obligations.

*Contributions earmarked for the Fund can be made by Governments, NGOs, private and public entities and individuals*

# For further information please visit

- **Universal Periodic Review:** http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx
- **National Mechanisms for Reporting and Follow-up (NMRF):** http://www.ohchr.org/_layouts/15/WopiFrame.aspx?sourcedoc=/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf&action=default&DefaultItemOpen=1
- **National Human Rights Action Plan (NHRAP):** http://www.ohchr.org/EN/Issues/PlansActions/Pages/PlansofActionIndex.aspx
- **Mid-term Report on the UPR:** http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRImplementation.aspx
- **Human Rights Indicators:** http://www.ohchr.org/EN/Issues/Indicators/Pages/HRIndicatorsIndex.aspx
- **Universal Human Rights Index:** http://uhri.ohchr.org/en/
- **Sustainable Development Goals:** http://www.un.org/sustainabledevelopment/sustainable-development-goals/
- **OHCHR field presence:** http://www.ohchr.org/EN/Countries/Pages/WorkInField.aspx
- **UPR Trust Funds:** http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRTrustFunds.aspx
- **Civil society engagment:** https://www.ohchr.org/EN/HRBodies/UPR/Pages/NgosNhris.aspx
- **Parliaments:** https://www.ohchr.org/EN/HRBodies/UPR/Pages/Parliaments.aspx

# OHCHR/CTMD/UPR BRANCH

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