



child rights connect  
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# The Universal Periodic Review

## Information for NGOs

“The Council shall... undertake a **universal periodic review, based on objective and reliable information, of the fulfillment by each State of its human rights obligations and commitments** in a manner which ensures universality of coverage and equal treatment with respect to all States; the review shall be a **cooperative mechanism**, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs; such a mechanism shall **complement and not duplicate the work of treaty bodies...**”

UN General Assembly resolution A/RES/60/251

### What is the Universal Periodic Review (UPR)?

The UPR is a United Nations review mechanism of the overall human rights situation of all UN Member States, by all UN Member States.

The UPR is a mechanism of the UN Human Rights Council (HRC). Since its inception in 2008, all UN Member States have participated in the UPR. They have all come to Geneva, Switzerland, and answered questions on their human rights record. Almost all States have accepted recommendations from other UN Member States (some States have not clearly stated whether they accepted the recommendations made to them). A State may not officially reject recommendations. It must indicate whether each recommendation enjoys the State's support and is therefore accepted or whether it is noted but not accepted

The UPR examination takes place during a 3½ hour ‘review’<sup>1</sup> conducted by the UPR Working Group – which is open to any UN Member State – in the form of an interactive dialogue. The State under review is given 70 minutes to present its report, answer questions made by other States and present concluding remarks. 140 minutes are allocated to States participating in the review to ask questions, make comments and recommendations to the State under review. They can also transmit written questions to the State under review ten working days before its UPR.<sup>2</sup>

For each review, three HRC Member States, known as the troika, are selected at random. They transmit the written questions to the State under review and help the Secretariat draft the Report of the Working Group.

NGOs cannot participate in the review but they can submit written information and recommendations beforehand.

### What is the relationship between the UPR recommendations and treaty bodies' concluding observations?

The UPR is not a stand-alone mechanism of the UN. It is based on the work of the treaty bodies and special procedures and can therefore be used to follow up their concluding observations or recommendations. The UPR can also produce additional recommendations which reflect developments at national level since the State was last examined by treaty bodies. These recommendations can be followed up by these treaty bodies.

Unlike the concluding observations of treaty bodies, when a State has formally accepted UPR recommendations, it has committed to implement them before its next review.<sup>3</sup> When the State has not clearly indicated whether it has accepted or simply noted UPR recommendations, it will nonetheless have to report on the measures it has undertaken since the last review.

<sup>1</sup> As a result of the review of the HRC's working methods in 2011, the UPR interactive dialogue has been extended to 3½ hours. This came into effect when the 2nd UPR cycle started in May 2012.

<sup>2</sup> For an overview of the UPR process, see the following overview: <http://www.upr-info.org/en/upr-process/what-is-it> and video: <http://youtu.be/rXhTAfBmhbQ>

<sup>3</sup> As a result of the review of the HRC's working methods in 2011, the UPR review cycle has been extended to four and a half years.

## Key facts about the UPR

- Every 4½ years.
- For all UN Member States.
- The review is based on three reports: 1) the State's national report (about 20 pages), 2) a compilation of UN information on the State (about 10 pages) prepared by the Office of the High Commissioner (OHCHR) and 3) a summary of other relevant stakeholders' information, including NGOs', (about 10 pages) prepared by the OHCHR.
- States receive recommendations from their peers.
- The State under review can decide to accept or note the recommendations.
- Accepted recommendations should be implemented by the next review.

## Accepting and noting recommendations: a particularity of the UPR

Given the nature of the review, a State may:

- **Accept to implement recommendations that are not contained in treaty bodies' concluding observations**

NGOs can include these UPR recommendations in their work, and refer to them in their next alternative report to treaty bodies, or include them in follow-up work related to the concluding observations.

- **Note recommendations contained in the treaty bodies' concluding observations**

NGOs can flag these to the treaty bodies and follow up directly with the State for the reasons for only noting them.

### Nature of UPR recommendations

The content of UPR recommendations is similar to treaty bodies' concluding observations, although they tend to be more general. They may therefore lack the concrete step-by-step measures often found in concluding observations.

**TIP:** NGOs can base their UPR recommendations on the treaty bodies' concluding observations or make new recommendations. The UPR can therefore be used to reinforce the implementation of these treaties. NGOs can also base their recommendations to treaty bodies on UPR recommendations.

By checking the schedules for reporting under the UPR and the different treaty bodies, NGOs will know the latest recommendations or concluding observations made to their State and will be able to refer to them when they engage with the UPR or treaty bodies. This will ensure that both mechanisms reinforce each other.

**NOTE:** There is no standard procedure for recommendations which the State considers to have already implemented or to be in the process of implementing. Most States accept these recommendations while other States note them on the grounds that they have already been implemented. If the noted recommendations were based on the treaty bodies' concluding observations, NGOs can bring them to the treaty bodies' attention, so that it can request information on the measures taken to implement these recommendations.

NGOs should therefore use any relevant concluding observations to assist the State in interpreting and implementing the UPR recommendations they accepted.

The **implementation of each accepted recommendation will be reviewed during the next UPR cycle** for each State. During the interim period, States may provide updates on the implementation of UPR recommendations under item 6 of any HRC session and send mid-term reports.<sup>4</sup>

## Who makes the UPR recommendations?

UN Member States make recommendations during the first stage of the review (corresponding to the UPR Working Group's work) and only accepted recommendations are expected to be implemented. However, noted recommendations can be used to raise public awareness and lobby the government to change their position.

## How can NGOs influence the UPR recommendations?

- **NGOs can submit a report** to ensure that their issues of concern will be included as the basis of the review.<sup>5</sup>

AND/OR

- **NGOs can conduct advocacy and lobbying activities before the review** to get other States to make their recommendations during the review.<sup>6</sup>

- **NGOs can also lobby the State to accept UPR recommendations.** A State does not have to accept or note the recommendations made by other States at the end of the review. States usually give their final say on recommendations when the outcome report is officially adopted at the HRC plenary session, which takes place a few months after the UPR session. NGOs can therefore use the interim period to lobby their State to accept their recommendations. If the State has noted NGO recommendations, or those that are in line with treaty bodies' concluding observations, before the HRC session, NGOs can lobby their State to change its position and accept them at the plenary session.

<sup>4</sup> States' mid-term reports can be found under: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRImplementation.aspx>

<sup>5</sup> To find out more, see Factsheet 2 entitled "NGO Written Submission for the UPR"

<sup>6</sup> To find out about advocacy and lobbying activities before the UPR, see Factsheet 3 entitled "NGO Advocacy in the UPR".

# Five reasons to engage in the UPR

## 1. NGOs can raise many issues under the UPR

Under the UPR, all human rights obligations of the State under review can be addressed, including:

- the UN Charter,
- the Universal Declaration of Human Rights,
- all the human rights instruments to which the State is a Party,
- the voluntary pledges and commitments made by the State, and
- applicable international humanitarian law

It is an opportunity to collaborate with other national civil society actors and to establish new partnerships.

## 2. NGO information can become part of the official documentation prepared by the UN for the review of a State and NGO recommendations can officially be made to each State

The summary of other relevant stakeholders' information, which is prepared by the OHCHR, is based on written submissions of NGOs, National Human Rights Institutions (NHRIs), human rights defenders, academic institutions, ombudspersons and regional organizations. This summary usually includes key human rights issues as well as recommendations to the State.

If NGOs make a written submission, it can become part of the summary of relevant stakeholders.

Through advocacy and lobbying, NGOs can highlight issues overlooked by the State under review and get other Member States to raise their concerns during the review, either as questions or recommendations.

## 3. It is focused and targeted

NGO submissions are limited to 2,815 words (about 5 pages) for individual submissions and 5,630 words (about 10 pages) for joint submissions.<sup>7</sup>

## 4. When a State accepts UPR recommendations, it makes a strong political commitment before all UN Member States to implement them in the following 4½ years

While it is unfortunate that States can note recommendations which are in line with their international human rights obligations, accepted recommendations reflect a strong political commitment from the State to implement them before the next review.

The UPR State delegations usually include high ranking officials with political influence, which demonstrates the States' commitment to the UPR process. The political aspect of the UPR can be an advantage, as States may take it more seriously.

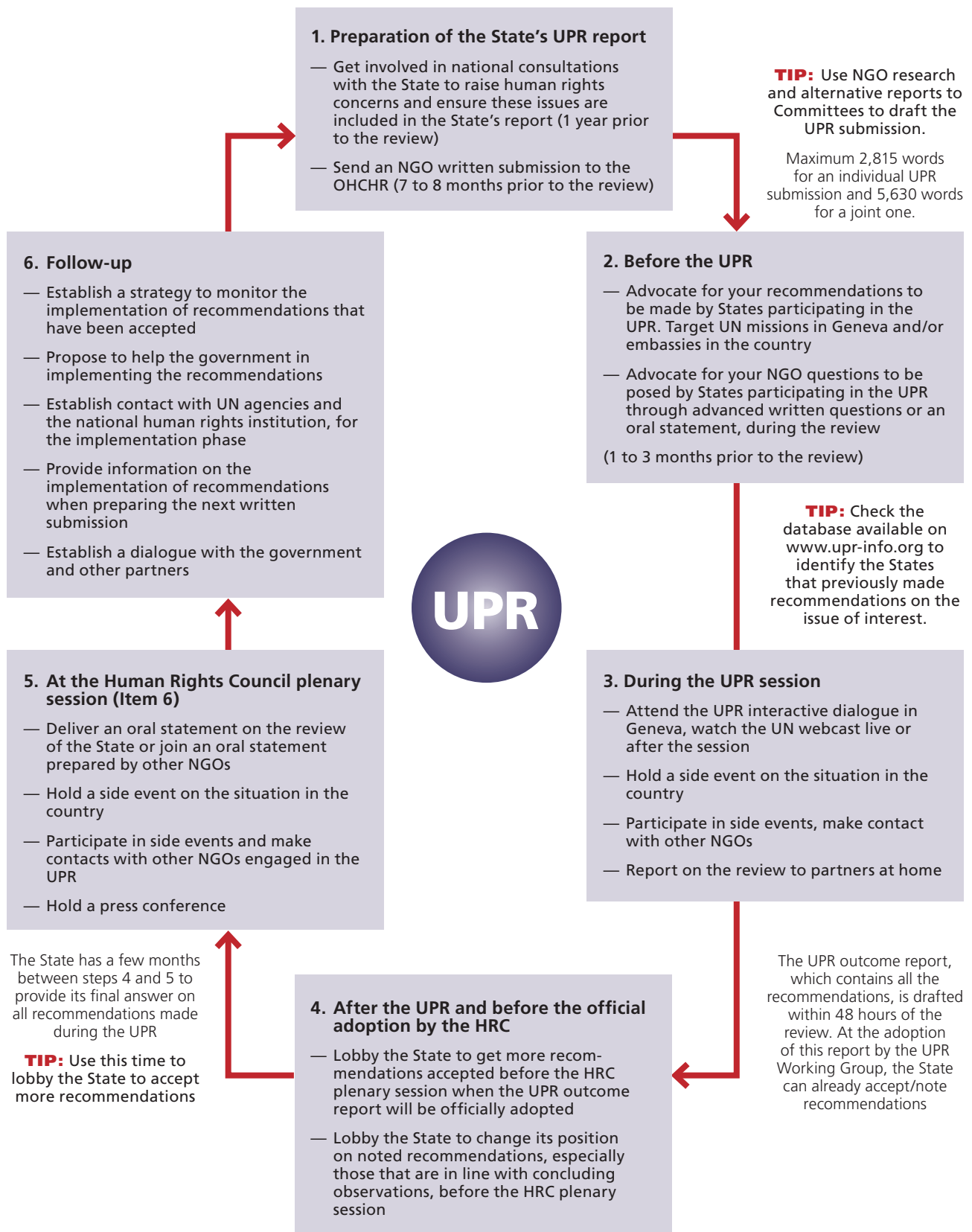
## 5. It provides a great opportunity to increase awareness about human rights issues in a country

The UPR is webcast, which makes it more accessible. In addition, it usually gets more press coverage than other human rights mechanisms.

NGOs can use UPR to increase awareness on human rights issues, as an opportunity to follow-up on treaty bodies' concluding observations (especially if similar recommendations were made under the UPR), and to exert more pressure on a

<sup>7</sup> The cover page, footnotes, endnotes and annexes will not be taken into account in the word limit and will not be included in the summary.

# How and when can you engage in the UPR?



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