



child rights connect
formerly the ngo group for the crc



NGO Advocacy in the Universal Periodic Review

Information for NGOs

The Universal Periodic Review (UPR) is a Human Rights Council (HRC) review mechanism of the overall human rights situation in each UN Member State, conducted by all UN Member States. All of them participated in the first cycle of the UPR (2008–2011) and sent representatives to Geneva, Switzerland, to answer questions on their respective human rights records.¹

What is advocacy in the UPR context?

Advocacy around the UPR refers to the activities NGOs may undertake to influence “**target States**” that have an interest in the review of a specific State to ensure that they incorporate priority issues into their questions and recommendations. It also includes the activities NGOs may undertake to encourage the **State under Review** (referred to as “**SuR**”) to address priority human rights issues in its national report (the “**SuR’s report**”), to accept the recommendations it receives during the UPR and to implement those recommendations in the next 4½ years.

Since the UPR is a state-driven process, only States can make recommendations to the SuR. States have a maximum of 2 minutes to deliver their statements.² States usually manage to raise 2 to 4 issues and make 2 to 4 recommendations during that time. It is therefore critical for NGOs to communicate key issues, questions and recommendations as concisely as possible.

¹ See Fact sheet No. 1 “The Universal Periodic Review” for more information on the UPR.

² The exact time States have to make their statement will depend on the number of States that want to take the floor during the allocated 140 minutes.

Advocacy by NGOs who have not submitted written information

NGOs who were unable to submit written information prior to the UPR, for example for fear of reprisal, can still advocate for their issues. In fact, advocacy will be their only opportunity to bring issues of concern to the attention of the States that will be making recommendations and influence the content of the UPR dialogue and outcome.

Why is advocacy important for the UPR?

As NGOs do not have a dedicated speaking time during the interactive dialogue of the UPR Working Group,³ NGO concerns and recommendations can only be voiced by States participating in the review.

1. To ensure that NGOs’ priority human rights issues are raised in the SuR’s report and during the UPR

SuRs are encouraged to prepare their report through broad national consultations, including with civil society. It is an opportunity for NGOs to feed into the State’s inputs and ensure that key concerns are addressed in this report.

³ NGOs with ECOSOC status can deliver a short oral statement only at the end of the UPR process, when the outcome report is adopted by the HRC. For more information, please see Fact Sheet No.4 “Follow-up to the Universal Periodic Review”.

States participating in the review may pick up issues and recommendations raised by NGOs in their written submissions, especially if they were included in the OHCHR Summary of Stakeholders' Information. However, given the high number of NGO submissions on a wide range of human rights issues, States are unable to include all the issues.

2. To assist States to raise the most relevant issues

State representatives who draft questions and recommendations are not always human rights experts and therefore may not be in a position to assess the priority human rights issues in each SuR. Through advocacy, NGOs can seek to ensure that recommendations made to the SuR reflect the reality faced on the ground. This is especially important when issues are inadequately covered in the SuR's report, for example because no progress has been made or these issues are not considered a priority by the State. NGOs' advocacy can serve to bridge the gap between what States report and the situation on the ground.

3. To reinforce key recommendations of other human rights bodies

Concluding observations of treaty bodies and recommendations of Special Rapporteurs are included in the OHCHR compilation of UN information. States cannot refer to all of them in their short intervention and may omit some key human rights recommendations emanating from other human rights bodies. Through advocacy, NGOs can draw attention to such recommendations, encourage States to mention them in their recommendations and reinforce the body of international recommendations on human rights.

4. To get more recommendations accepted by the SuR

After its examination, the SuR has a few months to make a final decision on whether to accept or note recommendations before the adoption of the outcome report at the HRC session. The SuR may not officially reject UPR recommendations. It must indicate whether each recommendation "enjoys the State's support" and is therefore accepted, or whether it is "noted" but not accepted. NGOs can use this time to lobby their State to accept key recommendations. This advocacy is, therefore, directed at the SuR as well as national actors that can support NGOs and influence the decision-making process.⁴

⁴ Other national actors include the embassies of States that made recommendations, parliamentarians, the National Human Rights Institution and other civil society actors.

⁵ Noting a recommendation may, for instance, result from the actual wording of the recommendation or only be a temporary position that can be reversed through dialogue and advocacy.

5. To ensure the successful implementation of accepted recommendations

During the 4 ½ years between the reviews, NGOs' advocacy can be instrumental in keeping accepted UPR recommendations on States' agenda and holding them accountable for their full implementation by the next review.

6. To maintain a dialogue on noted recommendations

During the first UPR cycle, several States took action on recommendations they had initially noted. There are many reasons why a State notes a recommendation,⁵ so on-going dialogue and advocacy should be maintained to put these recommendations on the State's agenda. It is therefore essential that NGOs keep raising issues contained in noted recommendations, as they may eventually convince the State to change its position. The possibility to note UPR recommendations does not mean that States can ignore certain human rights issues and leave them unaddressed.

How do States prepare their oral interventions for the UPR?

Each State has its own process to prepare its oral intervention. To maximise their advocacy opportunity, States advise NGOs to contact their embassies located in the SuR 3–4 months before a review and their missions in Geneva 1 month before the review.

For example, State A is interested in making recommendations to State B. If State A has an embassy in State B, the Ministry of Foreign Affairs (MFA) of State A will contact its embassy located in State B and ask for information on the human rights situation there. The MFA will then prepare a draft oral intervention and send it to its diplomatic mission in Geneva. The mission will revise the draft and send it back to the MFA, which will finalise the oral intervention and send it to its mission to be delivered during the review of State B.

What are the key characteristics of an effective advocacy strategy?

1. FOCUSED ADVOCACY

How should NGOs approach target States and phrase their recommendations?

State representatives are often very busy and follow a wide range of meetings and issues. For a successful advocacy strategy, e-mails (or phone calls) should be as short as possible and should state who you are, why you are contacting them and what you expect from them:

What do you want the SuR to do and by when?

Recommendations should aim to achieve policy change and reflect how NGOs think that the SuR could best resolve or address, in concrete terms, the issue of concern.

Drafting recommendations:

- Look at previous UPR recommendations made by the target State, to assess their word choice, e.g. they may consistently “urge” the SuR to address a particular issue and may avoid requesting “immediate action”.
- Use action-oriented language that makes recommendations measurable, e.g. a recommendation to “improve access to education” does not indicate what steps are expected, whereas calling on the SuR to “present a bill establishing free primary education” is concrete and measurable.
- Recommendations must be achievable within the 4½ years of the UPR cycle.⁶ If it will take longer to implement, recommend intermediary steps instead.

2. TARGETED ADVOCACY

How can NGOs identify target States?

The ideal States to target for advocacy should have an interest in:

- The issue being raised by NGOs
- Making recommendations to the SuR

Some steps NGOs can take using the database provided by UPR Info (see: www.upr-info.org/database) to identify which States are interested in their issues:

1. Look at the recommendations tagged under your priority issues, for example “Indigenous peoples” to see all previous recommendations and the States that made them.

⁶ For instance, if you call for immediate action on a situation impossible to address in the next 4½ years, States may not incorporate them in their oral interventions, and if they do, the SuR may not accept them.

Dear M./Ms [name of the State representative],

I represent “[name of the NGO]”, an NGO working on human rights, based in [name of the country]. We have noted the interest of [name of the target State] about the human rights situation in [name of State under review] and would like to share our information with you for the preparation of [name of State under review]’s UPR to be held in [month and year of the UPR].

I have attached our Advocacy Brief [as well as the written submission we produced for the UPR – if relevant] for your reference.

Would you be available to meet to discuss further our recommendations for [name of State under review]’s UPR [next week]/ [suggested date(s)] [from x hour to x hour]/[for one hour maximum]? If not, please let me know a convenient time for a short call.

I look forward to your response.

Best regards,

[your name, position and contact details]

2. Search the database, using key words, within the “Indigenous peoples” category and other related categories, such as “Right to land”, “International instrument”, etc.⁷
3. Look at which States made recommendations on these rights to the SuR during the last UPR to decide which States to direct your advocacy towards.⁸

There can be many reasons why a State is particularly interested in the SuR, such as being a neighbouring State or having political or economic ties. Some States have a policy of making recommendations to all SuR as a way of showing consistent engagement in the process. NGOs interested in knowing which States – or groups of States – have participated regularly in the UPR process can look at the statistics produced by UPR Info (see: <http://www.upr-info.org/database/statistics>).

What are the NGO entry points?

The ideal strategy is to approach the embassies of target States in the SuR, their diplomatic missions in

⁷ More explanation on the database can be found in UPR Info’s help guide: http://www.upr-info.org/database/files/Database_Help_Guide.pdf

⁸ States that previously made recommendations on the same – or similar – issues, may have an interest in raising them again as a follow-up to previous recommendations.

Geneva, as well as their ministry in charge of the UPR in capital. If resources are scarce, NGOs can decide to only use one or two of these entry points.

- **Embassies in the SuR:** Embassies are interested in receiving updated information on the human rights situation on the ground from national NGOs. It is the most resource-effective advocacy entry point. Input is normally highly appreciated and shared with their missions in Geneva.
- **Diplomatic missions in Geneva:** Depending on the country, they may have more or less power in deciding the issues and recommendations that will be raised in their oral intervention. They are, however, always involved in its drafting and are the best placed to indicate the key person to contact. They are best approached when no other HRC event is taking place.⁹
- **Ministries of target States (in capital):** The ultimate decision regarding the issues and recommendations often lies with the national Ministry in charge of UPR, usually the Ministry of Foreign Affairs or Ministry of Justice. NGOs can approach the diplomatic missions to get the contact details of the relevant person in the ministry.

Do NGOs need to go to the embassies or to Geneva to do their advocacy?

While face-to-face meetings are ideal, especially for sensitive issues or if there is a fear of reprisals, effective advocacy can take place without arranging meetings. State representatives usually respond well to e-mail, provided that you have targeted the right person and you follow-up with a courtesy call. UPR Info and Child Rights Connect can assist in identifying the right persons to contact in Geneva.

NGOs can also coordinate and send only one representative to meet with State representatives. If so, it will be important that this person is articulate and fluent in English.

3. COORDINATED ADVOCACY

How can NGOs make their voices stronger?

Advocacy is always more influential – and thus more likely to be successful – when it is coordinated. When NGOs work together and speak with one voice, it gives more weight and legitimacy to their concerns. This will

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not only be useful to influence the UPR outcome but also to ensure effective follow-up.

Advocacy should be coordinated both at national and international level. Many international NGOs have offices in Geneva and can often provide technical assistance to national NGOs with their UPR advocacy. Contact UPR Info for more information.

4. TIMELY ADVOCACY

When should NGOs advocate for their recommendations?

It is crucial that advocacy takes place when target States are preparing their questions and recommendations.

Check our **“Model UPR advocacy strategy for NGOs”** to have an idea of the ideal timeframe to target embassies and diplomatic missions in Geneva.

Key characteristics of an effective advocacy strategy

FOCUSED: To maximise the chance of getting one or two issues included in States’ oral interventions, NGOs need to prioritise their issues and recommendations and present them in a “workable” form, following the format States use in their statements.

TARGETED: States that already have an interest in the issues raised by NGOs will be more likely to include the suggested recommendations in oral interventions.

COORDINATED: NGOs should coordinate their advocacy efforts with partners at national and international level to increase their impact.

TIMELY: To have an impact, NGOs should aim to provide information on key issues and recommendations to State representatives when they are drafting the questions¹⁰ and recommendations for the SuR.

⁹ To check the annual calendar of HRC events, go to the HRC extranet at <https://extranet.ohchr.org/sites/hrc/PresidencyBureau/Pages/Calendar-PoW.aspx> (username = hrc extranet ; password = 1session)

¹⁰ States can also send advance written questions to the SuR ten working days before the review.

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