

Your Rights. Right Now.

**A PLAIN ENGLISH GUIDE TO
The Universal Periodic Review**

REVISED 2015



Universal Periodic Review
REVIEWING HUMAN RIGHTS IN IRELAND
Your Rights. Right Now.

Contents

Keywords	2
Introduction to the Universal Periodic Review (UPR) process	4
What benefits can the UPR bring to my work or campaign?	4
How can I contribute to Ireland's UPR?	4
What is the UN Human Rights Council?	5
Where does the UPR examination take place?	5
How often does the UPR examination happen?	5
How does the UPR process work?	5
What human rights issues are examined under the UPR?	6
Who conducts the UPR review?	6
How do UN Member States decide which issues to address in the review?	7
How does the review work?	8
What happens at the UPR Working Group session?	8
What is the Outcome Report?	9
What is the role of the UN Human Rights Council in the UPR process?	9
What happens during the four and a half years between reviews?	10
UN Human Rights Treaties ratified by Ireland	10
UN Human Rights Treaties not yet ratified by Ireland	11
Overview of Ireland's UPR examination	12
Who's working on the UPR in Ireland?	14
Some useful organisations and websites	16

Keywords

Civil Society Organisation

Civil society organisations are voluntary or social non-profit organisations working on a wide range of issues. They include NGOs (see the explanation below) but also a range of other organisations such as religious organisations, trade unions, academic groups and sports or social clubs.

Examples of civil society organisations include the Irish Congress of Trade Unions (ICTU) and the National Women's Council of Ireland (NWCi).

International Humanitarian Law

International humanitarian law is often called the 'laws of war'. The two main legal treaties in international humanitarian law are the Geneva Convention and the Hague Convention.

Non-Governmental Organisations (NGOs)

These are non-profit groups that operate independently from governments. Some are independently funded and some receive money from governments. They can be local, national or international organisations. NGOs work on a wide range of issues such as human rights, development work and conflict resolution.

The Irish Council for Civil Liberties (ICCL) is an independent non-governmental organisation and you can get more information about the ICCL on www.iccl.ie.

Universal Declaration of Human Rights

The Declaration was adopted by the United Nations General Assembly in 1948. It sets out various human rights, including the rights to life, liberty, a fair trial, the right to social security and to participation in the cultural life of one's community.

<http://www.un.org/en/documents/udhr/>

United Nations (UN)

The United Nations (UN) is an international organisation that was founded in 1945 after the Second World War. It works to maintain international peace and security, develop friendly relations among countries and promote social progress, better living standards and human rights. At present 193 countries are members. The General Assembly, the Security Council and the Economic and Social Council are all bodies of the UN.

<http://www.un.org/en/>

United Nations Charter

The United Nations Charter is the founding document of the United Nations and was signed in 1945. As a Charter it is a constituent treaty and all signatories are bound by its articles. Among other things, the Charter contains provisions on membership of the UN, powers of the bodies of the UN and UN administrative staff, known as the UN Secretariat.

<http://www.un.org/en/documents/charter>

UN Special Procedures

Special procedures are used by the UN Human Rights Council to address either specific country situations or thematic issues in all parts of the world. The Office of the High Commissioner for Human Rights supports the special procedures.

Special procedures are either an individual called a "Special Rapporteur" or a working group usually composed of five members. Depending on the special procedure, they can carry out country visits to investigate the situation of human rights, respond to individual complaints, conduct studies, provide advice on technical cooperation at the country level and engage in general promotional activities.

<http://www2.ohchr.org/english/bodies/chr/>

UN Treaty Bodies

There are nine core international human rights treaties and some of these set up treaty bodies to monitor their implementation. There are ten human rights treaty bodies. Treaty bodies are committees of independent experts that monitor how the core international human rights treaties are implemented. The treaty bodies are supported by the Office of the High Commissioner for Human Rights.

<http://www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx>

Office of the High Commissioner for Human Rights

The High Commissioner for Human Rights is the principal human rights official of the United Nations. The High Commissioner heads the Office of the High Commissioner for Human Rights (OHCHR) and leads the work of the United Nations on human rights. The OHCHR is a part of the United Nations Secretariat with headquarters in Geneva. The OHCHR has offices in various countries and regions and works to get human rights standards implemented. The OHCHR supports the work of the UN treaty bodies and the UN Human Rights Council.

<http://www.ohchr.org/EN/Pages/WelcomePage.aspx>

Introduction to the Universal Periodic Review (UPR) process

The Universal Periodic Review or UPR is a human rights monitoring mechanism created by the United Nations (UN) in 2006. Under the UPR, other UN countries review each other's human rights record. This takes place at the UN Human Rights Council. The UPR aims to improve the human rights situation in each of the 193 countries within the UN. The UPR allows states to directly examine each other on their human rights record.

In 2016, Ireland will be examined for the second time under UPR. Other UN countries will ask for updates on the implementation of previous UPR recommendations and new issues can be raised too. See www.rightsnow.ie for recommendations made to Ireland under the first UPR.

Civil society has the opportunity to contribute to Ireland's examination by providing evidence to the UN about the situation on the ground. We can use the UPR to highlight the gaps in human rights protection within Ireland. We can also use the examination to promote awareness of international human rights standards in Ireland.

What benefits can the UPR bring to my work or campaign?

The result of the UPR examination will be a list of recommendations made by other countries on how to improve the human rights situation in Ireland. You can use these recommendations

to call for changes in Irish law or policy where current practice is not in line with the recommendations.

The UPR is an important political process for countries because they are examined by their peers, that is, other countries. The UPR can therefore be used as a platform to promote public awareness of human rights issues.

How can I contribute to Ireland's UPR?

Civil society organisations, the Irish Human Rights and Equality Commission and government departments are organising UPR-related activities in Ireland and you can contribute to these UPR activities in different ways.

A coalition of civil society organisations have come together to form a steering group to ensure that the collective voice of civil society is heard during Ireland's UPR examination. Details of the work of the steering group, including consultation and public information events are available on the website at www.rightsnow.ie

The Irish Council for Civil Liberties (ICCL) is co-ordinating this work and if you would like more information see the section Who's working on UPR in Ireland? on page 14.

What is the UN Human Rights Council?

The UN Human Rights Council strengthens the promotion and protection of human rights around the world. Government representatives of 47 UN countries are elected to sit on the Council. Ireland is a member of the Human Rights Council from 2013–2015. The Council's main purpose is to examine human rights violations and make recommendations on them.

Where does the UPR examination take place?

UN countries examine the countries under the UPR in the UN building, Palais des Nations, in Geneva, Switzerland.

How often does the UPR examination happen?

Under the UPR, the UN Human Rights Council reviews all 193 UN countries every four and a half years. Forty two countries are reviewed each year. These are divided between three UPR sessions. However, the UPR is a continuous process; countries should be monitoring how they implement human rights at all times.

How does the UPR process work?

There are three main stages.

- Reviewing the country's human rights situation
- Implementing the recommendations accepted and commitments made by the country during the review
- Reporting at the next review on the progress made since the previous review

What human rights issues are examined under the UPR?

The UPR examines how countries are respecting the commitments they made and agreements they signed under international law. These include:

- Charter of the United Nations;
 - Universal Declaration of Human Rights;
 - UN human rights treaties ratified by the country concerned (a list of the treaties signed by Ireland is on page 10);
 - voluntary pledges and commitments made by the country; and
 - international humanitarian law.
-

See the list of key words on pages 2 and 3.

In particular, countries are reviewed on the extent to which they have implemented previous UPR recommendations made to them.

Who conducts the UPR review?

The UPR review is conducted by a working group of the UN Human Rights Council called the UPR Working Group (which, in practice, is all 47 members of the UN Human Rights Council). However, any UN country can take part in the discussion with the country under review.

The UPR Working Group receives support from a group called the 'troika'. This is a group of representatives from three countries in the UPR Working Group (one representative from each country).

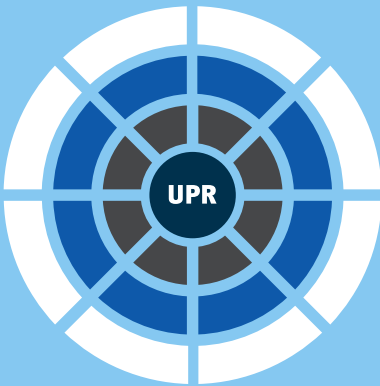
Troika members are chosen by drawing of lots among members of the UN Human Rights Council.

The troika:

- receives written questions from UN countries and passes them on to the country under review;
 - prepares the report of the UPR Working Group which contains the details of the UPR examination;
 - introduces the UPR Working Group report at the UN Human Rights Council before it is adopted by the Council (one member of the troika introduces the report).
-

How do UN countries decide which issues to address in the review?

UN countries use three documents to conduct the review.



– State Report



– UN Summary Report



– Stakeholder Summary Report



– UPR

– **State Report.** This report contains information prepared by the government of a country about the human rights situation in that country. This report cannot be longer than 20 pages. The Irish Government’s deadline to submit this report is **25 January 2016**.

– **UN Summary Report.** This report is prepared by the Office of the High Commissioner for Human Rights. It summarises information in different UN documents such as reports of UN treaty bodies, UN special procedures and other UN documents. This report cannot be longer than 10 pages.

– **Stakeholder Summary Report.** This summary report contains information from non-governmental organisations (NGOs), civil society organisations and the national human rights institution. This report is prepared by the Office of the High Commissioner for Human Rights. It contains a summary of the information included in reports sent to it by independent NGOs, other civil society organisations (such as trade unions) and the national human rights institution. In Ireland, the national human rights institution is the Irish Human Rights and Equality Commission. Civil society reports cannot be longer than 5630 words, if submitted by a group of organisations, or 2815 words if submitted by a single organisation. The Office of the High Commissioner for Human Rights will only use reliable information coming from trusted sources. The deadline for organisations to submit these reports is **21 September 2015**.

How does the review work?

There are three main parts to the review:

- The UPR Working Group session takes place to discuss the human rights situation of the country in question.
 - The UPR Working Group issues its report, called the Outcome Report.
 - The UN Human Rights Council adopts the Outcome Report.
-

What happens at the UPR Working Group session?

1. **Presentation.** The government of the country under review presents its national report on the human rights situation in the country, including laws, policies, good practices and challenges. The government also answers any written questions or other issues that have been raised in advance. (See the answer to the question What is the role of the troika? on page 6).
 2. **Interactive dialogue.** After the government's presentation, a dialogue takes place between the country under review and the members of the UPR Working Group. At this stage, observer countries (that is, UN member countries that are not members of the UN Human Rights Council) also have an opportunity to speak. The UPR Working Group countries and observer countries ask questions and make recommendations to the country under review. The time given to each speaker depends on the number of countries wishing to speak. This can vary between 3 minutes for UPR Working Group countries, 2 minutes for other countries and can go down to as little as 50 seconds if many countries wish to speak.
 3. **Concluding remarks.** During this stage, the country under review may make commitments to improve human rights in a particular way. The country under review may also reply to any of the recommendations made by other countries or to the questions asked during the interactive dialogue.
-

The review runs for three and a half hours in total and the overall speaking time for the country under review is 70 minutes. Other countries are given 140 minutes (between them) to ask questions and make recommendations. (See page 16 for information on where you can view a UPR session on the internet.)

What is the Outcome Report?

The Outcome Report contains a summary of what was said and recommended during the UPR Working Group session.

The report is prepared by the troika and the country being reviewed can accept or take note of the recommendations. Both accepted and noted recommendations are included in the report.

The UPR Working Group adopts the Outcome Report in a Working Group session a few days after the review.

- NGOs and civil society groups, and
- The National Human Rights Institution.

The breakdown of this one-hour session is as follows:

- The country under review has 20 minutes to speak about issues raised and recommendations made during the interactive dialogue. At this stage the country provides responses to the recommendations made.
- Representatives of UN Human Rights Council countries and observer countries have 20 minutes (between them) to make statements on the outcome of the review.
- Representatives from NGOs, civil society organisations and the national human rights institution have 20 minutes (between them) to make general comments about the review.

What is the role of the UN Human Rights Council in the UPR process?

To complete the UPR process in Geneva, the UN Human Rights Council passes a decision to adopt the Outcome Report of the UPR Working Group. This takes place a number of months after the UPR Working Group session (for Ireland, this will happen in September 2016).

The UN Human Rights Council adopts the Outcome Report during a one-hour session. During the hour, time is divided between:

- the country under review,
- countries that are members of the UN Human Rights Council,
- observer countries

When each group has had an opportunity to speak, the UN Human Rights Council votes to adopt the Outcome Report of the UPR Working Group.

What happens during the four and a half years between reviews?

The government of the country reviewed under the UPR has a duty to implement the recommendations contained in the final Outcome Report. The next UPR will assess if the country has done so. If not, the UN Human Rights Council has the power to address cases of persistent non-co-operation. The Council has not yet used this power.

The country may submit a voluntary mid-term report to update the UN Human Rights Council on the progress made in implementing the UPR recommendations.

Ireland made a mid-term report during the first UPR (March 2014).

UN Human Rights Treaties ratified* by Ireland

- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), 1965

- International Covenant on Civil and Political Rights (ICCPR), 1966

- International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966

- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979

- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT), 1984

- Convention on the Rights of the Child (CRC), 1989

UN Human Rights Treaties not yet ratified* by Ireland

- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), 1990
- International Convention on the Rights of Persons with Disabilities (CRPD), 2006
- International Convention for the Protection of All Persons from Enforced Disappearance (ICAED), 2006

These treaties are available on the website of the Office of the High Commissioner for Human Rights www.ohchr.org.

*** When a State ratifies a Treaty, it consents to be bound by it**

Overview of Ireland's UPR Examination

21st September 2015

Independent NGOs, other civil society organisations and the Irish Human Rights and Equality Commission must send their reports to the Office of the High Commissioner for Human Rights

25th January 2016

The Irish Government must send its report to the Office of the High Commissioner for Human Rights

April/May 2016

Ireland's UPR review in Geneva

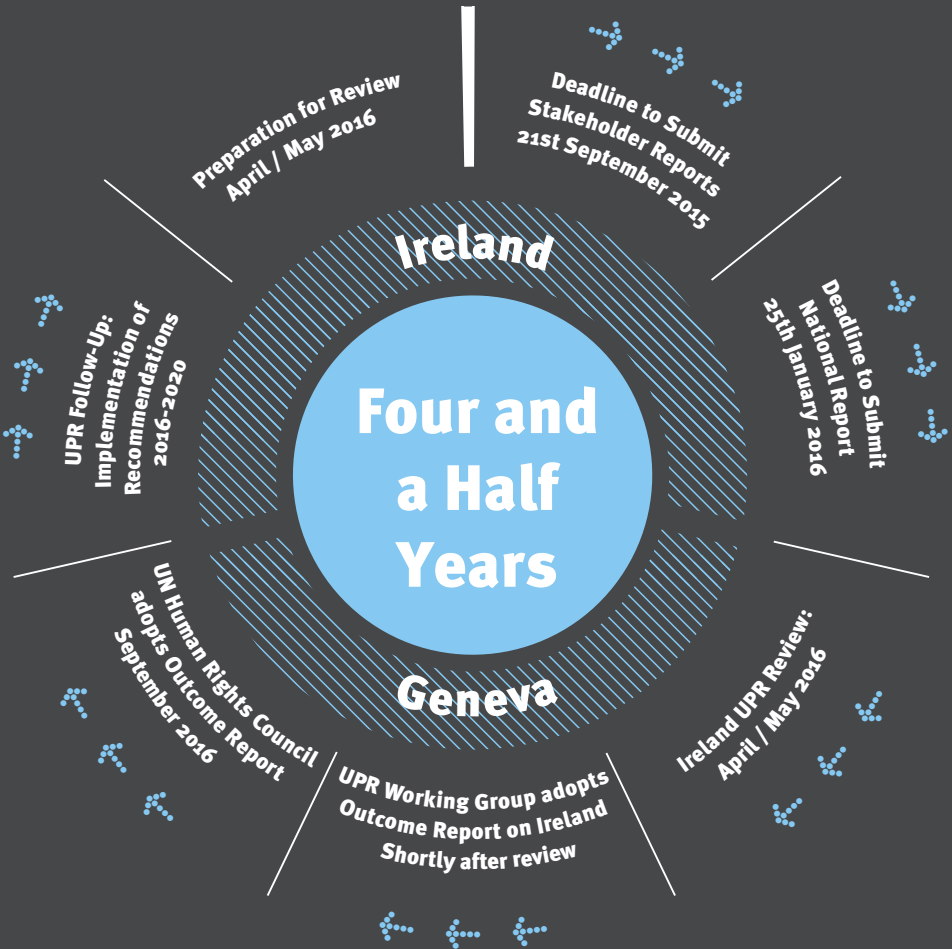
Shortly after the review

UPR Working Group adopts the Outcome Report on Ireland

September 2016

The UN Human Rights Council adopts the Outcome Report on Ireland

For exact dates see www.rightsnow.ie



Who's working on UPR in Ireland?

A group of civil society organisations, including the Irish Council for Civil Liberties, have come together to ensure that the collective voice of civil society is heard during Ireland's UPR examination.

These are:

1. Age Action Ireland
2. Centre for Disability Law and Policy, NUI Galway
3. Dóchas
4. Educate Together
5. Free Legal Advice Centres
6. Gay and Lesbian Equality Network
7. Immigrant Council of Ireland
8. Irish Congress of Trade Unions
9. Irish Council for Civil Liberties
10. Irish Family Planning Association
11. Irish Penal Reform Trust
12. Irish Traveller Movement
13. National Women's Council of Ireland
14. Pavee Point
15. Transgender Equality Network Ireland
16. Union of Students in Ireland



Civil society: Your Rights. Right Now.

Details of the work of the steering group, including consultation and public information events are available on the website at www.rightsnow.ie

Experience shows that the recommendations of civil society will be stronger if we work together. We plan to use the UPR recommendations as building blocks upon which to base our work for change in Irish law, policy and practice until Ireland's next UPR examination (in 2020).

If you would like more information about this work or would like to contribute to the co-ordinated civil society report, please contact the UPR Team at the ICCL:

Irish Council for Civil Liberties

9–13 Blackhall Place

Dublin 7

Tel: (01) 799 4504

Email: rightsnow@iccl.ie

www.iccl.ie or www.rightsnow.ie

The Irish Council for Civil Liberties has also produced a Toolkit on International Human Rights Monitoring, which includes information for NGOs and civil society groups on how to work effectively with the UPR. The toolkit includes details on preparing a UPR report, organising effectively, lobbying and attending the session itself in Geneva.

This is available on the website of the Irish Council for Civil Liberties at www.iccl.ie and www.rightsnow.ie

Irish Human Rights and Equality Commission

The Irish Human Rights and Equality Commission (IHREC) as Ireland's National Human Rights Institution (NHRI), will submit a UPR report in September 2015. The IHREC will also provide input to the State Report, as appropriate.

Irish Human Rights and Equality Commission (IHREC)

16–22 Green Street

Dublin 7

Tel: (01) 858 9601

Government

The Department of Justice and Equality is co-ordinating the work of the Irish Government on the UPR. Under the UPR, the Irish Government must conduct a national consultation exercise. This is a good opportunity for non-governmental organisations (NGOs) and civil society to share their human rights concerns with national policy makers.

Layla de Cogan Chin, UPR Secretariat

Department of Justice and Equality
Bishop's Square
Redmond's Hill
Dublin 2
Tel: 01 6028202
www.upr.ie

Some useful organisations and websites

Office of the High Commissioner for Human Rights
www.ohchr.org

International Service for Human Rights
www.ishr.ch

You can watch a live UPR session on this website. See details under media centre, webcast. You can find information and documents about the UPR here also.
www.upr-info.org



Published by the
 Irish Council for Civil Liberties (ICCL)
 9–13 Blackhall Place
 Dublin 7
 T: +353-1-7994504
 E: info@iccl.ie
www.iccl.ie

This plain English guide to the UPR process has been produced by the Irish Council for Civil Liberties (ICCL) with UPR-info.org. The ICCL is working with other civil society organisations in a cross-sectoral steering group to ensure that the collective voice of civil society is heard during Ireland's UPR examination.

