The Universal Periodic Review (UPR) and its potential to foster freedom of expression, access to information and safety of journalists

INTRODUCTION

This guide aims to encourage civil society and community organizations, activists and individuals to engage with the United Nations’ (UN) Universal Periodic Review (UPR) mechanism on freedom of expression, safety of journalists and access to information issues. The guide explains why it is important to focus on freedom of expression in the UPR, followed by an overview of the UPR mechanism; a brief introduction to freedom of expression; and practical guidance on civil society engagement with the UPR. It also provides a set of resources for further information on the topics addressed.

The participation of civil society in the UPR process is key to filling in gaps that the other stakeholders’ reports may have. Civil society participation ensures that the views of the people on the ground are taken into account. The UPR mechanism therefore is a unique opportunity for civil society to provide key information on human rights issues to an intergovernmental body.

GUIDELINES FOR CIVIL SOCIETY ORGANIZATIONS

ABOUT

These guidelines build upon a joint Amnesty-UNESCO survey of more than 70 civil society respondents from different regions; a series of consultation webinars held between March and June 2022; and comprehensive interviews with civil society organizations from different regions. The survey, available in several languages, measured the level of engagement of civil society with the UPR; coordination between organizations; planning for advocacy and follow up; and enquired about the key challenges and needs for NGOs to effectively contribute to the process.
EXPLANATION OF TERMS USED IN THIS GUIDE

**Advocacy**: telling others about something that is important to you and persuading them to take action to make a positive change.

**Article**: a rule set out in a legal document, usually numbered.

**Civil society organization (CSO)**: any non-profit, voluntary group of individuals that is organized on a local, national or international level – such as [Amnesty International](https://www.amnesty.org/). A CSO can have many functions, including provision of services and humanitarian functions, bringing people’s concerns to their governments, monitoring policies and work plans, and encouraging community-level participation in official processes.

**Consulting**: finding out about other people’s opinions on issues that they know about, or have experience of, to inform the development, monitoring and evaluation of plans.

**Implementation**: to put a plan or commitment into practice.

**Monitoring and evaluation**: following, recording and analysing the progress of something to see how successful or unsuccessful it is, or to check if something is being done properly.

**Office of the High Commissioner for Human Rights (OHCHR)**: the lead UN entity with the responsibility to promote and protect human rights for all. Among other things, it coordinates the provision of information for the UPR from civil society to UN Member States.

**United Nations (UN)**: an international organization created by a [Charter](https://en.wikipedia.org/wiki/United_Nations_Charter) in 1945, currently with 193 Member States that gather together, discuss common problems and find shared solutions that benefit all of humanity. Protecting human rights is one of their main responsibilities. UN Country Teams (UNCTs) coordinate the work of all UN actors in countries with UN programmes to support their development needs. [UNESCO](https://www.unesco.org/) is the UN’s Educational, Scientific and Cultural Organization and promotes freedom of expression, access to information and safety of journalists.

**Universal Declaration of Human Rights (UDHR)**: adopted by the UN General Assembly in 1948, it is the basis for all other human rights standards. It has 30 articles, setting out various fundamental rights.

**UPR recommendation**: a suggestion made by one State to another for the best course of action to improve enjoyment of a specific human right.
1. THE UPR: AN OVERVIEW

What is the UPR?
- The UPR is a cyclical review process of the UN Human Rights Council (HRC) that began in 2008.
- It is universal – it applies to all 193 UN Member States.
- It is periodic – States undergo a review every five years. The 4th cycle begins in October 2022 and will last until 2027.
- It is a peer-review process that involves States reviewing other States' human rights records and being reviewed in turn.
- It has three main stages: preparation; review and adoption by the HRC; and implementation.

Who reviews?
- All UN Member States can participate in the review and make recommendations, which the State under review will either “support” (commit to implement) or “note” (no commitment to implement). Each review is facilitated by a “troika” – three States selected by the HRC from its 47 current members by the drawing of lots – that is responsible for producing the report of the review.

What are the standards that States are reviewed against?
- The review must be based on the following standards:
  - The UN Charter.
  - The Universal Declaration of Human Rights (UDHR).
  - Core human rights instruments that the State has agreed to, such as the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic Social and Cultural Rights (ICESCR).
  - A country’s voluntary pledges and commitments: any pledges the country made before being elected to the HRC; declarations or commitments made during international meetings; and national level policies and programmes.
  - Applicable international humanitarian law (IHL).

What are the input documents for the review?
- The national report by the State under review – a 20-page self-assessment of the state of human rights in the country.
- Information from UN bodies (including UNCTs, treaty bodies and special procedures) – a 10-page compilation by OHCHR.
- Information from “other stakeholders” – a 10-page compilation by OHCHR of information from civil society. This is where information from your submission will appear.

Who can participate?
- Anyone in your country or the country you are working or reporting on – including registered civil society organizations, unregistered groups, concerned citizens, student groups and educational institutions, as well as National Human Rights Institutions (NHRIs) and intergovernmental bodies – can make submissions of information, carry out advocacy, comment on outcomes and monitor implementation.
- The UN actively encourages diverse representation in order to get the fullest picture of the human rights situation in each country.

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1 When the freedom of expression of particular groups is in the spotlight, for example women, children and people with disabilities, specific conventions related to these groups should be taken into account. Treaty ratifications can be found at https://www.un.org/ohchr/treaty/treaty.aspx
2 IHL is a set of rules relating to armed conflict. This includes the protection of civilians and persons who are no longer taking part in hostilities. If a country is involved in an armed conflict, this will also be part of the basis of the review.
WHY FOCUS ON FREEDOM OF EXPRESSION, SAFETY OF JOURNALISTS AND ACCESS TO INFORMATION?

Freedom of expression is what you can say, write, display or wear publicly and how easily you can access information, including about what a government is doing. It is also about associated rights:
- of freedom of association (who you can form groups with) and
- peaceful assembly (the right to peacefully gather and meet with others, including, for example, during peaceful protests).

These are all foundational aspects of civic space that is essential for the existence of civil society organizations and are enablers for other human rights. People on the ground, who understand their local context, are the best placed to understand the interlinkages between these rights, but, as an example, women, minorities, LGBTQI individuals and those concerned about sexual orientation or gender identity issues, as well as marginalized and at-risk communities, may not have equal access to freedom of expression or to information. Other rights associated with freedom of expression are:
- People’s right to participation in political and public affairs such as development (better standards of living and quality of life) or governance (how well things are run) – this is greatly impacted where there is no space for freedom of expression.
- Education, environmental, health and labour rights – these are adversely impaired in a context that lacks freedom of expression. In the absence of freedom of expression and independent media, without safety of journalists, it is hard to hold governments to account. Freedom of expression also plays a key role in the ability of a society to share resources equitably. So even if your work is not explicitly connected to freedom of expression, you can strengthen the impact of your work by including this important issue.

What happens during the review?
The 3.5-hour interactive dialogue allows 140 minutes for reviewing States to ask questions and make recommendations and 70 minutes for the State under review to present its national report and respond to questions by reviewing States, either submitted in advance or asked during the review. The State must say whether it will support recommendations before the adoption of the review outcome report by the HRC about four months later.

What happens after the review?
The State is expected to implement supported recommendations by the next review, and you can play an important role here in demanding and monitoring implementation. Both you and the State you are working on can submit information on progress to the HRC halfway through the cycle through a voluntary mid-term report.
2. **HOW DOES THE UPR RELATE TO OTHER HUMAN RIGHTS MECHANISMS?**

The UPR is a human rights mechanism that is led by States and can be affected or influenced by bilateral and multilateral relationships and international politics. Other UN human rights mechanisms, such as the treaty bodies and special procedures, are independent mechanisms led by experts who may look at specific human rights issues in greater detail. Each mechanism possesses different strengths that you can use in a complementary manner. UPR outcomes often have greater levels of acceptance among States, and the system has a strong persuasive value as a peer review mechanism where a State voluntarily makes commitments to implement recommendations. The recommendations under the UPR are not binding, but the periodicity of the review allows for the systematic follow-up of implementation. Recommendations from Treaty Bodies and Special Procedures can mutually reinforce or build on UPR recommendations and vice versa. The Voluntary National Review of progress towards the UN Sustainable Development Goals (SDGs) can also be a complementary process to the UPR (see above on the Sustainable Development Goals).

**The Sustainable Development Goals (SDGs), freedom of expression and access to information**

Fostering freedom of expression is key to the achievement of the 2030 Agenda’s Sustainable Development Goals (SDGs), particularly SDG 16. Human rights are central to all of the SDGs and the Voluntary National Review of progress towards the SDGs can also be a complementary process to the UPR.

SDG target 16.10 aims to “Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements”. Its indicators include statistics on attacks on journalists (Indicator 16.10.1) and on legal or policy guarantees for public access to information (Indicator 16.10.2).

You can find useful information for drafting your shadow reports in the country specific information on safety and impunity within the UNESCO’s Director-General’s Reports on the Safety of Journalists and the Danger of Impunity, as well as in UNESCO’s reports on the World Trends in Freedom of Expression and Media Development.

Data on access to information, with country-level relevance, is also available in UNESCO’s annual reports on the status of implementation of SDG 16.10.2.
3. A BRIEF INTRODUCTION TO FREEDOM OF EXPRESSION

3.1 International standards

It is useful to familiarize yourself with relevant international and regional standards on freedom of expression and access to information for the country you are working on, as the purpose of the UPR is to assess whether the national situation complies with these standards. Therefore, the OHCHR requires submissions for the UPR to have a human rights framework.

The right to freedom of opinion and expression is enshrined in Article 19 of both the UDHR and the ICCPR. This freedom is also included in other international and regional treaties and declarations, as well as in observations by various treaty bodies, the UN Special Procedures and in various UN reports and resolutions.

Freedom of expression is key for open civic space and for transparency and accountability. It has also been recognized as an enabling right that is essential for society and for the promotion and protection of human rights. A State is permitted to restrict the freedom of expression only under very strict conditions. The same applies to access to information.

3.2 Media freedom, the safety of journalists and access to information

Media freedom is an integral part of freedom of expression and is critical for transparency and accountability. A free media can add value to work by civil society organizations and give visibility to civil society concerns. Independent journalism is also a strong deterrent against disinformation.

Online platforms and tools for spreading and accessing information have given rise to new categories of media workers such as bloggers and community-level actors and organizations that use the internet to report and broadcast. These new online and offline media workers are key allies for civil society and share the same civic space as civil society actors. However, while social media has opened up space for civil society activism and human rights messaging, this has also led to increases in smear campaigns, disinformation and hate speech by both state and non-state actors that delegitimize human rights movements and civil society actors, not least anyone generating journalism that is uncomfortable for powerful interests.

One journalist is killed every five days for bringing information to public attention. Other types of attacks – such as threats or arrests and prosecutions – can also threaten their physical safety or limit their ability to report. UNESCO’s Observatory of Killed Journalists provides an overview of killings of journalists by

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5 Especially relevant General Comments (GC) by the UN Human Rights Committee that oversee implementation and interpretation of the ICCPR.


country and the status of related judicial inquiries. UNESCO has also documented the specific risks faced by women journalists. Further information on the safety of journalists can be found in the Resources section.

The right to freedom of expression includes the right to seek and receive information through any medium. Access to information is based on the principle that all information held by public bodies should be available for disclosure except under restricted conditions where such disclosure may cause harm to legitimate aims listed in the law and where such harm outweighs the public interest in knowing. UNESCO provides a standardized approach to monitoring access to information, which examines the components of “adoption” and “implementation” of legal guarantees on this topic, and can be found on UNESCO’s annual report on Access to Information.

The ability of civil society to participate in civic space and demand accountability in relation to various human rights will be severely reduced when public information is unduly withheld. Previous UPR recommendations have linked access to information to issues including freedom of expression, women's and children's rights, health, education, rights of persons with disabilities and the right to privacy. More information on the UPR and access to information can be found in the Resources section.

3.3 Reprisals

Engaging with the UPR process, and with the UN in general, can sometimes make the UPR a risky exercise for individuals or organizations who engage with it. Reprisals and intimidation are attacks or threats faced by individuals or organizations as a result of their cooperation with the UN. At their very core, reprisal attacks are an effort to suppress freedom of expression as they aim to stop or prevent communication with the UN. Where dissent and criticism of the State are not tolerated, activists engaging with the UPR have faced harassment, travel bans, surveillance, arrest warrants and arbitrary detention as well as death and physical harm.

Acts of intimidation and reprisals for cooperating with the UN in the field of human rights is viewed very seriously by the UN. The UN Secretary-General compiles information on allegations of reprisals and presents them in an annual report to the HRC.

All information submitted to the UPR is publicly accessible online. You should therefore exercise caution and due diligence when submitting information to the UPR process and avoid identifying a place or a person if it would pose a danger to them.

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8 Various UN Special Procedures and regional bodies have successively expanded upon this aspect of the right to freedom of expression. See, for example, UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, 18 August 2017, UN Doc. A/72/350.
9 See, for example, UN Human Rights Council resolutions 31/32 and 34/20.

UN Plan of Action on the Safety of Journalists and the Issue of Impunity

The UN Plan of Action on the Safety of Journalists and the Issue of Impunity, a multi-stakeholder mechanism spearheaded by UNESCO, aims to create a free and safe environment for journalists and media workers. It includes the establishment of a UN inter-agency mechanism to handle issues related to the safety of journalists; assistance to countries to develop legislation and mechanisms favourable to freedom of expression and information; and support for countries’ efforts to implement existing international rules and principles.
What to do when facing intimidation or reprisals
Should you face intimidation or reprisals because you engaged with the UPR, and you think it is safe to do so, you can contact the UPR Secretariat immediately at upreprisals@ohchr.org.

You can also bring this information to the attention of others who have faced reprisals. You should only act on behalf of others if you have their (or their representative’s) consent to do so.

You can also:
- Contact the Secretariat at hrcngo@ohchr.org with information about intimidation or reprisals in relation to the adoption of a UPR outcome at the UN HRC.
- Contact relevant UN Special Procedures (in particular, the Special Rapporteurs on the situation of human rights defenders and on the protection and promotion of freedom of opinion and expression). Information on how to send individual communications to these UN experts can be found here.
- Contact the UNCTs or the OHCHR office in the country you are reporting on, if there is one, and encourage them to use their good offices.
- Submit the information for compilation in the annual report of the Secretary-General on reprisals. You can find how to do this here.
- Submit a complaint to the Human Rights Committee if the country you are working on is party to the First Optional Protocol to the ICCPR. Information on how to do this can be found here.
- Highlight cases of reprisals from the previous cycle in your UPR submission and advocacy.

It is very important to make a security and risk assessment in advance, especially if you think reprisals are likely. There are different actions you can take to protect yourself or others who face, or might face, reprisals, depending on your risk assessment. Front Line Defenders has toolkits related to safety and security.

Other organizations to get in touch with for assistance are listed in the Resources section.

4. PRACTICAL GUIDANCE: HOW TO ENGAGE DURING DIFFERENT STAGES OF THE UPR

UPR: Key stages in the review process

Reporting on implementation
Voluntary mid-term review after 2.5 years

Preparation
Submission of information 6 months before review Participation in national consultation Advocacy towards other states

Implementation
Advocate for implementation of recommendations

Human Rights Council adoption of review outcome NGOs can make oral statements, use social media, issue press releases, etc.

Consideration of recommendations NGOs can push State under review to accept recommendations

UPR review – Geneva NGOs can monitor the session, hold side events, brief diplomats and do press work

Figure 2. Key stages of the UPR process

11 A list of the UNCTs’ websites can be found here: unsdg.un.org/latest/announcements/celebrating-milestone-holistic-new-online-presence-more-60-un-country-teams
12 A list of OHCHR field presences can be found here: ohchr.org/en/about-us/where-we-work
4.1 Before the review

This is the preparatory stage. It is best to begin working on this stage at least one year – and ideally longer – before the review of the country you are working on takes place.

4.1.1 Submissions

You can submit information on human rights situations, covering the main human rights issues you wish to highlight, including any new issues that have arisen since the last review. Consider covering freedom of expression, safety of journalists and access to information and whether legal frameworks and practices related to these rights in the country you are working on are in compliance with international standards.

Official guidelines on drafting submissions for the 4th cycle are available here. Submission deadlines for “other stakeholders” are scheduled about six months before the review. UNESCO has produced model text that can be considered for a number of freedom of expression and access to information recommendations.

Consider pros and cons about how your submission may relate to the national report of the State you are working on. You may wish to assert interest in contributing to the official submission; alternatively, you may wish to retain your right to make an independent submission. Important to weigh up here is whether it would be advantageous or not to make public an advance copy of your submission (for example, in the light of safety and security issues). Additionally, if you decide to publish in advance or alongside its publication on the OHCHR UPR website, it is useful to assess whether to do so before, after or coinciding with the publication of the State’s national report.

4.1.1.1 Technical requirements

The OHCHR requires that submissions should:

- Highlight progress since the last review, including implementation of previous recommendations.
- An example of an Amnesty International submission with a completed matrix can be found here.¹³
- You can make reference to progress on freedom of expression where it intersects with other issues even if you don’t have space for a dedicated section.
- Suggest or reiterate SMART recommendations reflecting good practices (see below for more information on drafting SMART recommendations).
- Provide credible and well-documented information, backed up by first-hand evidence or from independent sources.
- Avoid referencing reports by other governments as this will lead to your submission being rejected by the OHCHR.
- When using first-hand information, be as detailed as possible to increase credibility (bearing in mind potential risks of reprisals).

Tips on working with partners

The OHCHR actively encourages civil society to work in partnership or coalition when engaging with the UPR. Some issues to consider if you are planning to work in partnership with others include:

- Research the background of those you might work with to understand what they work on and to check that working with them will not cause you any reputational issues.
- Plan carefully to avoid misunderstandings:
  - Before you start, consider writing down what you both expect from the partnership and what you will each do at the various stages.
  - Keep each other informed of developments at all stages.
  - Talk afterwards to discuss what went well and what didn’t to learn how to work together better next time.

TOP TIP

This can be done easily by providing comments in the OHCHR matrix of recommendations from the previous review that is available from the relevant OHCHR UPR country page.

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4.1.1.2 Drafting recommendations
You can use suggested recommendations from your submission for advocacy with recommending States. Effective recommendations:

- are well substantiated by credible and reliable information in your submission, ideally your own or from reliable, independent sources that must be referenced;
- are Specific, Measurable, Achievable, Relevant and Time-bound (SMART);
- reference relevant UPR recommendations from previous cycles and from other human rights bodies;
- are written in simple and concise language;
- easily understandable recommendations have a better chance of being picked up.

4.1.1.3 Mapping past recommendations
Look at past UPR recommendations made to both the country you are reporting on, and to other countries.

This will help:
- identify which States to target for your advocacy as there may be patterns of issues that certain recommending States are interested in;
- work out whether previous recommendations could still be used, or if they need to be changed.

4.1.1.4 Factoring in political change
Political change in a country can disrupt progress achieved in previous UPR cycles. Freedom of expression along with freedom of association and of peaceful assembly are acutely sensitive to such developments and may see drastic change.

TOP TIPS
Read through the recommendations made by the State under review to other States to see if they match any of the recommendations you plan to suggest. It is harder for a state to reject recommendations that are similar to those that it has made to other States.

Amnesty and UNESCO have produced separate guidance on how to draft SMART recommendations that you may find helpful.

TOP TIP
It is easy to search the UPR Info database of recommendations, which has options to search for recommendations related to freedom of expression and by country.

Coordinating submissions
Advocacy is most likely to be successful if it is coordinated with partners. You can:
- Reach out to partners to coordinate who will cover which issues.
- Join or form a national UPR coalition.
- Join a joint submission.
- You can make your own submission and join any number of joint submissions. This could be a way to lend your voice to concerns about freedom of expression while focussing on your priorities in your submission.
- Encourage and/or partner with journalists or media organizations to submit information.
- See, for example, joint submissions by Amnesty International and media organizations on freedom of expression on Indonesia and South Africa.
- Encourage information commissions, information ombudspersons as well as press councils to also submit information.
If this happens in the country you are reporting on:
- highlight this change and add any new areas of concern to your submission;
- analyse any backsliding on implemented recommendations and suggest appropriate recommendations.

### 4.1.1.5 Think about prevention

If the human rights situation in a country is deteriorating, or you expect it to deteriorate, consider suggesting recommendations that involve preventive steps. This could also allow for UPR follow-up to be a useful monitoring and benchmarking exercise during difficult times.

### 4.1.2 Advocacy

Planning an advocacy strategy before the review will help you maximize the impact of your UPR engagement efforts.

Since only States can make recommendations during the review, reaching out to reviewing States enables you to try to influence their recommendations to reflect your priorities. Embassies in national capitals and permanent missions to the UN in Geneva, as well as foreign ministries of States with influential relationships with the country you are working on, are all important advocacy targets to consider.

This preparatory phase is also a key moment to engage directly with the country you are working on, to encourage it to address critical issues in its national report and to be open to important recommendations. Reaching out to the media will help raise visibility and increase the effectiveness of advocacy efforts.

- Foreign ministries of recommending States prepare their recommendations well in advance of the review. Reaching out to embassies in the country you are working on and to permanent missions in Geneva months ahead will increase your chances of being able to influence their recommendations.
- Early advocacy will also give you a better chance to influence the national report of the country you are working on and its position on recommendations.

For example:
- Create a one-page summary of the submission.
- Produce factsheets on your key issues with relevant recommendations – you could produce one on how your work is affected by the freedom of expression situation in the country you are working on.
  - Click [here](#) for examples of factsheets from UPR Info.
- List all the recommendations from your submission in a shorter document (diplomats have told Amnesty International that the recommendations are particularly important for them).
  - Click [here](#) for an example of an Amnesty International document containing only recommendations.

### 4.1.3 How to approach National Consultations

Though not mandatory, States are recommended to consult with civil society ahead of the review. With this in mind, NGOs can:
- Request a consultation with the government.
TOP TIPS

Ask these UN bodies if they have capacity-building resources if you think you or other people could benefit.

Civil society recommendations with multiple endorsements in different submissions are more likely to be picked up in the OHCHR compilation and by recommending States.

Be careful to ensure that the consultations that you organize are not used as an excuse by governments not to hold their own!

- Ask the National Mechanism for Reporting and Follow-up (NMRF) (if one exists) for a consultation.
- If there is one, request the UNCT, OHCHR field presence or UNESCO field office in the country you are working on to facilitate engagement and consultation (with or without the government) and to discuss issues of common interest.
- Highlight any lack of consultation in your UPR submission and advocacy.
- Organize your own inclusive consultations with partners such as civil society organizations, including media, grassroots organizations and community activists, NHRIs, parliamentarians and universities to coordinate submissions and advocacy objectives.
- Consider inviting officials responsible for freedom of expression in the country you are working on, such as the Information Commission or media regulatory or self-regulatory bodies (for example, a press council).
- Organize public events to generate discussion about progress on human rights and invite journalists and government officials.

Click here to access a model letter to ask your government for a consultation.

Click here to access a model letter to encourage civil society partners to engage with the UPR.

4.1.3.1 Conduct a risk assessment and plan for potential reprisals from the outset

If you fear reprisals, conduct an assessment early on and develop a security plan. If you have consent to do so, include information on any such attacks in your submission and in your advocacy (keeping in mind that all submitted information is public and should not cause further harm).

4.1.3.2 Advocacy opportunities before the review

There are many advocacy opportunities for civil society, and you can consider which of these are most useful for you, depending on your capacity and resources and what you think will be most relevant in the local context of the country you work on.

- Share your submission with the government and ask for a meeting to discuss it:
  - Click here to access a model letter for sending your submission.
- Share your advocacy material and organize briefing meetings (on your own or jointly with partners) well in advance with:
  - embassies in the country you are working on;
  - diplomatic missions in Geneva. Click here to access a model letter that can be adapted for embassies or diplomatic missions in Geneva.
- Organize a public event (“side event”) in Geneva.

TOP TIPS

UPR Info organizes meetings (“pre-sessions”) ahead of UPR sessions to brief diplomatic missions on civil society concerns in the States coming up for review. Information on how to apply can be found here.

Think about the most effective timing for your event. Diplomats’ attention will be focussed on the UPR in the two months ahead of the review and they may be distracted by other issues during a HRC session. On the other hand, if the country you are working on is already on the agenda of a HRC session, you could piggyback on this opportunity and organize a side event.

14 More information on NMRFs, which are national public mechanisms or structures that coordinate and prepare reports to engage with international and regional human rights mechanisms, can be found at: [ohchr.org/sites/default/files/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf](http://ohchr.org/sites/default/files/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf)

15 A list of UNESCO field offices is available at: [en.unesco.org/fieldoffice](http://en.unesco.org/fieldoffice)
4.2 During the review and adoption

The review is a 3.5-hour interactive dialogue between States. A summary outcome document is released two days after the review. States have two weeks to make editorial changes. It records comments made, the State under review’s responses, and all the recommendations made.

The State under review must say which recommendations it supports at a HRC session about four months after the review, when the Member States formally adopt the report. It can change its position on recommendations between the review and the final adoption.

The report of the HRC session where the outcome report was adopted indicates the final number of accepted and noted recommendations and records all comments made. It can be a useful advocacy tool.

Since this is a state-led process, NGOs and other stakeholders are not allowed to take the floor during the actual review and may only observe. The only opportunity to comment is during the adoptions – and this is limited to UN-accredited organizations.

Nonetheless, you can use the review and its adoption to:

- **Conduct last-minute advocacy** to follow-up directly or through partners to remind recommending States about your key recommendations.
- **Make the UPR a national moment of awareness and discussion:**
  - Alert relevant media to the upcoming review, brief journalists on your concerns before the review and encourage them to cover them.
  - Share information via a press release and/or on social media.
  - Seek a meeting with parliamentarians to brief them and encourage them to ask questions in parliament, especially about the government responses in the review.
  - Hold national and/or local public events immediately before the review and invite media.
  - Encourage schools or universities to follow the review and discuss it, or to hold a model UPR as part of citizenship or human rights education programmes.
- **Screen and broadcast the UPR live webcast nationally and/or locally:**
  - Organize a public screening.
  - Invite community-level actors, victim groups, parliamentarians and journalists to provide commentary and analysis.
  - Hold a press conference immediately afterwards.
  - If there are safety and security concerns related to organizing public screenings, consider requesting UN field presences to organize them.
- **Raise visibility on any reprisals** by the country you are working on against journalists and human rights defenders engaging in the UPR (with the consent of those targeted) and take added efforts to promote the importance and legitimacy of their work.
- **Conduct follow-up advocacy** to encourage the country you are working on to support key recommendations before the adoption.

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16 States usually submit a formal response with their final positions to the HRC, which is posted as an addendum to the outcome report. These can be found on the relevant OHCHR UPR country pages, which you can find by clicking on a country’s name on this webpage: [ohchr.org/en/hr-bodies/upr/documentation](http://ohchr.org/en/hr-bodies/upr/documentation)
You can find a model letter for the State here.
You can find a model letter for recommending States here.

Comment and speak out during the adoption of the review:
- Liaise with local journalists. The commitments made by the country you are working on during the process are of public interest and their coverage should be encouraged.
- Issue a press release before and/or after the adoption to comment on the position and responses of the country you are working on.
- Deliver an oral statement (if you have UN accreditation) or find an accredited partner with whom you can jointly comment.
- Share your statement and the recording of it on social media.

4.3 After the review
This last stage covers most of the five-year interval before the country you are working on is reviewed again. Towards the end, it will overlap with the first stage, as preparations for the next review begin.

This is a key stage, as it is when recommendations are implemented. Implementation is primarily the responsibility of the government, but you can raise pressure for progress, including by direct advocacy and campaigning and by monitoring and reporting on implementation. Sometimes, NGOs act as implementation partners.

4.3.1 Monitoring UPR implementation
Civil society monitoring of the implementation of UPR commitments enables oversight and continuing pressure for progress. It also allows data to be collected for the next review. Where needed, also take precautions against any reprisals while monitoring and document any that occur for possible inclusion (with consent) in the next review. In planning your monitoring strategy, consider:

- Budgetary monitoring to verify if the country you are working on is allocating enough resources for implementation.
- Using access to information legislation to obtain:
  - information about the level of implementation of supported recommendations and resources allocated;
  - reasons why the country you are working on only noted certain recommendations;
  - how the country you are working on decided on which recommendations to make to other States.
- Documenting any barriers that you faced in accessing information for the next review.
- Asking the government, parliament and NMRF to publish annual reports on progress and to submit a mid-term report to the HRC.
- Offering your inputs to the authorities in regard to their progress reports and, where accepted, consider making these inputs public along with an assessment about whether they were taken into account or not.

**TOP TIPS**
Foreign policy is public policy, and you have the right to demand that the government’s human rights-related decision-making in foreign policy is as transparent as possible. Use the information you collect to publish interim reports on progress and share them with the government, NHRI and any NMRF, as well as with media organizations, press councils, information commissions and ombudspersons.
4.3.2 Mid-term update
Halfway through the cycle you can:
- Submit your own mid-term progress report to OHCHR.
- Make an oral statement during the UPR General Debate (Item 6) at the HRC (if you have UN accreditation) to comment on progress and alert other States to your report.

4.3.3 How to use UPR recommendations in your work
You can refer to UPR commitments by the country on which you are working in:
- Relevant debates of the HRC;
- Submissions to UN or regional expert bodies;
- A shadow report (also known as a spotlight report)/SDG scorecard for a country’s Voluntary National Review;
- Advocacy around trade and development aid negotiations. You can ask other States or intergovernmental organizations (IGOs) to require implementation of key UPR recommendations to be an indicator or a benchmark for progress in negotiations;
- Advocacy with implementing partners including companies and NGOs;
- Advocacy with businesses contributing to human rights violations;
- Relevant human rights court cases you are involved in;
- Election campaigns:
  - Ask candidates to commit to implementing the recommendations you want if they are elected;
  - Discussions with parliamentarians;
  - Calling for a new or updated National Human Rights Action Plan.17

4.3.4 Use high visibility events as a reminder of commitments
Consider using World Press Freedom Day (3 May) and the International Day to End Impunity for Crimes against Journalists (2 November) to publicize and remind the government of the recommendations it has committed to implementing. You could also use the International Day for Universal Access to Information (28 September) to comment on the level of progress towards implementation of UPR recommendations.

Use high-level visits by officials from other countries, IGOs or UN human rights mechanisms to ask them to raise relevant UPR commitments in their meetings with the government. You could:

- Write an open letter – which could be sent jointly from other organizations or influential individuals – to the official before they come.
- Provide an advance briefing to journalists requesting them to ask questions about UPR implementation during press conferences.
- Find out if there is any opportunity for you to meet the official so you can tell them what is happening in relation to implementation.
- Use graphic tools developed by UNESCO to help draw attention to freedom of expression, safety of journalists and access to information. You will find these in the Resources section.

5. **WHY IT MATTERS**

Freedom of expression and access to information are fundamental rights enshrined in the UDHR and, together with the safety of journalists, are specifically promoted in Agenda 2030’s SDG 16. Yet, there are still many places around the world where these rights are denied, obstructed, or limited, which curtails crucial participatory citizenship in national affairs. The UPR is an important space for civil society – whether individuals, community groups or NGOs – to make linkages between restrictions on freedom of expression in a country and the ability of civil society actors to advocate for human rights change.

Once accepted by governments, UPR recommendations are unique in offering a consensual avenue to advancing on human rights commitments. Encouraging reviewing States to make strong and SMART recommendations to improve respect for and protection of freedom of expression, including access to information and safety of journalists, will contribute towards progress on all human rights goals.

**RESOURCES**

**OHCHR:**
- UPR web page: [ohchr.org/en/hr-bodies/upr/upr-main](http://ohchr.org/en/hr-bodies/upr/upr-main)

**UPR Info:**
- UPR Info database: [upr-info-database.uwazi.io/](http://upr-info-database.uwazi.io/)
- UPR Mid-Term Reporting: Optimising Sustainable Implementation, Good Practices for UPR Stakeholders
- Both reports can be downloaded from UPR Info’s resource page [upr-info.org/en/resources/upr-info-publications](http://upr-info.org/en/resources/upr-info-publications)

**UN High-Level Political Forum on Sustainable Development:**

**UNESCO publications:**
- Access to information: a new promise for sustainable development, [unesdoc.unesco.org/ark:/48223/pf0000371485](http://unesdoc.unesco.org/ark:/48223/pf0000371485)
- Countering Online Hate Speech, [en.unesco.org/news/unesco-launches-countering-online-hate-speech-publication](http://en.unesco.org/news/unesco-launches-countering-online-hate-speech-publication)

UNESCO graphic tools useful for advocacy purposes:
- Violence against women journalists, trello.com/b/HBMH17iA/violence-against-women-journalists
- Explainer video on the Rabat Plan of Action on the Prohibition of Incitement to Hatred, youtube.com/watch?v=ADrB32OSe3A
- Explainer video on ending impunity against journalists, youtube.com/watch?v=VuQ7q2Ej6q8

Resources on the right to freedom of expression:
- OHCHR: pbchr.org/EN/Issues/FreedomOpinion/Pages/OpinionIndex.aspx

UNESCO:
- en.unesco.org/themes/fostering-freedom-expression
- unesco.org/en/communication-information/right-information

Resources on the safety of journalists:
- UNESCO: en.unesco.org/themes/safety-journalists
- Reporters Without Borders: rsf.org/en
- Committee to Protect Journalists: cpi.org/

Resources on security and reprisals:
- Defend Defenders: defenddefenders.org/tools-for-hrd/
- Euro-Mediterranean Foundation of Support to Human Rights Defenders: emhrf.org/
- International Lesbian, Gay, Bisexual, Trans and Intersex Association: ilga.org/protectdefenders-eu
- International Service for Human Rights: jshr.ch/defenders-toolbox/
- Peace Brigades International: peacebrigades.org/en/about-pbi
- Protection International: protectioninternational.org/
- Urgent Action Fund for Women’s Human Rights: urgentactionfund.org/
Amnesty International is a global movement of more than 10 million people who campaign for a world where human rights are enjoyed by all. Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards. We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

Since its founding, UNESCO has garnered considerable support from NGOs, which have allowed it to advance its ideals and the implementation of its mandate and programme. Amnesty International is a significant partner of UNESCO in the field of human rights protection and promotion, with associate status since 2012.

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