



BUREAU DU PRÉSIDENT

OFFICE OF THE PRESIDENT

1 November 2022

Excellencies,

In view of the fourth cycle of the universal periodic review (UPR) commencing in November 2022, and in accordance with the letter and spirit of Human Rights Council resolutions 5/1 and 16/21, Presidential statement 8/1, as well as the letter of 18 September 2013 of the former President of the Council, I would like to recall some existing rules and practices regarding the sessions and reports of the UPR Working Group, as follows:

- The review process starts at the Working Group level and ends with the adoption of the outcome of the review by the Council at its plenary session. The review should focus on, *inter alia*, the implementation of the accepted recommendations and the developments of the human rights situation in the State under review since the previous review. In this respect, States may wish to reiterate recommendations made in the previous cycles and supported by the State under review but not yet fully implemented.
- According to resolution 5/1, States may wish to ensure that their recommendations are based on the Charter of the United Nations, the Universal Declaration of Human Rights, human rights instruments to which the State under review is a party, and applicable international humanitarian law, as well as the voluntary pledges and commitments made by the State under review.
- The role of the troika is to facilitate each review, including the preparation of the Working Group report by fully involving the State under review and with the assistance of the Secretariat.
- States that wish to raise questions to the State under review may do so by submitting advance questions to the Secretariat, preferably no later than 10 working days before the review. Those questions should conform to the basis of the review, as identified in the annex to resolution 5/1.
- The universal periodic review mechanism is aimed at discussing and improving the human rights situation on the ground. Thus, issues of a bilateral, political, and territorial nature should be kept out of the deliberations in the UPR Working Group, and United Nations terminology should be used when referring to States and territories. A point of order should focus on procedural matters.

Enclosure

To all Permanent Representatives to the United Nations Office at Geneva



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- The Working Group report is of a factual nature and will only reflect what is stated by delegations during the review within the allotted speaking time and as recorded on the UN webcast. Delegations are strongly encouraged to clearly identify their recommendations by using the words “recommend” or “recommendation” and deliver them at the beginning of their statements to ensure that they are captured within the allotted time.
- Recommendations that enjoy the support of the State under review will be identified as such. Other recommendations, together with the comments of the State under review, will be noted. To assist the State under review in taking position on the recommendations in accordance with resolution 5/1, recommending States may wish to ensure that each recommendation contains a single human rights issue.
- The State under review should clearly communicate to the Council, in a written format prior to the Council plenary, its positions on all received recommendations, in accordance with the annex to resolution 5/1, following extensive consultations held nationally, also with other stakeholders, in the period between the review and the adoption.

Furthermore, in accordance with resolution 5/1, among the objectives of the universal periodic review are the improvement of the human rights situation on the ground; the fulfilment of the State’s human rights obligations and commitments; and the enhancement of the State’s capacity and of technical assistance, in consultation with, and with the consent of, the State concerned. Such objectives should continue to guide us all.

Ahead of the next cycle, allow me also to recall that during the third cycle, the UPR maintained the participation of all 193 States. The considerable number of Member States participating and formulating recommendations demonstrated the continued interest in the UPR by the international community. Innovative hybrid modalities, introduced in response to the COVID-19 pandemic, made it possible to ensure even broader and more senior-level participation by States and other stakeholders, especially from LDCs and SIDSs. The Voluntary Fund for Participation in the UPR also contributed to facilitate the participation of delegates from LDCs and SIDSs in the proceedings.

During the past cycle, the UPR mechanism has advanced the promotion and protection of human rights and secured greater compliance, in law and in practice, with international human rights norms and the commitments made by States, in all regions of the world. In line with the Secretary-General’s Call to action for human rights and his report entitled “Our Common Agenda” (A/75/982), OHCHR has produced tools to facilitate the follow-up to UPR recommendations by States, as well as their increasing integration into efforts towards the Agenda 2030 and United Nations country programming processes. These tools include a [Practical Guidance](#) on maximizing the use of the universal periodic review mechanism meant for heads of UN offices worldwide, and a [Repository of good practices by the UN system](#) in using the UPR in order to advance the SDGs. Direct support to the implementation of the recommendations emanating from the UPR was also provided through the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review.



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The credibility of the fourth cycle will depend on applying consistently to each review the afore-referred rules and practices, while building on the experience and success of the 3rd cycle thus continuing to ensure equal treatment of all States and relevance and impact of the UPR at country level. It is my strong belief that the UPR is a most effective mechanism to advance human rights, yet this will be possible if there is a focus on implementation of the recommendations accepted by the State from the time of the adoption of the UPR outcome in the HRC; if there is an effective National Mechanisms for Implementation, Reporting, and Follow up - ensuring continuous dialogue among all branches of the government and other stakeholders, including civil society and NHRIs; if there is greater submission of voluntary mid-term reports; if there is effective integration of human rights implementation plans with efforts at the SDGs – including through the VNRs; and, finally, if the technical cooperation gap is met by mobilizing the UN System and bilateral actors – especially recommending States, when making recommendations to States recipient of ODA, or through forms of South-South, North-South cooperation - in support of States, at their request.

The sharing of good practices through the General Debate under item 6 would also be essential for the Council to focus more of its attention also on what it is achieved in various country contexts. While at its 51st session the Council took significant action on the issue of additional dedicated capacities for OHCHR/UPRB to provide technical assistance in each Regional Office, I reiterate the call for all States to increase their support for the two UPR Trust Funds with additional voluntary contributions thus also broadening their donors' base.

Please accept, Excellencies, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Federico Villegas', written in a cursive style.

Federico Villegas
President of the Human Rights Council

