

## **Non-cooperation: Paving the way**

(oral statement at Human Rights Council under item 6)

*UPR Info* is concerned by the many challenges raised by the second UPR cycle. Among them, cases of "persistent non-cooperation" have to be addressed.

*UPR Info* regrets the response of the Council to a current case of non-cooperation. The steps contained in decision 7/L.1 adopted on 29 January were not satisfactory and the Council should instead develop a robust mechanism to deal with "persistent non-cooperation".

In order to define "persistent non-cooperation", we note that participation in the UPR includes many different steps such as: submitting a national report, selecting its own troika, participating in the interactive dialogue, submitting an addendum, and presenting updates at mid-term on implementation. Failing to engage in three or more of those steps should be fully considered as a case of persistent non-cooperation.

In addition, in order to have its UPR postponed, a country should submit an official request containing the "extraordinary circumstances" leading to this request and a tentative date for the next review.

Failing to appear to its own UPR without a preliminary decision by the Council to postpone should bare consequences, such as referral to the General Assembly, nomination of a Special Envoy to resume cooperation, and also to schedule an additional follow-up meeting within the HRC before the third UPR.

Non-cooperation is not limited to non participation. Non implementation is another important aspect. The Council should also address this issue as, according to national reports submitted by States at the 14<sup>th</sup> session, a worrisome 22% of the recommendations and pledges received by those countries in 2008 were not even reported on and only 26% were fully implemented.

Finally, other cases of non-cooperation should be mentioned and further discussed such as non acceptance of recommendations and unjustified reasons given to reject a recommendation.

Geneva, 15 March 2013