

THE UNIVERSAL PERIODIC REVIEW (UPR)

The Universal Periodic Review (UPR) is a human rights mechanism of the United Nations Human Rights Council (HRC), and it's an **accessible and useful tool** for human rights defenders.

This unique mechanism covers all 193 States and **all human rights**. The human rights situation of every UN member state is reviewed approximately every 4.5 or 5 years (a UPR cycle).

The UPR is a peer-review mechanism, as recommendations on their human rights progress are made to States by other States.

The UPR reviews are conducted by the **UPR Working Group (UPR WG)**, which consists of the 47 States of the Human Rights Council.

Recommending States base their recommendations on **three documents**:

- The National Report by the State under Review (SuR)
- The Compilation of UN information (containing information in reports by treaty bodies, special procedures as well as submissions by UN Country Teams and UN entities)
- The Summary of Stakeholders' Submissions (containing information in submissions by national human rights institutions, **civil society organisations** and regional human rights mechanisms)

The UPR WG meets **three times per year** in Geneva (Switzerland), on January, May and November. During each session, fourteen countries are reviewed. Each State review is assisted by groups of three States, "troikas", who serve as rapporteurs. WG sessions are also available online on UN Webcast.

The **review** is where reports are considered, and where States make recommendations. It takes the form of an interactive dialogue.

Each country undergoing review takes part in a 3.5-hour session, in which any UN member state is able to ask questions and make recommendations.

All recommendations received will be included in the **Working Group report**, issued and presented for adoption at the end of the WG session, which must accurately reflect the debate and must include all recommendations made to the national government by other member states.

States under Review (SuR) have to take position on all **UPR recommendations**, by either supporting or noting them. They have until the adoption of the report at the HRC to make its final responses to the recommendations.

Approximately six months after the WG, during item 6 (**UPR adoptions**) of Human Rights Council's plenary sessions, the Council adopts the final outcome report of the Working Group, after the State under Review has had the opportunity to further respond to questions and clarify their position on the recommendations received, and member and observer States, NHRIs and NGOs moreover have the opportunity to make statements. For two weeks after the adoption, factual errors can be corrected through the request of delegations.

The country under review is expected to **implement the recommendations** it has received before the next review, when they will report on the implementation of their UPR recommendations. As each review process is based on the implementation of previously received recommendations, the UPR is a **cyclical process**.

It can also, on a voluntary basis, provide the Council with a **mid-term report** of progress already made halfway through the cycle.

Civil society and the UPR

Although the UPR process is led by States, Civil Society Organisations (CSOs) can take part at every stage. Countries have the responsibility to protect human rights, and human rights defenders can raise awareness of the human rights situation in their country and hold States accountable through the Universal Periodic Review. By doing so, human rights defenders can ensure States abide by human rights standards, live up to their commitments and promote and protect the rights of all.

The **mechanism** of the UPR is a full-circle process comprised of three key stages:



1. PREPARATION FOR THE REVIEW

The Working Group does not gather information from the State exclusively, but it needs to have a broader perspective. So, CSOs' view should be present in the reports.

CSOs can participate in the **National consultation** to influence the State report that the State under Review submits, if the State consults them when gathering information to prepare their own report. If this option is available, CSOs should make sure that their concerns are included in the official State report.

They should write their own report or **shadow report**, 6 to 8 months before the session, bringing their expertise and sharing bottom-up information making clear which are the most relevant human rights matters in the country from their point of view.

They can do it alone, but it's more effective to do it with partners and other civil society actors, because it amplifies the impact of the result. This written information is summarized by OHCHR in the summary report, considered during the review. Information they provide can be referred to by any of the States taking part in the interactive discussion during the review at the Working Group meeting.

Besides, recommending States are encouraged to gather information on the human rights situation in the country under review, including on the level of implementation of previous recommendations. CSOs should be active at making it available to them.

CSOs should engage in advocacy with Recommending States both by contacting embassies, 3-4 months prior to the review, and using UPR Pre-sessions, held 1 month prior to the review, to meet with delegates from other States and encourage them to raise certain issues. Pre-sessions allow CSOs to directly inform permanent missions about the human rights situation in the SuR, and they also offer the possibility for representatives of the permanent missions to gather complete and up-to-date information in a short period of time by meeting with multiple CSOs simultaneously.

2. REVIEW AND ADOPTION

During the interactive dialogue, only representatives of UN Member States are permitted to speak and only organisations in consultative status with the United Nations Economic and Social Council (ECOSOC) can be accredited to participate in the session of the Working Group as observers, without making oral statements. CSOs can still virtually follow the session through the media, live and in archive, on the UN website to know the recommendations prior to the publication of the draft report and raise awareness about the process.

Between the review and the adoption, it is likely that many of the UPR recommendations will be left pending. This is the time to advocate for their acceptance contacting their government, the States that made their preferred recommendations, media, etc.

When the UPR outcome report is later presented for **adoption** by the Human Rights Council, NGOs in consultative status with the United Nations Economic and Social Council (ECOSOC) can be accredited to participate in the plenary session of the Human Rights Council as observers and to make an oral statement during the 20 minute-segment allocated to them. This can be a good opportunity to highlight issues raised during the UPR.

3. IMPLEMENTATION OF THE RECOMMENDATIONS

Implementation of the recommendations should be **monitored**.

CSOs should **raise awareness of SuR's commitments** by publicizing the recommendations. They should engage in advocacy and develop strategies to encourage inclusive and sustainable implementation of recommendations.

CSOs can make a UPR **mid-term report** halfway through the cycle to monitor the progress and to encourage the SuR to accelerate implementation.