

Briefing for IHEU Member Organizations on the Universal Periodic Review (UPR)

This document explains how the UN reviews the human rights record of member states, and how your IHEU Member Organization can get involved in the process.

1. WHAT IS THE UPR?

Every country that is a member of the United Nations (UN) gets reviewed on their human rights record.

The process is **universal**: all member states get reviewed, and every member state can take part in every review.

The process is **periodic**: each member state gets reviewed every five years.

The process is a **review**: the current rights situation is examined, and member states can recommend changes that are needed to uphold human rights.

Therefore the process is called the **Universal Periodic Review**.

In detail

The Universal Periodic Review (UPR) was created through the UN General Assembly on 15 March 2006 by resolution 60/251. The process operates under the control and supervision of the Human Rights Council. It is a cyclic mechanism with the aim to improve human rights wherever they may occur.

The UPR is a unique mechanism as it is state-driven and based on the principle of peer review. Every member state of the UN is reviewed on their human rights situations by the other members and equal treatment for every country is ensured. So far there has been a 100% participation rate, making it the only universal mechanism of its kind.

2. HOW DOES IT WORK PRACTICALLY?

The review can be divided into three stages —

Stage 1: The actual review of the 'State under Review' (SuR)

The actual review takes place in a so called Working Group. The group is comprised of all UN Members and is chaired by the President of the Human Rights Council. Every review is a 3.5 hours interactive dialogue.

The dialogue begins with the SuR presenting the situation in its own country. Other States may then ask questions and make recommendations on the human rights situation.

The review of a country is based on three reports:

- A National Report prepared by the State under review on the human rights situation in the country;
- A compilation prepared by the Office of the High Commissioner on Human Rights (OHCHR) containing information from treaty bodies, special procedures and UN agencies such as UNDP and UNICEF;
- A summary of ten pages prepared by the OHCHR containing information from civil society.

At the end, the Working Group accepts a report. A few months later the report should be adopted by the Human Rights Council. Non-state actors can attend the review meeting but cannot take the floor.

Stage 2: The implementation period

This is the period of five years in between each review. During this time the state has to implement the recommendations and pledges it has accepted during the review.

Stage 3: Reporting on implementation

It is important to engage continuously where possible with follow-up. Members can report at the next review on the implementation of those recommendations and pledges and on the human rights situation in the country since the previous review.

3. THE BENEFITS OF THE UPR PROCESS

The United Nations Human Rights Office of the High Commissioner (OHCHR) states that:

“The ultimate aim of this mechanism is to improve the human rights situation in all countries and address human rights violations wherever they occur. It has to remind states of their responsibility to fully respect and implement all human rights and freedoms.”

In short: the UPR is a tool that can be used to improve human rights on the ground. The main advantage of the mechanism is the scale of its use, giving it a high status.

This perception and status cause media to cover the sessions and the published reports, which means widespread awareness. The public will know:

- how a state has improved
- what still needs to be improved
- the commitments expressed by a state.

The more people and organizations know of the actions to be undertaken by a state, the more pressure will be exerted, the more a state will implement human rights and fundamental freedoms.

Why the UPR has status

All 193 UN Member States participate and contribute. This results in a widespread recognition of the process by states, and thus a very solid status.

Since States themselves and the OHCHR draft the texts, the information is perceived as having a **high judicial value**.

However, the UN Special Rapporteur on Freedom of Religion or Belief (FoRB), Dr Ahmed Shaheed, has pointed out that engagement with the right to FoRB during the UPR is low. Out of all recommendations made so far, the total concerning FoRB was only 2.45%.

We encourage IHEU members to engage on this right (which protects freedom of thought including the right to hold non-religious views or convictions) and highlight the situation of the non-religious in their countries.¹

4. HOW IHEU MEMBERS CAN GET INVOLVED

Although the UPR is state-driven, non-state actors have an important role to play as well. Civil society organizations can participate at various stages of the process. In fact, without the contribution of NGOs, the UPR could result in a shallow uncritical statement of the SuR as the Reviewing States would have no other information than the information provided by the SuR itself.

What is more, civil society actors can use the UPR to increase awareness on human rights issues, and to exert more pressure on a State to respect human rights in general as it usually gets more press coverage than other human rights mechanisms.²

It is therefore very important that as many as possible non-state actors, including the members of IHEU, participate in this process. The more information available, the more submissions are filed, the more chance of achieving our common goal: human rights for everyone.

There are several ways in which a non-state actor can make a difference —

(i) Before the review

IHEU Members can do a lot before the Working Group becomes operative.

First, they can participate in national held conferences organised by the State that will be reviewed. The UN encourages states to hold a “broad consultation process at the national level with all relevant stakeholders.” These consultations should take place at least a year before the review in different cities and parts of the country and include a broad range of civil society organizations such as the national institution (if any), NGOs, human rights defenders, local associations, grass root organizations, trade unions, indigenous peoples, etc.

Second members can submit a report on the situation of human rights in the country to the the (OHCHR). This submission will be processed and incorporated in the summary prepared by the OHCHR containing information from the civil society documents. It is thus a tool for members to get their issues and arguments discussed.

A third important way to bring specific concerns to the attention of states is by way of lobbying. This involves members contacting a selection of states and encouraging them to raise certain issues during the review.

¹ A/HRC/34/50

² https://www.upr-info.org/sites/default/files/general-document/pdf/upr_info_cso_compendium_en.pdf

(ii) During the activity of the Working Group

Whilst NGOs, such as IHEU members, cannot take the floor during the review, they can organise side events, spread information on what has been discussed, make statements, organise press conferences and so on.

(iii) During the Human Rights Council Session

A few months after the Working Group has finished the review, the Human rights Council organises a plenary to adopt the final report. As always during a plenary, NGOs get the opportunity to submit written statements, including concerning the UPR.

The IHEU is accredited to speak at the UN Human Rights Council; members can work with our director of advocacy to make statements on UPR countries. In the past, we have made joint statements with members from Denmark, Greece, Iceland, Samoa and Uganda.

(iv) During the implementation period

The implementation period is all about implementing the recommendations that have been accepted. Members can organise events and activities to monitor and push its government to execute the execute the expressed commitments.

5. UPR TIMETABLE

Every year the UPR holds three different sessions, usually in January/February, May/June and October/November. Each session reviews 14 states making the total 42 states each year. This results in every state being reviewed every five years. The process works in five-year cycles.

See the current schedule overleaf.

Human Rights Council Universal Periodic Review (Third Cycle)														
	27 th session (12 May 2017)	28 th session (6-17 Nov 2017)	29 th session (Jan-Feb 2018)	30 th session (Apr-May 2018)	31 st session (Oct-Nov 2018)	32 nd session (Jan-Feb 2019)	33 rd session (Apr-May 2019)	34 th session (Oct-Nov 2019)	35 th session (Jan-Feb 2020)	36 th session (Apr-May 2020)	37 th session (Oct-Nov 2020)	38 th session (Jan-Feb 2021)	39 th session (Apr-May 2021)	40 th session (Oct-Nov 2021)
National report deadline	3 February 2017	7 August 2017	October 2017 (tentative)	February 2018 (tentative)	July 2018 (tentative)	October 2018 (tentative)	February 2019 (tentative)	July 2019 (tentative)	October 2019 (tentative)	February 2020 (tentative)	July 2020 (tentative)	October 2020 (tentative)	February 2021 (tentative)	July 2021 (tentative)
1	Bahrain	Czechia	France	Turkmenistan	Saudi Arabia	New Zealand	Norway	Italy	Kyrgyzstan	Belarus	Micronesia	Namibia	Suriname	Togo
2	Ecuador	Argentina	Tonga	Burkina Faso	Senegal	Afghanistan	Albania	El Salvador	Kiribati	Liberia	Lebanon	Niger	Greece	Syrian Arab Republic
3	Tunisia	Gabon	Romania	Cape Verde	China	Chile	Democratic Republic of the Congo	Gambia	Guinea	Malawi	Mauritania	Mozambique	Samoa	Venezuela (Bolivarian Republic of)
4	Morocco	Ghana	Mali	Colombia	Nigeria	Viet Nam	Côte d'Ivoire	Bolivia (Plurinational State of)	Lao People's Democratic Republic	Mongolia	Nauru	Estonia	Saint Vincent and the Grenadines	Iceland
5	Indonesia	Peru	Botswana	Uzbekistan	Mexico	Uruguay	Portugal	Fiji	Spain	Panama	Rwanda	Paraguay	Sudan	Zimbabwe
6	Finland	Guatemala	Bahamas	Tuvalu	Mauritius	Yemen	Bhutan	San Marino	Lesotho	Maldives	Nepal	Belgium	Hungary	Lithuania
7	United Kingdom of Great Britain and Northern Ireland	Benin	Burundi	Germany	Jordan	Vanuatu	Dominica	Kazakhstan	Kenya	Andorra	Saint Lucia	Denmark	Papua New Guinea	Uganda
8	India	Republic of Korea	Luxembourg	Djibouti	Malaysia	The former Yugoslav Republic of Macedonia	Democratic People's Republic of Korea	Angola	Armenia	Bulgaria	Oman	Palau	Tajikistan	Timor Leste
9	Brazil	Switzerland	Barbados	Canada	Central African Republic	Comoros	Brunei Darussalam	Iran (Islamic Republic of)	Guinea-Bissau	Honduras	Austria	Somalia	United Republic of Tanzania	Republic of Moldova
10	Philippines	Pakistan	Montenegro	Bangladesh	Monaco	Slovakia	Costa Rica	Madagascar	Sweden	United States of America	Myanmar	Seychelles	Antigua and Barbuda	Haiti
11	Algeria	Zambia	United Arab Emirates	Russian Federation	Belize	Eritrea	Equatorial Guinea	Iraq	Grenada	Marshall Islands	Australia	Solomon Islands	Swaziland	South Sudan
12	Poland	Japan	Israel	Azerbaijan	Chad	Cyprus	Ethiopia	Slovenia	Turkey	Croatia	Georgia	Latvia	Trinidad and Tobago	
13	Netherlands	Ukraine	Liechtenstein	Cameroon	Congo	Dominican Republic	Qatar	Egypt	Guyana	Jamaica	Saint Kitts and Nevis	Sierra Leone	Thailand	
14	South Africa	Sri Lanka	Serbia	Cuba	Malta	Cambodia	Nicaragua	Bosnia and Herzegovina	Kuwait	Libya	Sao Tome and Principe	Singapore	Ireland	

When contributing, members should keep a timetable in mind concerning when / what activities can be or will be organised³:



6. FURTHER INFORMATION AND SUPPORT

There is an independent NGO, based in Geneva, called *UPR Info*, which is invaluable in helping NGOs, such as IHEU Member Organizations, through the UPR process and to make maximum use of it.

To facilitate NGO lobbying, UPR Info organises "pre-sessions" in Geneva between NGOs and Permanent Missions. One month before the official UN UPR working group review, UPR Info organises a one-hour meeting on the State under Review. They give the floor to national and international NGOs to brief Permanent Missions about the human rights situation in the country.

You can get more information on the UPR Info website at: <https://www.upr-info.org/en>

Also, please contact IHEU's director of advocacy, Elizabeth O'Casey (elizabeth.ocasey@iheu.org) for any more information or support you may need if you would like to engage with the UPR on behalf of your organization.

³ Image courtesy of the Civil Society Compendium A comprehensive guide for Civil Society Organizations engaging in the Universal Periodic Review, *UPR Info*, 2017, p17.
https://www.upr-info.org/sites/default/files/general-document/pdf/upr_info_cso_compendium_en.pdf