

Briefing for Humanists International 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 Member Organization (MO) 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. Reviewing States may then ask questions and make recommendations on the human rights situation. To assist with the process, three States are chosen to serve as the “Troika”. The Troika States have the additional

responsibility of helping to prepare the report of the Working Group with the assistance of the SuR and the HRC Secretariat.

The review of a country is based on three reports:

- A National Report prepared by the SuR on the human rights situation in the country;
- A compilation of United Nations information 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 Stakeholder Summary of no more than 10 pages prepared by the OHCHR based on reports prepared by civil society organisations and NGOs on the human rights situation in the SuR.

The final report, including summaries of the SuR's intervention and the interactive dialogue, is released one week after the end of the UPR Working Group session. The SuR will either "support" or "note" the recommendations in the report. The SuR will then present its official response during a plenary session of the HRC, 3-4 months after the review. The final report (including the SuR's response) will then be adopted by the HRC.

Non-state actors can attend the review meeting but cannot take the floor. Contributing to the Stakeholder Summary is therefore a crucial element of civil society engagement during the review.

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. MOs 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.

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**.

This perception and status cause the media to cover the sessions and the published reports, which means widespread awareness of human rights. In particular it means 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.

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 our MOs 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 HUMANISTS INTERNATIONAL MEMBERS (MOs) 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 MOs of Humanists International, 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

Humanists International MOs 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

¹ A/HRC/34/50

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

national institution (if any), NGOs, human rights defenders, local associations, grass root organizations, trade unions, indigenous peoples, etc.

Second, MOs can submit a report on the situation of human rights in the country to the OHCHR.

This submission will be processed and incorporated in the Stakeholder Summary prepared by the OHCHR containing information from the civil society documents. It is thus a tool for MOs to get their issues and arguments discussed. See Sections 5 and 6 below for more details on the form, content and deadlines for submissions to the OHCHR.

A third important way to bring specific concerns to the attention of states is by way of lobbying.

This involves MOs contacting a selection of states and encouraging them to raise certain issues during the review.

(ii) During the activity of the Working Group

Whilst NGOs, such as Humanists International MOs, 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 HRC organises a plenary to adopt the final report.

Humanists International is accredited to speak at the HRC; MOs can work with our advocacy team to make statements on UPR countries. In the past, we have made joint statements with MOs including from Cyprus, Denmark, Guatemala, Greece, Iceland, New Zealand, Nigeria, Russia, Samoa, and Uganda.

(iv) During the implementation period

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

5. GUIDELINES FOR SUBMISSIONS

The Office of the UN High Commissioner on Human Rights (OHCHR) has set out several guidelines for the submission of stakeholder submissions.³ Submissions should:

- be submitted in Word (not PDF) format only
- not exceed 2,815 words (but additional documents can be annexed for reference)
- have a cover page which clearly identifies the name of the submitting organization (letterhead, name, logo, webpage, email and postal address)

³ See Universal Periodic Review (Third Cycle): Information and Guidelines for Relevant Stakeholders' Written Submission, *United Nations Human Rights Council*, 2017.
<https://www.ohchr.org/Documents/HRBodies/UPR/TechnicalGuidelines3rdCycle.docx>

- briefly describe the main activities and objectives of the MO (not to be included in the word count)
- include an introductory paragraph summarizing the main points in the submission
- only use endnotes to reference information
- have numbered paragraphs and pages
- be written in one of the UN official languages, preferably English, French or Spanish
- be submitted by the deadline (which is usually around 7 months ahead of the scheduled date of the Working Group session)

Submissions are made through an on-line system via the following website: <https://uprdoc.ohchr.org>. MOs will first need to set up a profile, which can take up to 24 hours to be approved.

In terms of content, MO submissions should highlight particular human rights issues of concern, and should rely on credible sources for their information. First-hand information is considered preferable, along with any of the MO's own findings and conclusions. Where included, second-hand information should be referenced in the endnotes.

6. 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 once every five years.

See the upcoming schedule for the countries left to be examined in the fourth cycle of the review (which runs from 2017 to 2022) and the deadline for MO submissions to the OHCHR in respect of each review cycle below.⁴

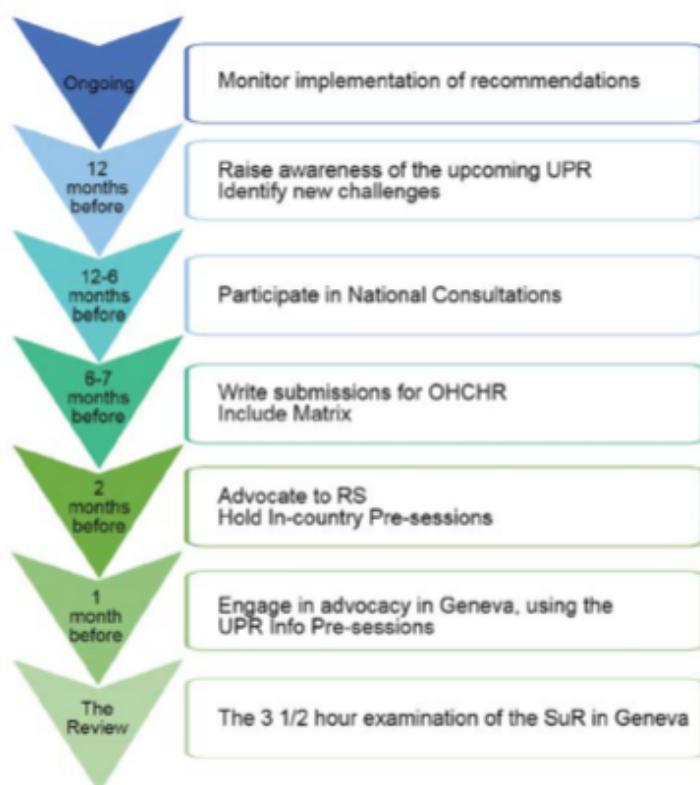
Fourth UPR Cycle

Working Group Review date	41st session (Oct - Nov 2022)	42nd session (Jan-Feb 2023)	43rd session (Apr-May 2023)
Deadline for MO submission	31 March 2022	30 June 2022	29 September 2022
1	Bahrain	Czech Republic	France
2	Ecuador	Argentina	Tonga
3	Tunisia	Gabon	Romania
4	Morocco	Ghana	Mali
5	Indonesia	Peru	Botswana
6	Finland	Guatemala	Bahamas

⁴ Please consult the OHCHR website for an up to date list: <https://www.ohchr.org/en/hrbodies/upr/pages/ngosnhris.aspx>

7	United Kingdom	Benin	Burundi
8	India	Korea	Luxembourg
9	Brazil	Switzerland	Barbados
10	Philippines	Pakistan	Montenegro
11	Algeria	Zambia	United Arab Emirates
12	Poland	Japan	Israel
13	Netherlands	Ukraine	Liechtenstein
14	South Africa	Sri Lanka	Serbia

When contributing, MOs should keep a timetable in mind concerning when / what activities can be or will be organised⁵:



7. FURTHER INFORMATION AND SUPPORT

There is an independent NGO, based in Geneva, called *UPR Info*, which is invaluable in helping NGOs, such as Humanists International MOs, 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 SuR. 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>

⁵ 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



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Also, **please contact Humanists International's Advocacy Officer, Lillie Ashworth** (lillie@humanists.international) for any more information or support you may need if you would like to engage with the UPR on behalf of your organization.