



child rights connect



# Follow-up to the Universal Periodic Review Information for NGOs

The Universal Periodic Review (UPR) is a Human Rights Council (HRC) review mechanism of the overall human rights situation in each UN Member State, conducted by all UN Member States. After its review, each State is expected to implement the UPR recommendations it receives, in particular those which it accepts, as well as the voluntary commitments it makes.<sup>1</sup> The recommendations and voluntary commitments are known as the UPR outcome.

## What is follow-up in the UPR context?

UPR follow-up refers to all the activities NGOs may undertake to ensure that States **implement** their **“UPR outcome”** before their next UPR review 4½ years later.

### IMPORTANT NOTE

#### States under Review cannot reject UPR recommendations

Contrary to what is often said, a “State under Review” (SuR) cannot technically “reject” UPR recommendations. It can only indicate which recommendations “enjoy the State’s support” and which ones are “noted”. The only difference between the two is that when an SuR indicates that a recommendation enjoys its support, it makes a political commitment to implement that recommendation before the next review. Nonetheless, the State can always decide to implement noted recommendations at a later stage. During the first UPR cycle, 19% of noted recommendations were implemented;<sup>2</sup> hence the importance of maintaining a dialogue about noted recommendations with the State. The UPR mechanism cannot be used to dismiss a human rights issue or concern.

## Why should NGOs engage in follow-up?

To improve the human rights situation on the ground, it is essential that NGOs systematically follow up on progress made by the State regarding UPR outcomes.

- 1. To know and let people know about the child rights issues that their State has been told to focus on at international level:** National civil society actors do not often know about recommendations from international processes, like UPR outcomes, even when these recommendations address national issues relevant to their work. Children are often unaware of recommendations that are relevant to their situations. NGOs can increase awareness about UPR outcomes and bring them up in national discussions.
- 2. To make their work more effective:** In many cases, NGOs work on child rights issues that are addressed in the UPR of their States. NGOs can strengthen their arguments and advocacy by referring to and monitoring the implementation of UPR outcomes.
- 3. To hold States accountable:** While States are responsible for implementing UPR outcomes, NGOs can play a critical role by monitoring State actions and reminding them of their commitments.
- 4. To help States with implementation:** Follow-up is also an opportunity for NGOs to offer their expertise to States through consultations or reports and to assist with implementation of UPR outcomes.
- 5. To make the UPR process more effective:** By ensuring continuous pressure on States, follow-up activities can result in higher rates of implementation of outcomes. As a result, the UPR can help improve the child rights situation on the ground. NGOs’ monitoring of the implementation phase also provides information for subsequent UPR reviews.

<sup>1</sup> See Fact sheet No.1 *The Universal Periodic Review* for more information.

<sup>2</sup> See UPR Info’s *Beyond Promises*, November 2014, accessible at: [http://www.upr-info.org/sites/default/files/general-document/pdf/2014\\_beyond\\_promises.pdf](http://www.upr-info.org/sites/default/files/general-document/pdf/2014_beyond_promises.pdf)

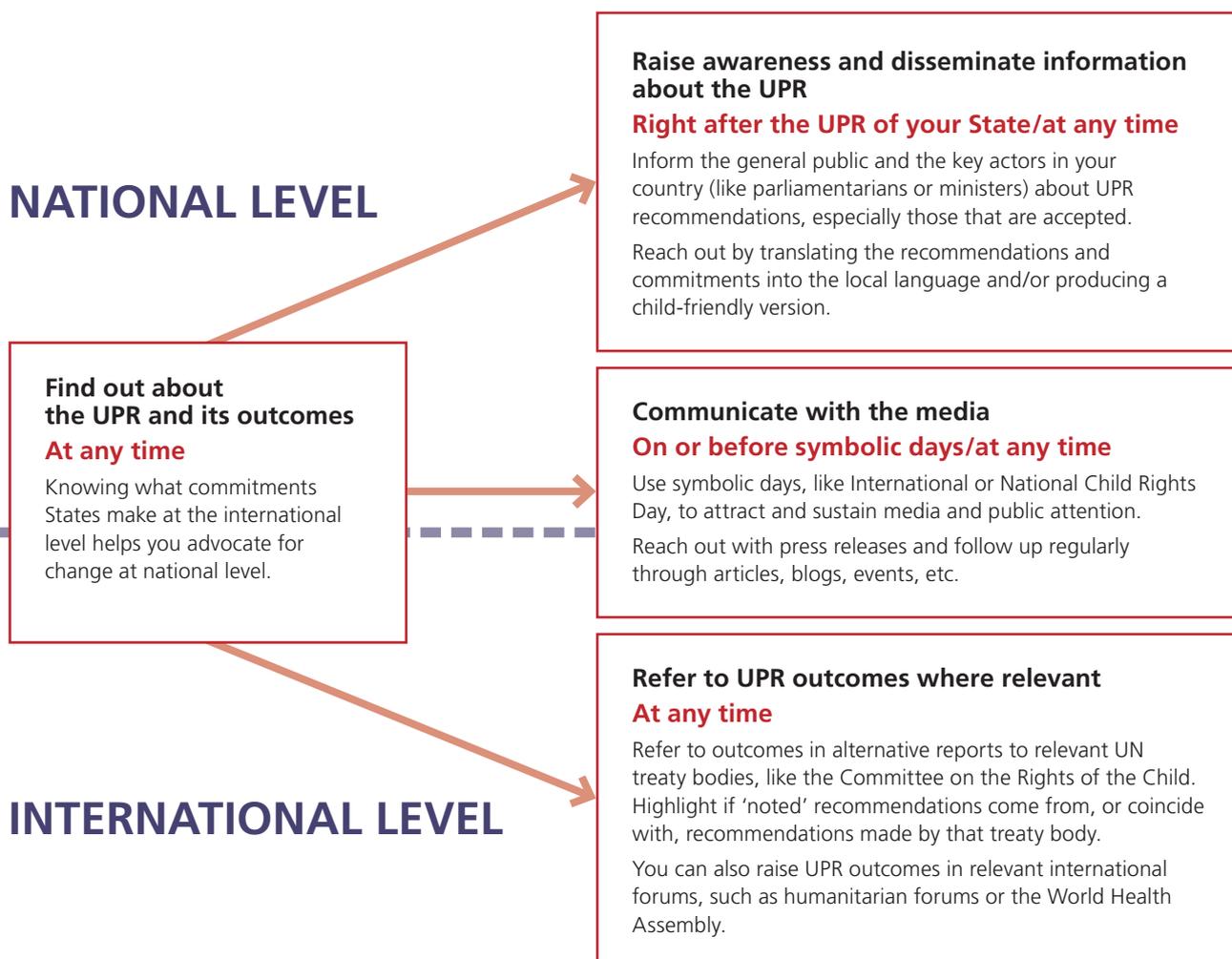
## What kind of follow-up activities can NGOs undertake?

Depending on the resources, capacities and interests of each NGO, follow-up can include a range of activities and take place at national and/or international levels.

There are a number of possible follow-up activities. As a minimum, NGOs are encouraged to find out about the UPR

of their State and its outcomes and to share this information with others. If more resources are available, NGOs can engage in monitoring and reporting the progress made in the implementation of UPR outcomes.

## STEP 1: Find out and share information about UPR outcomes



## Where can UPR outcomes be found?

- Recommendations made to the State reviewed can be found in the **UPR Working Group report** issued after the UPR of the State and any addendums to this report.
- Written responses and oral comments made by the State reviewed about the recommendations received can be found in the **Addendum to the UPR Working Group report** and in the **Report of the HRC session**, in which the UPR Working Group report of the State reviewed was adopted.

- Voluntary commitments made by States reviewed can be found in several places: the **national UPR report**; the **UPR Working Group report**; any **addendums** to this report; and in the initial and concluding **statements the State made during the HRC plenary session**, in which its UPR Working Group report was adopted.

All of the above documents can be found at: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx> and at: <http://www.upr-info.org>

## STEP 2: Monitor and report on progress

### Helping your State to translate a UPR outcome into action

For each recommendation or voluntary commitment you are interested in monitoring, you can make suggestions about the results expected, the types of action required (political, legislative, allocation or increase of resources, etc.), the actors that should be involved and a timetable to achieve them by the next State review.<sup>3</sup>



<sup>3</sup> For ideas, model matrixes and plans that you could encourage your State to use, see the guide for States produced by the International Organisation de la Francophonie, based on good practices in implementing UPR recommendations, which is available here: [www.francophonie.org/IMG/pdf/oif\\_practical\\_guide\\_web.pdf](http://www.francophonie.org/IMG/pdf/oif_practical_guide_web.pdf).

<sup>4</sup> Noted recommendations can always be accepted and/or implemented after the State’s review. See text box on page 1.

<sup>5</sup> See Fact Sheets No.2 entitled “NGO written submission for the UPR” and No.3 entitled “NGO Advocacy in the UPR”.

## Who are the key partners for effective follow-up?

### Don't work alone!

At each step of the process, do not forget to consult and engage with partners, especially child rights partners or your child rights coalition. You will be more effective if you share activities and responsibilities. Additionally, your follow-up advocacy strategy will be more comprehensive and have more chances of including all important milestones and opportunities, such as entry points with other human rights mechanisms, especially the Committee on the Rights of the Child.

#### ■ The State and relevant ministries

A coordinating body or focal point within the State structure, such as the Ministries of Education, Health or Justice, should assign the responsibility of examining and implementing recommendations to relevant ministries. Liaising directly with government representatives in those ministries will help you to develop partnerships with the government during the implementation phase.

#### ■ Parliamentarians

Many recommendations will require the passing of new laws or ratifying treaties to be implemented. Individual parliamentarians, as well as thematic sub-groups or committees, can propose draft laws that will ensure such implementation and may also include your suggestions for implementation.

#### ■ National Human Rights Institution

A National Human Rights Institution (NHRI) usually has the mandate to monitor UPR outcomes and often acts as a facilitator in the consultation processes conducted by the State. It can help you to access the government and provide you with assistance in the monitoring phase.

#### ■ Child Ombudsperson and Children's Parliament

You may want to encourage the Child Ombudsperson, also called Children's Commissioner, Children's Commission, Child Advocate, etc., and Children's Parliament to include the monitoring of UPR recommendations regarding child rights in their work plans and to liaise with the government regularly throughout the implementation phase. Their position/status may help you to work more closely with government. They could also voice your concerns/suggestions directly to the government.

#### ■ Partner NGOs, child-led or youth groups

Follow-up will be more feasible and comprehensive if you conduct it with partners. Working together can also increase your authority and legitimacy during discussions with your government.

#### ■ Media

Using the media can help to ensure that the issues discussed during UPR stay high on the agenda of the government and are known by the general public. This can help you to voice your suggestions for implementation and hold your State accountable.

#### ■ States that made recommendations to your State

States that previously made recommendations on the same – or similar – issues may be interested in providing political or financial support for follow-up activities or

raising these issues in bilateral talks with your State. You should reach out to their embassies in your State or UN missions in Geneva.

#### ■ UN bodies and agencies

UN bodies and agencies may have a role to play in the implementation of UPR recommendations and may assist you directly or by building the capacity of the State. For example, the Office of the United Nations High Commissioner for Human Rights (OHCHR) is mandated to promote and protect the enjoyment and full realisation of human rights in all States.<sup>6</sup> It can support the follow-up and implementation of UPR recommendations and receive requests for technical assistance from States. OHCHR country or regional offices may be particularly useful partners. The United Nations Development Programme (UNDP) can also support countries to follow up on recommendations and help to engage civil society organisations in their monitoring. UNICEF is another key partner for follow-up on UPR child rights recommendations.

#### ■ UPR Info and Child Rights Connect

You can contact us for any guidance on follow-up and to know more about international opportunities to report on progress made.

**DON'T FORGET:** This is a list of possible partners. Before making contact, assess whether you have, or can safely establish, working relationships with these potential partners and clearly understand their political role and positions. It is important that partners share similar views on overall goals.

<sup>6</sup> For more information about the activities undertaken by the OHCHR and the UPR Voluntary Fund for Financial and Technical Assistance, go to: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRVoluntaryFundFinancialAndTechnicalAssistance.aspx>

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# Using the UN Human Rights Council to report on progress

NGOs with consultative status with the Economic and Social Council of the United Nations (referred to as “ECOSOC status”) can officially engage in follow-up activities at the UN Human Rights Council (HRC).

NGOs that do not have the status can still engage in these activities, with support from an NGO with ECOSOC status. Contact Child Rights Connect and/or UPR Info for more information about this possibility.

## How can an NGO report on progress in implementation at the HRC?

At any time, from the adoption of the UPR outcome report of the State until its next UPR, NGOs can report to the HRC on the progress made in the implementation of a UPR outcome. This can be done by way of a written or oral statement or by organising a side event.

## Oral and written statements

At any HRC session, a general debate on the UPR is held under item 6 of the agenda, after the adoption of all the UPR reports. During this time, NGOs with ECOSOC status can raise concerns about the UPR of any State or report on the implementation of UPR recommendations in a given State through a 2-minute oral statement and/or a written statement.<sup>1</sup>

### Should an NGO present an oral or a written statement?

#### An oral statement:

- is delivered before the HRC and is heard by diplomats and other NGOs;
- is webcasted and can be watched live or at any point afterwards;

Oral statements can be a way to comment on the State’s implementation, or lack of implementation, of the UPR outcomes in general or focus on specific recommendations. They can also be used to comment on the cooperation between civil society and the State in the implementation phase or any other issue relevant to the State’s UPR outcome.

However, an oral statement is limited in time to two minutes.

#### A written statement:

- is sent by email to the UN at [hrcngo@ohchr.org](mailto:hrcngo@ohchr.org);
- gets an official UN reference number and is uploaded onto the UN website;
- must focus on the human rights situation in the State since the last UPR, the evolution after the review and/or the stage of implementation of recommendations;
- can be longer than the oral one and can therefore provide additional and complementary information not delivered due to time constraints.

However, written statements receive less attention than oral statements.

NGOs can use both options to maximise their impact. For example, during the adoption of the UPR report of Bahrain, the Cairo Institute for Human Rights Studies made reference to its written statement during its oral one, indicating that it contained further information.

## Side events

During any HRC or UPR session, NGOs with ECOSOC status can book a room in the UN Palais des Nations, where the sessions are held in Geneva, Switzerland, to organise their own events.

These ‘side events’, which run parallel to the HRC or UPR session, usually last 2 hours and take place during the lunch break, between 12:00 and 15:00. They are a good opportunity for NGOs to launch reports and present thematic or country issues. NGOs have used this option to present mid-term assessments of the implementation of UPR outcomes in their countries, to comment on the UPR of a specific country or to focus on some specific UPR recommendations and how they should be implemented.

These rooms should be requested on-line in advance of the session.<sup>2</sup>

<sup>1</sup> More information on the process to follow, the languages that should be used and all necessary forms can be found here: <http://www.ohchr.org/EN/HRBodies/HRC/Pages/NgoParticipation.aspx> and here: [http://www.ohchr.org/Documents/HRBodies/HRCouncil/PracticalGuideNGO\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/PracticalGuideNGO_en.pdf)

<sup>2</sup> More information about side even organisation, including booking a room, can be found here: <http://www.ohchr.org/EN/HRBodies/HRC/Pages/NGOParticipation.aspx> and here: [http://www.ohchr.org/Documents/HRBodies/HRCouncil/PracticalGuideNGO\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/PracticalGuideNGO_en.pdf), p.10