

OHCHR Information Note for UN Resident Coordinators, UN Country Teams and other UN entities regarding the Universal Periodic Review mechanism

(26 September 2012)

This note aims at providing UN Resident Coordinators, UN Country Teams and other UN entities with information and guidance on how to contribute to the second and subsequent cycles of the Universal Periodic Review (UPR) of the UN Human Rights Council.

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1. The Universal Periodic Review of the Human Rights Council

On 15 March 2006, the General Assembly adopted resolution 60/251 and decided to establish the Human Rights Council (HRC), based in Geneva, as a subsidiary organ of the General Assembly. The General Assembly also decided that the HRC shall "undertake a universal periodic review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States; the review shall be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs...".

The basis of the universal periodic review (UPR), its principles and objectives, its process and modalities, as well as the outcome of the review are outlined in resolution 5/1, adopted by the HRC on 18 June 2007 (the so-called 'institution-building package', see <http://www2.ohchr.org/english/bodies/hrcouncil/>).

Principles and Objectives

The objectives of the UPR are: (a) the improvement of the human rights situation on the ground; (b) the fulfillment of the State's human rights obligations and commitments and assessment of positive developments and challenges faced by the State; (c) the enhancement of the State's capacity and of technical assistance, in consultation with, and with the consent of, the State concerned; (d) the sharing of best practice among States and other stakeholders; (e) support for cooperation in the promotion and protection of human rights; (f) the encouragement of full cooperation and engagement with the Council, other human rights bodies and OHCHR.

Process and Modalities

The review lasts for three hours and a half and is conducted through an interactive dialogue (peer review) between the State under Review and the HRC, which takes place in a working group composed of the 47 Member States of the HRC. Observer States may participate in the review. The working group is an intergovernmental meeting, which UN entities and stakeholders (national human rights institutions, NGOs, members of the civil society, experts etc.) can attend but during which they cannot make interventions.

A group of three rapporteurs (troika) facilitates each country review; they are selected by the drawing of lots among the members of the HRC and from different Regional Groups. The review is based on three documents: a report prepared by the State and two reports prepared by OHCHR, i.e. a compilation of UN information and a summary of stakeholders' inputs.

Outcome of the Review

A few months after the working group session, the HRC meets in a plenary session to consider and adopt the outcome of the UPR; a one-hour meeting is devoted to each State under Review. At the HRC plenary session, the State under Review, member and observer States, and observers including UN entities, as well as stakeholders, including national human rights institutions and non-governmental organizations, have the opportunity to make interventions.

One hour for the adoption of the outcome is allocated as follows:

- up to 20 minutes for the State under Review;
- up to 20 minutes for HRC Member States and Observers, including UN entities:
speaking time 2 minutes;
- up to 20 minutes for other stakeholders, including national human rights institutions and NGOs.

According to resolution 5/1, the review process is directed towards facilitating an outcome consisting of a summary of the proceedings, conclusions and/or recommendations, and the voluntary pledges and commitments of the State concerned. The outcome could include: an assessment of the human rights situation in the country, including positive developments and challenges faced by the country; sharing of best practices, emphasis on enhancing cooperation for the promotion and protection of human rights; provision of technical assistance and capacity building in consultation with and with the consent of the country concerned, voluntary commitments and pledges made by the country reviewed.

2. Overview of the UPR 1st cycle

At the end of March 2012, the first cycle of the UPR for 193 member states has been completed.

The mechanism has been widely recognized to be positive. There has been 100% participation by States being reviewed, with submission by 98% of a written report. The written submission by States of their position on the recommendations is becoming the norm, and voluntary mid-term reports are increasing. The level of representation was high, with 80% being at ministerial level, and the balance at the Secretary of State or ambassadorial levels. The UPR has been a

learning process for all, providing an opportunity for self-reflection in a constructive spirit. It has strengthened the notion of the universality of human rights. At the national level, the preparation of the State report has provided the framework for institutional collaboration across State structures, as well as between State and civil society, and State and other stakeholders. It has also laid the foundation for the creation of sustainable information collection which is essential for facilitating the implementation of human rights obligations at national level, and tracking down progress.

One of the most notable achievements of the UPR is its contribution to awareness-raising, information exchange and constructive dialogue on the promotion and protection of human rights at the national level. Pursuant to resolution 5/1 encouraging States to prepare their national report through a broad consultation, many States have initiated consultations internally and externally, with national human rights institutions, civil society actors, UN Country Teams and other stakeholders, both to prepare for the UPR, to prepare their national report, and to follow-up on the recommendations they received. Some States have also established coordination mechanisms, internally and with outside actors to organize, lead, and coordinate the implementation of UPR recommendations and voluntary pledges and commitments. In a number of cases, they have created dedicated websites to disseminate information on the UPR mechanism and encourage input and made the State report widely available.

Webcasting has made the UPR proceedings accessible to many, with several States, UN or civil society actors bringing together interested parties to watch the webcast and discuss the outcome of the review.

The UPR has also been an opportunity for States to undertake a national assessment of the human rights situation on the ground, evaluate challenges and constraints, identify capacity and resources needs, to update/define their national human rights agenda and policies and to reiterate their commitment to the promotion and protection of human rights, both at national and international levels.

For civil society actors, the UPR has allowed them to share analysis of the human rights situation, define priority areas of concern, and coordinate their reporting and engagement with national authorities and the UPR process to influence it. This has contributed to strengthen their role and action.

Standing invitations to Special Procedures, as well as invitations to specific mandates, were issued in the lead up, during or after the review; some ensured that communications from Special Procedures were addressed. Ratification of human rights treaties often coincided with the review, as did withdrawal of reservations and submission of outstanding treaty reports.

For the United Nations, this first cycle has also been a learning exercise and an opportunity to join hands and develop synergies, coordination and partnerships: 68 UN entities, including 44 UN Country Teams, engaged with the UPR, submitting, for the Compilation of the UN information, over 300 reports for 156 countries, that highlighted human rights situations, priority issues and good practices in the countries under consideration (See Section 5 for further information.).

During the first session, the average number of recommendations was 18 per State under review. By the end of the twelfth session, it has risen to an average of 128, with around 20,000 recommendations having been made during the entire cycle. Many of these recommendations have reiterated or mirrored standing recommendations by Treaty Bodies reflecting binding treaty obligations, or by Special Procedures or other UN human rights bodies.

UPR recommendations vary widely: some are precise, but some are vague and open-ended, and therefore might be difficult to follow-up. There is also the pending question of recommendations linked to real human rights concerns but which were not accepted by states, or about which the position of the State is not clear; and the question of other human rights concerns not reflected in the UPR recommendations. It is essential that UPR recommendations are regarded as complementary to those made by Treaty Bodies and Special Procedures. A comprehensive

system to track status of implementation of recommendations at national level, with appropriate indicators, should be developed and supported.

This experience shows that the UPR provides opportunities for all – states, national human rights institutions, civil societies, UN agencies, regional organisations, bilateral and multilateral actors - to explore how best to foster national and international dialogue and cooperation to promote and protect human rights at country and regional levels, through the development and strengthening of national institutions and mechanisms to promote and protect human rights.

While there are reasons to be encouraged, the credibility, and therefore effectiveness of the UPR, will be given the real test in the second cycle, the focus of which is the assessment of progress in the implementation of human rights recommendations received, as well as the voluntary pledges and commitments made by Member States (See Section 3 below.).

3. Second and subsequent cycles of the Universal Periodic Review

Review of the work and functioning of the Human Rights Council

GA resolution 60/251 indicated that the HRC will review its work and functioning five years after its establishment and report to the General Assembly. Subsequently, in 2010-2011, a series of meetings took place to review the work and functioning of the HRC, including the process and modalities of the UPR, which culminated in resolution 16/21, adopted by the HRC on 25 March 2011 and HRC decision 17/119, adopted on 17 June 2011.

New modalities of the UPR for the second and subsequent cycles

Resolution 16/21:

- Reaffirmed the basis, principles and objectives of the UPR as set forth in resolution 5/1;
- Stipulated that the second cycle of the review shall begin in June 2012¹;
- Agreed that the periodicity will be of four and a half years. This will imply the consideration of 42 States per year during three sessions of the Working Group on the Universal Periodic Review²; and
- Indicated that the order of review established for the first cycle of the review shall be maintained for the second and subsequent cycles.

As to the focus of the second and subsequent cycles of the review, the HRC agreed that the focus should be on, inter alia, the implementation of the accepted recommendations and the developments of the human rights situation in the State under review.

Resolution 16/21 also reaffirmed that the review will continue to be based on the three documents identified in paragraph 15 of the annex to resolution 5/1, namely:

- 1) Information prepared by the State concerned, which can take the form of a national report;
- 2) A compilation prepared by the Office of the High Commissioner for Human Rights of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents, which shall not exceed 10 pages;
- 3) Additional, credible and reliable information provided by other relevant stakeholders to the universal periodic review which should also be taken into consideration by the

¹ After the adoption of Resolution 16/21, the dates of the first Working Group session of the UPR 2nd cycle, i.e. 13th UPR Working Group session, were decided: 21 May to 4 June 2012.

² In 2012, there will only be two sessions, i.e. 13 and 14th Working Group sessions. A total of 28 States will be reviewed in 2012.

Council in the review. The Office of the High Commissioner for Human Rights will prepare a summary of such information which shall not exceed 10 pages.

For preparation of information under the UPR, the HRC adopted the following general guidelines for a national report (decision 17/119, section II, paragraph 2) to adapt the documentation to the focus of the second and subsequent cycles:

- A) Description of the methodology and the broad consultation process followed for the preparation of information provided under the universal periodic review;
- B) Developments since the previous review in background of the country under review and framework, particularly normative and institutional framework, for the promotion and protection of human rights: constitution, legislation, policy measures, national jurisprudence, human rights infrastructure including national human rights institutions and scope of international obligations identified in the "basis of review" in resolution 5/1, annex, section IA;
- C) Promotion and protection of human rights on the ground: implementation of international human rights obligations identified in the "basis of review" in resolution 5/1, annex, section IA, national legislation and voluntary commitments, national human rights institutions activities, public awareness of human rights, cooperation with human rights mechanisms;
- D) Presentation by the State concerned of the follow-up to the previous review;
- E) Identification of achievements, best practices, challenges and constraints in relation to the implementation of accepted recommendations and the development of human rights situations in the State;
- F) Key national priorities, initiatives and commitments that the State concerned has undertaken and intends to undertake to overcome those challenges and constraints and improve human rights situations on the ground;
- G) Expectations of the State concerned in terms of capacity-building and requests, if any, for technical assistance and support received.

4. Overall UN system's involvement, in particular at country level

At the 2005 World Summit, world leaders resolved "to support the further mainstreaming of human rights throughout the United Nations system, as well as closer cooperation between the Office of the United Nations High Commissioner for Human Rights and all relevant United Nations bodies" (A/RES/60/1, para. 126). The Summit Outcomes also reaffirmed the inter-linkages among development, peace and security and human rights pillars of the Organization, which was also reflected in the General Assembly resolution on Triennial Comprehensive Policy Review of Operational Activities for Development of the United Nations System (A/RES/62/208). These affirmations have provided further impetus for the system-wide efforts over the last decade to support the international human rights mechanisms and the efforts of Member States, at their request, to strengthen national promotion and protection systems.

While the outcome of the UPR is to be implemented primarily by the State concerned (para 17, Res. 16/21) and by other interested stakeholders (para 33, Res. 5/1), all resolutions have stressed the cooperative nature of the process.

The UPR has opened new opportunities for UN entities at the country level to further strengthen UN coherence with human rights as one of the key programming principles and thematic issues. UPR outcomes include recommendations which may be useful to consider, along with other recommendations such as those from the UN human rights treaty bodies and special procedures, for advocacy purposes, design and development of national human rights strategies and action plans in coordination with the Government counterparts and other stakeholders, and when preparing UN planning and programming instruments, including CCAs/UNDAFs.

The second and subsequent cycles of the UPR would continue to greatly benefit from the active involvement of the whole UN system, and in particular of UN country presences. There are many ways in which UN entities may contribute to the UPR second cycle and provide the UN system with unique and renewed opportunities to engage at country level and to bolster development programming in support of national counterparts in the implementation of their development

plans and programmes (UN country offices are encouraged to liaise with OHCHR field presences, where available).

The UPR offers:

- An opportunity to analyse and re-assess national human rights situations, issues, priorities and objectives, and integrate them into the development agenda, discourse and practice (i.e. through the development of CCAs and UNDAFs) in a holistic and comprehensive manner (i.e., UPR recommendations as part of the wider set of recommendations by Treaty Bodies and Special Procedures);
- A platform agreed by Member States, and renewed entry points for the UN entities to initiate, revive or strengthen dialogue with Member States and national institutions to develop cooperation in support of the implementation of UPR recommendations in areas of priority in the country. In this regard, national authorities could be encouraged and supported to analyse human rights recommendations, cluster them thematically and develop national plans of action to implement them (translation of recommendations into projects with clear objectives and resources implications, distribution of tasks, timelines and benchmarks to measure progress) and integrate these into national development plans of action and programmes;
- A platform agreed by Member States to foster national-level dialogue and cooperation on human rights through broad consultations associating state institutions, national human rights institutions, and civil society actors (analysis of situation, dissemination of information, analysis of recommendations, definition of priorities and objectives, development of plan of action, coordination mechanism for implementation, etc.);
- Opportunities for individual UN entities and the entire UN system (UNCTs, Resident Coordinators) to develop joint strategies and programming to address common areas of concern and shared priorities and objectives, to support each other, enhancing the effort to work as one – thus operationalizing the mainstreaming of human rights at the country level.
- Opportunities for the UN system to promote and encourage the establishment by the national authorities of mechanisms to lead and coordinate the implementation of human rights plans of action, associating key ministries (i.e., planning, finance, interior, defence, justice, foreign affairs, etc.) as well as NHRIs, CSOs and UN entities so as to discuss the contribution of each to a joint endeavour. Compact between the Governments, the international community, and the UN on national human rights action plans with the setting up of a monitoring mechanism to oversee implementation could be considered;
- Opportunities for individual UN entities and the entire UN system to identify needs for technical assistance to develop national capacities in the implementation of recommendations, as well as resources mobilisation. The UN system could propose technical cooperation to assist state institutions to monitor the implementation of recommendations, assess progress, and prepare national reports. UNCTs may also establish their own coordination mechanism to monitor implementation of recommendations by different state institutions, assess progress, and document good practices.

In addition:

- UN entities may be invited by national authorities and stakeholders to provide information on the UPR, including on changes to the modalities of the UPR in the second cycle.
- The UNCT might also be asked to facilitate information sharing on the process for the preparation of the national report. To promote consultative process for the elaboration of the national report, national human rights institutions and non-governmental organisations should be invited to contribute to the process.
- UNCTs or individual UN entities may make UPR-specific submissions to OHCHR for the UN Compilation by identifying documents and information which focus on, inter alia, the implementation of the recommendations accepted by States and the developments of the human rights situation since then (See Section 5.).

- Last, Resident Coordinators, UNCTs or individual UN entities may be approached with requests to support the participation or attendance of various actors (i.e. national authorities, civil society actors) and/or to provide information in this regard. Local access for stakeholders could also be facilitated by the UN, for example the UN Information Centres, by convening targeted or public screenings of the webcasts of the UPR Working group session.

Example of the UN system's possible involvement in the UPR process

First phase - Dissemination of information on the UPR, most recent changes to the modalities of the review

- Continue information-sharing on the UPR, including on changes to the modalities of the UPR and sensitize States about the importance of implementing the outcomes, i.e. UPR recommendations, voluntary pledges and commitments from previous reviews, documenting/reporting on progress and preparing for subsequent cycles in a consultative and timely manner.

- Continue to reach out to/support National Human Rights Institutions, NGOs and other representatives of civil society, in order for them to continue to engage with the UPR and raise awareness on the importance of contributing to the follow up to previous reviews and documenting/reporting on progress during subsequent UPR cycles.

Second phase - Compilation of UN information: contributions to the 2nd/subsequent UPR cycles

- Continue to contribute to the UPR by identifying documents and information, from each UN entity's perspective and mandate, which focus on, inter alia, the implementation of the recommendations accepted by States in the first cycle of the review and the developments of the human rights situation since then, as well as assistance provided to States and stakeholders in this regard.

Third phase - Review process

- Support/facilitate local access to the review meetings, webcasted by the UN, by convening a targeted or public screening.

- Encourage and support the attendance/contribution of all relevant actors (States, National Human Rights Institutions, NGOs and others), as well as UN system's representatives, to the review process, including by supporting stakeholders to seek funding from bilateral/multilateral donors.

- Consider attending and making an oral intervention at the HRC plenary session during the consideration and adoption of the UPR outcome relevant to each State under Review (or submitting inputs to your agency representatives in Geneva to make an oral intervention on your behalf at the HRC).

Fourth phase - Follow-up

- Support/facilitate the translation and broad dissemination of UPR outcomes.

- Advocate for and encourage/support the State, and other stakeholders as relevant, to follow up on the UPR outcomes and implementation of recommendations, including by providing assistance in specific areas (in line with HRC resolution 16/21, paragraph 20, which suggests that States may request the UN representation at the national/regional level to assist them in the implementation of follow up to the review) and monitoring the process as relevant.

- Review the UPR recommendations to integrate them, as a human rights based approach (HRBA), in the planning and programming instruments, including for future CCAs/UNDAFs, and monitor and evaluate the impact.

5. Input by UN entities to the Compilation of UN information reports

As indicated earlier (See page 5.), for the first cycle of the review, 68 UN entities (including 44 UN country teams) engaged with the UPR, submitting, for the Compilation of the UN information, over 300 reports for 156 countries, that highlighted human rights situations, priority issues and good practices in the countries under consideration; this was done in response to the invitation by the UN High Commissioner for Human Rights (November 2007) to heads of UN funds, agencies and programmes to provide information which, from each organization's perspective and within its mandate, had a bearing on the enjoyment of human rights in the State to be reviewed.

For the second cycle of the review, and keeping in mind the focus of the second/subsequent UPR cycles on implementation on the ground, UN entities may continue to contribute in writing, by sending either joint UPR-specific country contributions or individual submissions from UN entities, for the UN compilation reports.

As the preparation of the UN compilation reports is a responsibility of OHCHR, OHCHR also conducts its own review of flagship and other reports made public by mechanisms, bodies, agencies and other entities belonging to the UN system for relevant information that may be included in those reports.

All contributions from UN entities should follow the structure of the UN Compilation report as illustrated below. UN entities should be aware that submissions will be considered "official United Nations documents", in line with resolution 5/1, and will be posted on OHCHR's website. Individual submissions should not exceed 5 pages and joint submissions 10 pages. OHCHR appreciates UN entities' own analysis of human rights situations on the ground and recommendations. Reference to other sources or secondary information should be avoided.

UN entities may send their submissions to UPRsubmissions@ohchr.org.

The deadline for sending submissions is posted at <http://www.ohchr.org/EN/HRBodies/UPR>, and it is approximately 4 to 5 months prior to the scheduled review.

Compilation of UN information

The following is a new format of the UN Compilation for the second and subsequent cycles and is based on the general guidelines for a national report (see page 4):

- I. Background and framework**
 - A. Scope of international obligations
 - B. Constitutional and legislative framework
 - C. Institutional and human rights infrastructure and policy measures

- II. Cooperation with human rights mechanisms**
 - A. Cooperation with treaty bodies
 - B. Cooperation with special procedures
 - C. Cooperation with the Office of the High Commissioner for Human Rights

- III. Implementation of international human rights obligations, taking into account applicable international humanitarian law**
 - A. Equality and non-discrimination;
 - B. Right to life, liberty and security of the person;
 - C. Administration of justice, including impunity, and the rule of law;
 - D. Right to privacy, marriage and family life;
 - E. Freedom of movement;
 - F. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life;
 - G. Right to work and to just and favourable conditions of work;
 - H. Right to social security and to an adequate standard of living;
 - I. Right to health;
 - J. Right to education;
 - K. Cultural rights;
 - L. Persons with disabilities;
 - M. Minorities and indigenous peoples;
 - N. Migrants, refugees and asylum-seekers;
 - O. Internally displaced persons;
 - P. Right to development and environmental issues
 - Q. Human rights and counter-terrorism
 - R. Situation in or in relation to specific regions or territories

For more information on Chapter III, see Annex III.

6. Available OHCHR support to Resident Coordinators, UNCTs and other UN entities

1. Information on procedural issues

OHCHR can assist UN entities by providing clarifications and answering procedural queries relevant to all phases of the UPR process, as noted above: (i) dissemination of information on the process; (ii) compilation of UN information; (iii) review process; and (iv) follow-up.

2. Briefing/Training possibilities

Upon request, OHCHR can provide briefings or training on the UPR to Resident Coordinators, UN Country Teams and other UN entities. Under the United Nations Development Group (UNDG) mechanism on human rights mainstreaming (UNDG-HRM), OHCHR will be working with other UNDG agencies to develop a resource kit to facilitate UNCTs in supporting the UPR process, including the integration of UPR recommendations in development programming.

3. Contact

UN entities may contact OHCHR on UPR-related issues by email at: UPRUNentities@ohchr.org

Annex I

UPR sessions in 2012-2016 (second cycle)

All UN Member States will continue to be reviewed by the UPR mechanism. The periodicity of the review for the second cycle will be four years and a half. The following working group sessions and reviews will be held:

- *13th session (May - June 2012)*

Bahrain, Ecuador, Tunisia, Morocco, Indonesia, Finland, United Kingdom, India, Brazil, Philippines, Algeria, Poland, Netherlands, and South Africa

- *14th session (October 2012)*

Czech Republic, Argentina, Gabon, Ghana, Peru, Guatemala, Benin, Republic of Korea, Switzerland, Pakistan, Zambia, Japan, Ukraine, and Sri Lanka

- *15th session (January/February 2013)*

France, Tonga, Romania, Mali, Botswana, Bahamas, Burundi, Luxembourg, Barbados, Montenegro, United Arab Emirates, Israel, Liechtenstein, and Serbia

- *16th session (May 2013)*

Turkmenistan, Burkina Faso, Cape Verde, Colombia, Uzbekistan, Tuvalu, Germany, Djibouti, Canada, Bangladesh, Russian Federation, Azerbaijan, Cameroon, and Cuba

- *17th session (October 2013)*

Saudi Arabia, Senegal, China, Nigeria, Mexico, Mauritius, Jordan, Malaysia, Central African Republic, Monaco, Belize, Chad, Congo, and Malta

- *18th session (January/February 2014)*

New Zealand, Afghanistan, Chile, Viet Nam, Uruguay, Yemen, Vanuatu, the Former Yugoslav Republic of Macedonia, Comoros, Slovakia, Eritrea, Cyprus, Dominican Republic, and Cambodia

- *19th session (May 2014)*

Norway, Afghanistan, Democratic Republic of the Congo, Côte d'Ivoire, Portugal, Bhutan, Dominica, Democratic People's Republic of Korea, Brunei Darussalam, Costa Rica, Equatorial Guinea, Ethiopia, Qatar, and Nicaragua

- *20th session (October 2014)*

Italy, El Salvador, Gambia, Bolivia, Fiji, San Marino, Kazakhstan, Angola, Iran (Islamic Republic of), Madagascar, Iraq, Slovenia, Egypt, and Bosnia and Herzegovina

- *21st session (January/February 2015)*

Kyrgyzstan, Kiribati, Guinea, Lao People's Democratic Republic, Spain, Lesotho, Kenya, Armenia, Guinea-Bissau, Sweden, Grenada, Turkey, Guyana, and Kuwait

- *22nd session (May 2015)*

Belarus, Liberia, Malawi, Mongolia, Panama, Maldives, Andorra, Bulgaria, Honduras, United States of America, Marshall Islands, Croatia, Jamaica, and Libyan Arab Jamahiriya

- *23rd session (October 2015)*

Micronesia, Lebanon, Mauritania, Nauru, Rwanda, Nepal, Saint Lucia, Oman, Austria, Myanmar, Australia, Georgia, Saint Kitts and Nevis, and Sao Tome and Principe

- *24th session (January/February 2016)*

Namibia, Niger, Mozambique, Estonia, Paraguay, Belgium, Denmark, Palau, Somalia, Seychelles, Solomon Islands, Latvia, Sierra Leone, and Singapore

• *25th session (May 2016)*

Suriname, Greece, Samoa, Saint Vincent and the Grenadines, Sudan, Hungary, Papua New Guinea, Tajikistan, United Republic of Tanzania, Antigua and Barbuda, Swaziland, Trinidad and Tobago, Thailand, and Ireland

• *26th session (October 2016)*

Togo, Syrian Arab Republic, Venezuela (Bolivarian Republic of), Iceland, Zimbabwe, Lithuania, Uganda, Timor Leste, Republic of Moldova, Haiti, and South Sudan

Annex II

List of focal points in the OHCHR-facilitated UN inter-agency network on the UPR (as at 26 September 2012)

DPA	Vincent Pasquini, Policy, Planning and Mediation Support Unit (pasquini@un.org)
FAO	Barbara Ekwall, Coordinator, Right to Food Unit (barbara.ekwall@fao.org)
HABITAT	Claudio Acioly, Chief, Housing Policy Section and Coordinator, United Nations Housing Rights Programme (claudio.acioly@unhabitat.org) Channe Oguzhan, Housing Policy Section and United Nations Housing Settlements Programme (channe.oguzhan@unhabitat.org)
ILO	Shauna Olney, Coordinator, Equality Team, International Labour Standards Department (olney@ilo.org)
OCHA	Emanuela Gillard, Chief, Protection of Civilians Section, Policy Development and Studies Branch (gillard@un.org)
OSRSGCA	Hilja Gebest, Office of the Special Representative of the Secretary-General for Children and Armed Conflict (gebest@un.org)
UNAIDS	Susan Timberlake, Senior Law and Human Rights Adviser (timberlakes@unaids.org) Jason Sigurdson, Programme Officer on Human Rights and Law; focal point for the HRC (sigurdsonj@unaids.org)
UNDP	Zanofer Ismalebbe, Human Rights Advisor, UNDP Geneva (zanofer.ismalebbe@undp.org) Shireen Said, Policy Advisor on Human Rights, UNDP New York (shireen.said@undp.org)
UNESCO	Angela Melo, Director of the Division of Human Rights, Philosophy and Democracy (a.melo@unesco.org)
UNFPA	Alfonso Barragues, Technical Adviser (Human Rights) (barragues@unfpa.org)
UNHCR	Simone Schwartz-Delgado, Senior Liaison Officer (Human Rights) (schwartz@unhcr.org) Tamar Kikava, Associate Legal Officer (kikava@unhcr.org)
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UNEP	Maria Cristina Zucca, Legal Officer (cristina.zucca@unep.org)
UNIFEM	Lee Waldorf, Human Rights Advisor (lee.waldorf@unifem.org)
UNODC	Karolina Gudmundsson, Inter-Agency Affairs Officer (karolina.gudmundsson@unodc.org)
WHO	Helena Nygren-Krug, Health and Human Rights Adviser (nygrenkrugh@who.int)
OHCHR	<i>Field Operations and Technical Cooperation Division (Overall OHCHR coordination and management of UPR/UPR follow up and assistance)</i> Christophe Peschoux, Chief, FOTCD UPR Team (cpeschoux@ohchr.org) Email: UPRfollowup-assistance@ohchr.org <i>Research and Right to Development Division (OHCHR focal point for UN entities on the UPR)</i> Mohammad Abu-Harthieh, Human Rights Officer (mabuharthieh@ohchr.org) Asako Nozawa, Human Rights Officer (anozawa@ohchr.org) Email: UPRUNentities@ohchr.org

HRC Branch – UPR Section (Organization of UPR Working Group sessions/UPR Segment in the Human Rights Council sessions)

Giuliano Comba, Chief, UPR Section (gcomba@ohchr.org)

Myriam Tebourbi, Human Rights Officer (mtebourbi@ohchr.org)

New York Office

Laila Bourhil, Human Rights Officer (lbourhil@un.org)

Ann Syauta, Human Rights Officer (asyauta@un.org)

Annex III

NEW STRUCTURE OF CHAPTER III

IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS, TAKING INTO ACCOUNT APPLICABLE INTERNATIONAL HUMANITARIAN LAW

- *The themes mentioned under each title are only indicative and do not constitute sub-titles.*
- *The principle is mainstreaming to the extent possible all issues under rights (meaning: include main information between Equality and non-discrimination and Cultural rights).*

A. Equality and non-discrimination

- Discrimination against women, gender equality (i.e. dowry, polygamy, inheritance rights)
- Racism, racial discrimination (discrimination based on race, colour, descent or national or ethnic minorities)
- Discrimination against non-citizens (migrants, asylum seekers, refugees)
- Equality before the law and discrimination on other grounds (language, religion, disabilities, political or other opinion, social origin, property, economic position, birth (including registration), nationality, age, marital status, sexual orientation and gender identity and other status, etc.)
- Discrimination of people living with HIV-AIDS

B. Right to life, liberty and security of the person

- Right to life, death penalty, summary executions (including from excessive use of force)
- Enforced disappearances
- Torture and ill-treatment
- Conditions of detention (all places where people are deprived of their liberty, including by the police and in prisons, migration centres, psychiatric institutions, etc.)
- Arbitrary arrest and detention, including detention in psychiatric institutions
- Violence against women, including domestic violence, FGM, economic and sexual exploitation, early marriages, forced marriages, and other harmful traditional practices, such as trading women, forced sterilization when specific groups are targeted, etc.
- Violence against children, including commercial and sexual exploitation, corporal punishment, worst forms of child labour, children living and/or working on street, youth homelessness
- Children in armed conflict
- Other contemporary forms of slavery, including trafficking, debt bondage, forced labour, etc.

C. Administration of justice, including impunity, and the rule of law

- Independence of judges and lawyers
- Structure and organization of the Justice System, including the courts, prosecution and police
- Access to justice (including legal representation and right to judicial review)
- Right to a fair trial
- Right to an effective remedy (reparations and compensation issues)
- Impunity
- Transitional justice
- Juvenile justice (children deprived of liberty)
- Good governance/corruption

D. Right to privacy, marriage and family life

- Interference with privacy, family, home, correspondence
- Age of marriage, marriage registration
- Criminalization of sexual orientation

E. Freedom of movement

F. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

- Participation of women in public and political life

G. Right to work and to just and favourable conditions of work

- Just and favourable conditions of work (incl. fair wages, equal pay for equal work, equal access to the labour market, safe and healthy working conditions, rest and limitations on working hours, maternity and paternity leave)
- Trade union rights (the right to organize, to strike and to form and join trade unions)
- Minimum age of child labour

H. Right to social security and to an adequate standard of living

- Poverty/extreme poverty
- Availability of resources and services in rural areas
- Right to social security (access to social security; arbitrary or discriminatory exclusion from social security, arbitrary or discriminatory withdrawal of social security, retirement benefits)
- Right to food (destruction of food supplies and food producing resources arbitrary or discriminatory exclusion from access to adequate food, access to food aid, starvation, famine nutrition levels, forced evictions from land)
- Right to housing (homelessness, forced evictions, denial of tenure security to particular groups, arbitrary or discriminatory exclusion from adequate housing, unequal inheritance rights, denial of housing, land and property restitution)
- Right of access to free or affordable water and sanitation (unaffordable water, arbitrary or discriminatory exclusion from access to safe-drinking water and sanitation, arbitrary water or sanitation disconnections, illegal pollution of water resources, denial of the minimum quantity of water needed to sustain life and health)

I. Right to health

- Access to essential medicine and healthcare, including maternal health, forced pregnancy, access to primary health care for children, including nutrition and immunization, failure to ensure disease prevention, treatment and control, failure to prevent or mitigate harm to human health due to pollution of the environment; sexual reproductive rights.

J. Right to education

- Primary education (information on free, inclusive and compulsory nature of primary education)
- Access to school for girls without discrimination (harassment, pregnancy)
- Access to secondary and higher education
- Inadequacy of educational facilities, resources and services
- Availability of education in rural areas
- Curriculum which is incompatible with human dignity as defined in international human rights instruments
- Lack of measures to encourage regular attendance and the reduction of drop-out rates
- Freedom of parents to choose for their children schools other than those established by the public authorities
- Freedom to establish educational institutions

K. Cultural rights

- Freedom of scientific research and creative activity; artistic freedoms
- Right to conduct cultural practices, subject to respect for other human rights (if related to minorities and indigenous peoples; should go to M.)

L. Persons with disabilities

- Accessibility issues in general
- Recognition of legal personality
- Reasonable accommodations in general
- Rehabilitation measures

M. Minorities and indigenous peoples

- Issue of lack of recognition of minorities and indigenous peoples (including also tribal peoples)
- Right to belong to a minority or an indigenous people
- Land rights
- Right to self-determination; issues relating to autonomy/self-government
- Recognition of treaties (for indigenous peoples)

- Right to participate in the elaboration/adoption of decision which relates to them; issue of free and prior informed consent
- Right to maintain and strengthen distinct political, legal, economic, social and cultural institutions
- Right of minorities and indigenous peoples/tribal peoples and their members to enjoy their culture, and to use/teach/learn their own language
- Right of minorities and indigenous peoples/tribal peoples and their members to profess and practice their religion could go under freedom of religion above or here.
- Forced assimilation
- Right to establish contacts across frontiers with other members of their group

N. Migrants, refugees and asylum seekers

- Deportation issues, collective expulsion
- Right to have recourse to the protection and assistance of the consular or diplomatic authorities
- Application for refugee status
- Right to return
- Right to maintain cultural links with State of origin
- Information on their rights under the law
- Specific issues dealt with by the ICRMW (Right to transfer earnings and savings, in particular funds necessary for the support of their families, from the State of employment to their State of origin or any other State) (Double taxation issues)
(Promotion of sound, equitable, humane and lawful conditions in connection with international migration of workers and members of their families) (part VI of the Convention: cooperation between States, repatriation of bodies, clandestine employment, etc.)
- Economic exploitation
- Domestic migrant workers

O. Internally displaced persons

- Forced displacement
- Evictions
- Restrictions to the IDPs' freedom of movement

P. Right to development, including environmental issues

Q. Human rights and counter-terrorism

- Anti-terrorism legislation violating basic human rights, secret rendition and detention, incommunicado detention

R. Situation in or in relation to specific regions or territories

- Situation in regions where the State has recognized special jurisdictional characteristics (e.g. Aaland Islands of Finland and other territorial autonomy regimes)
- Jurisdiction in overseas territories (i.e. not part of metropolitan)
- Situation in regions of contested territories