

**AMNESTY  
INTERNATIONAL**



## Implementation of UPR outcomes – the role of Parliamentarians in the UPR

# Second UPR cycle: the challenge of implementation

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- **Recommendations are key** to achieving the UPR objective of improving the situation of human rights on the ground
- Which recommendations serve us well?
- Need for **clarity on government support** – or not
- **Huge number of recommendations** – some 20,000 in the first cycle – what happens 10-15 years from now?
- **Quality of recommendations:** some concrete, some vague -- some are based on recommendations from expert bodies

# From recommendations to implementation

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- Typically 150-170 recommendations per country review – many overlap
- Need for authoritative consolidation, drawing out central themes
- The UPR can provide a framework for implementation of UN recommendations -- UPR, Treaty Bodies, Special Procedures, OHCHR fact-finding missions, etc. -- in a national human rights plan
- Complementarity between UPR and expert bodies:
  - UPR can reinforce implementation of expert body recommendations
  - TB and SP recommendations insert human rights expertise in the UPR
  - Expert bodies have weight in terms of expertise and the UPR has political weight
- The UPR can provide a national platform for coordinated and integrated implementation of human rights obligations with input from a range of stakeholders: Government, Ministries, NHRIs, Parliamentarians, Civil society
- National monitoring mechanism with wide representation and charged with reporting publicly on progress

# Role of Parliamentarians in the UPR

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- The UPR modalities do not mention the role of Parliamentarians; however...
- The role and responsibilities of Parliamentarians are crucial to deliver the core objective of the UPR of enhancing the fulfilment of a state's human rights obligations:
  - **Ensuring government accountability:** overseeing the implementation by the government of its human rights obligations and commitments and of recommendations made to it
  - **Passing legislation:** overseeing ratification of international human rights treaties, enacting national legislation in line with international treaties, lifting reservations made against treaty obligations,
  - **Adopting budgets for government spending:** ensuring funding for human rights implementation
  - **Representing the electorate:** Facilitating consultations with constituencies, within Parliament, within government

# Role of Parliamentarians before the review

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- **Awareness raising** in the constituencies they represent as well as among other Parliamentarians
- Participating and facilitating **national consultations** on the issues to be addressed in the review and possible commitments by the government to address these
- Contributing to the drafting of the **National Report**, discussion in parliament of the draft report – questions to ministers, ensuring key human rights concerns are addressed
- Contribute **concrete and targeted recommendations** to other States during their review

# Role of Parliamentarians during the review

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- Participation in the delegation to the UPR Working Group:
  - Familiarize themselves with the UPR process
  - Assist in identifying solutions to issues raised
  - Assist in determining the position of the State under review on the recommendations made by other States, ensuring clarity of position on all recommendations
- Network with others, including civil society representatives monitoring the review

# Role of Parliamentarians after the review

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- Consideration of the (draft) Outcome Report – in particular the recommendations taken under consideration
- Contribution to the government's response to the recommendations (the Addendum to the Outcome Report)
- Facilitate and participate in discussion of implementation at the national level, including with all relevant stakeholders
- Contribute to the development of a national implementation plan, by clustering recommendations, combining with other UN recommendations, setting benchmarks and indicators – in consultation with civil society
- Monitoring of progress to implement the recommendations and contribute to public reporting, in a process that involves civil society
- In the longer term: encourage and participate in a mid-term review

# Other opportunities for Parliamentarians in the UPR

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- Use of the **information generated by the UPR**: The National Report, The UN Compilation and The Stakeholder Summary could be used as background for bilateral affairs with other States
- Upcoming **reviews of other States**:
  - opportunity to foster **foreign policy and foreign relations**, e.g. by suggesting issues to be raised in those reviews
  - In some countries Parliamentarians themselves face human rights violations – reviews can be used to raise concern and suggest measures to **protect the human rights of Parliamentarians** to enable them to carry out their work

# In conclusion: an obvious and evolving role for Parliamentarians

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- The various resolutions and decisions on the UPR may be silent on the role of Parliamentarians -- however:
  - Much of the **good practice** that has developed in the first cycle of the UPR is not codified, e.g. national consultation
  - There is an **obvious role for Parliamentarians in the UPR** – important to explore, share experience, encourage participation and contribution, build good practice