

UN Human Rights Council Review

Friedrich Ebert Stiftung
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UPR Info

Content

- Review Process
- Non-UPR
 - Proposed
 - Adopted
- UPR
 - Proposed
 - Adopted
- Conclusions
- UPR Functioning

Situations of Concern

- The Council should create independent triggers for the consideration of such situations.
- The general debate on situations that need the attention of the Council should be divided into five regional segments; the Council should create five working groups of independent experts on situations, one for each of the regions represented at the Council.
- The Council should diversify the tools it uses to respond to situations of concern.

Special Procedures

- An outcome document summarizing the extent of cooperation by states with special procedures, including their comments, should be adopted by the Council once a year.
- The Council should adopt a monitoring system to ensure that standing invitations are effectively implemented. States that fail to implement their standing invitations could be removed from the list of countries that have standing invitations.

HRC Administration

- Increase funding
- Legal advisor to president
- Develop Office of HRC President

Broader Recommendations

- HRC Status to be Elevated
- Universal membership of HRC
- The country selection process for membership on the HRC should be strengthened to lessen the influence of human rights violator states in the organization; e.g. countries could be required to have achieved some minimum threshold of observance of human rights in order to be eligible for membership on the Council.

What Actually Happened?

Special procedures:

- NHRIs can nominate candidates for special procedures mandate holders (para. 22).
- Council should streamline requests to special procedures to ensure meaningful discussion of their reports (para 27).
- NHRI can speak immediately after the country delegation in the interactive period (para 28).
- Need for adequate funding for special procedures

What Actually Happened? (con't)

HRC Administration

- Council cycle should be calendar year (para 41).
- Office of HRC president established (para 54).
- Use of information technology to enhance participation and dialogue (para 59).

UPR Reform Recommendations

- Recommendation Specificity
- Organize Recommendations
- More Engagement of Civil Society
- Role of the Troika Strengthened

UPR Reform Recommendations

- Allocation of Time
- Speaker's List
- Strengthen Relationship Between UPR and Treaty Bodies
- More emphasis on SuR recommendation follow-up

Reform Recommendations

- UPR Timing (length between reviews)
- Mid-term SuR Review Reports
- Second UPR cycle
- Involve Regional Intergovernmental Organizations in follow-up
- Institutional mechanism for tracking compliance

Reform Decisions

- **Recommendation Specificity**

States should clearly communicate to the Council, in a written format preferably prior to the Council plenary, its positions on all received recommendations (para. 16, resolution A/HRC/RES/16/21).


- **Organize Recommendations**

Recommendations should preferably be clustered (para 15)

- **More Engagement of Civil Society**

States are encouraged to conduct broad consultations with all relevant stakeholders on the follow-up (para. 17, resolution A/HRC/RES/16/21).

Other relevant stakeholders are encouraged to include in their contributions information on the follow-up to the preceding review (para. 8, resolution A/HRC/RES/16/21)

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- *National Human Rights Institutions (NHRIs) with A status will have a dedicated section in the summary of other stakeholders' information (para. 9, resolution A/HRC/RES/16/21).*

Reform Decisions

- **Allocation of Time**
 - ***Number of sessions per cycle***
 - *There will be 14 sessions per cycle (para. 3, resolution A/HRC/RES/16/21).*
 - ***Number of States per session***
 - *Only 14 States will be reviewed per session (part I, decision A/HRC/17/L.29).*
 - ***Duration of the review***
 - *Each review will last 3.5 hours. The State under Review (SuR) will be given 70 minutes and other States 140 minutes (part III, decision A/HRC/17/L.29).*
- **Order of review**
 - *The order of review will be exactly the same. (part I, decision A/HRC/17/L.29).*

Reform Decisions

- **Speaker's List**

- *The list of speakers will open on the Monday of the week preceding the beginning of the Working Group session. For each review, States will be arranged in English alphabetical order and the beginning of the list will be drawn by lot. States will be able to swap place (part IV, decision A/HRC/17/L.29).*
- *All States will be given the floor. If needed be, time per speakers will be reduced to two minutes each or the 140 minutes will be divided by the number of speakers.*

- **Strengthen Relationship Between UPR and Treaty Bodies**

- **More emphasis on SuR recommendation follow-up**

- *The General Guidelines Decision 6/102 for the drafting of the three reports that form the basis of the review was slightly modified to give greater emphasis on the need for States to report on the implementation of recommendations (part II, decision A/HRC/17/L.29).*

Reform Decisions

- **Second UPR cycle**
 - *The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the developments of the human rights situation in the SuR (para. 6, resolution A/HRC/RES/16/21).*
- **Length between reviews**
 - *The second and subsequent cycles will last 4.5 years (para. 3, resolution A/HRC/RES/16/21).*
- **Mid-term Reviews**
 - *States are encouraged to provide the Council, on a voluntary basis, with a midterm update on follow-up to accepted recommendations (para. 18, resolution A/HRC/RES/16/21).*
- **Involve Regional Intergovernmental Organizations in follow-up**
- **Institutional mechanism for tracking compliance**

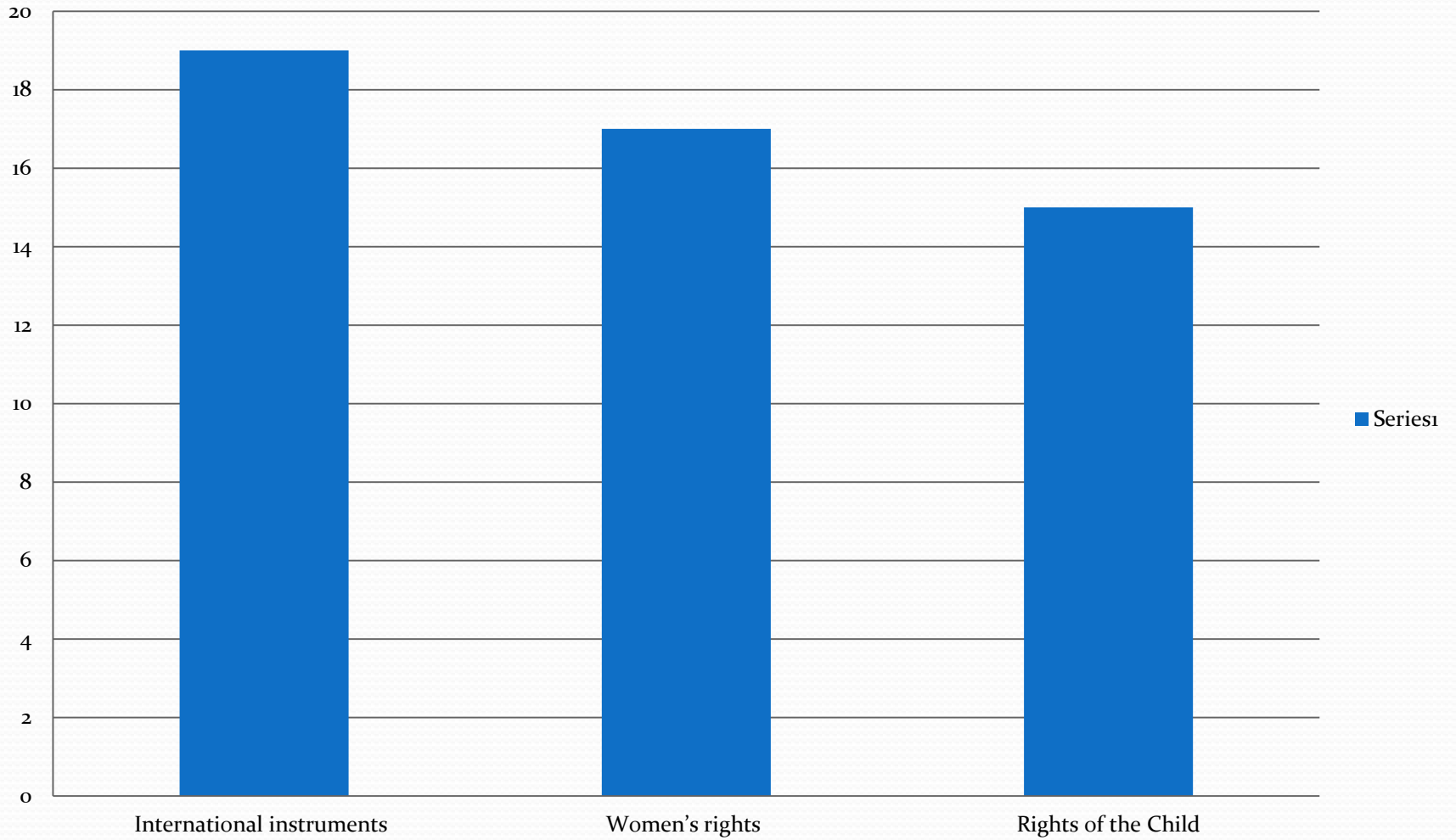
Conclusions

- Reform results are modest at best.
- True for entire HRC review process.
- Not all subjects addressed.
- Many of those that were simply had minor changes made.
- But the process is evolutionary rather than revolutionary – only way it can be in a universal membership organization with consensus decision-making.
- Practice becomes the norm – e.g. Mid-term reports.

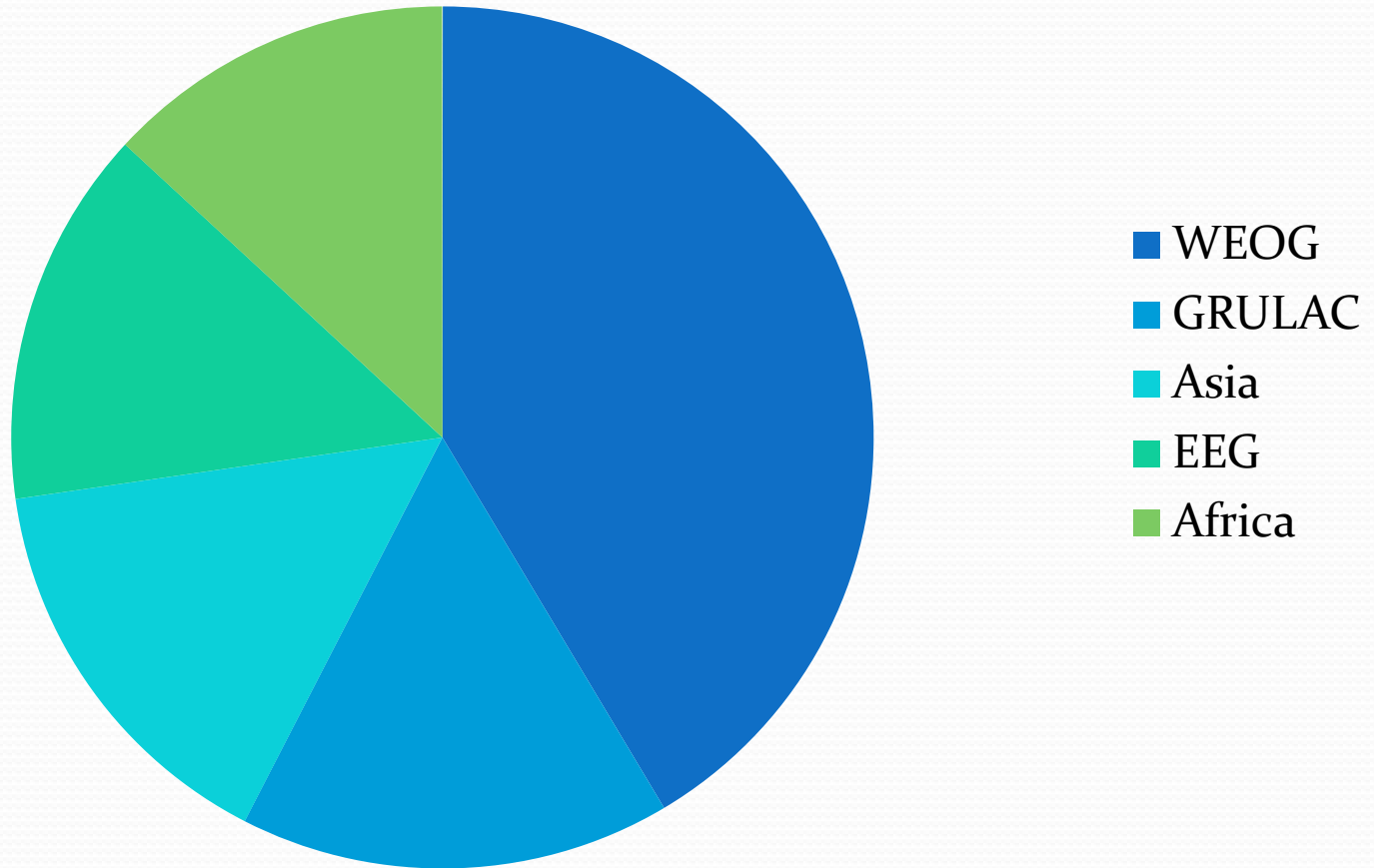
UPR Functioning

- Through 9 sessions
- 14,435 recommendations (1600 per session, 100 per SuR average)
- 10,211 (71%) accepted (63% through first 4 sessions)
- But variation depending on issue: 20% of death penalty, 30% of sexual rights, 50% of Special Procedures accepted.

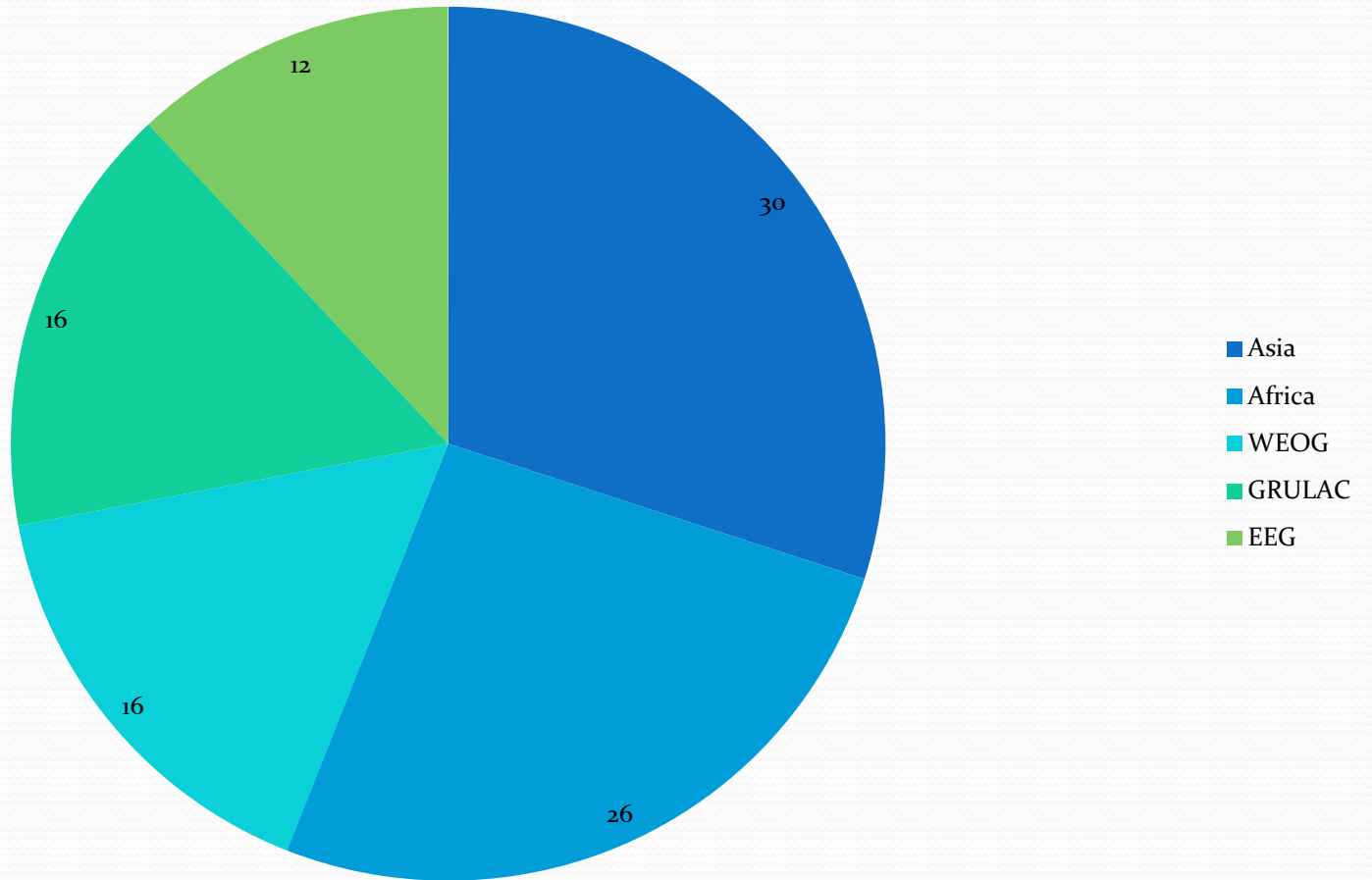
Issues



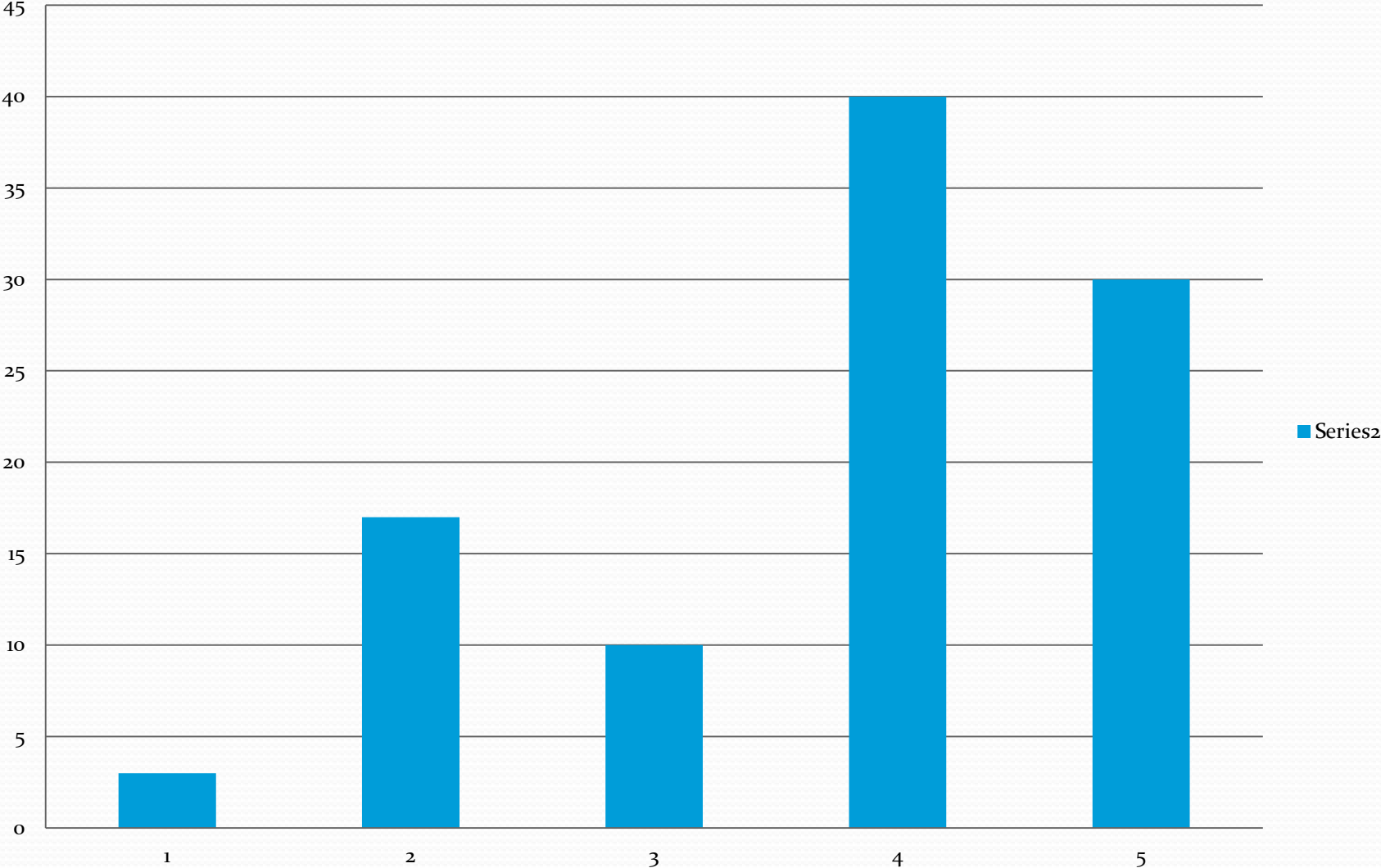
Recommendations Made



RECOMMENDATIONS RECEIVED BY SUR



Action Categories



Action Categories by Region of Issuance

