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## How the UPR Works for States\*

The United Kingdom perceives the UPR as a process that encourages equals to come together for a human rights dialogue, and to discuss difficulties faced by states and how best to overcome them. In other words, the approach of the UK to the UPR process concentrates more on dialogue and less on examination.

In the UK, the Ministry of Justice (MoJ) has overall policy responsibility for the development of human rights and for ensuring that the state is fulfilling its international treaty obligations. Further, as the MoJ is responsible for reflecting the outcomes of the UPR process in policies at national level, it was agreed at the outset that the MoJ's Human Rights Department would spearhead the UPR reporting process. Although the onus of preparing the reporting process rested with the MoJ, colleagues from across all government departments supported, participated in and contributed to the briefings on human rights related subjects that would be addressed at the review in Geneva.

The preparatory stages of the report writing were highly demanding as the UPR process was new, the parameters relatively undefined (in comparison with the treaty bodies), questions could be raised from any dimension and there was a broad spectrum of human rights issues to be captured within a tight deadline.

The guidelines to report writing prepared by the OHCHR provided an excellent architecture on how to draft a country report in 20 pages. In the preparation of the report, a country can adapt different approaches. For instance, a country can use its respective UN core documents, including periodic reports submitted to treaty body mechanisms, as its source of information; conversely, the report could feed into the process of updating the UN core documents of the country. Although it is an extra burden, it is not an entirely new type of activity.

The preparation of the UK report was carried out in different stages. As a first step, a ministerial meeting was convened to deliberate on the issues, concerns and possible methods of approaching the UPR reporting process. It was agreed that a state report should acknowledge and reflect genuine issues and challenges, as well as the positive and realistic efforts taken by the state in addressing human rights concerns.

The overriding position was to ensure free and fair consultation with the stakeholders, including NHRIs and CSOs, as referred to in the UPR guidelines. The govern-

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\*From the perspective of the United Kingdom.

Contributed by John Kissane, Deputy Head of the Human Rights Division, Ministry of Justice, UK.

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ment was committed to wider consultations and a preliminary meeting with the stakeholders was therefore convened. An outline of the report and the significance of the consultative process was emphasised at this meeting. The meeting was well attended and there was a productive discussion; the outcomes were both critical and constructive. The stakeholders' participation brought to light many human rights issues that required added emphasis. At a later stage, the draft report was circulated to the stakeholders – in good faith that they would not disclose it to the media – for their final comments and suggestions. The consultations and the engagement with the stakeholders proved to be very productive and the UK is committed to continuing this exercise.

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As the report was a public document, the editorial task included winning acceptance and approval from colleagues across all government departments. The state report covers human rights issues that are of significance to the UK government.

The UK was keen to have high-level representation for the presentation of the report in Geneva and therefore ministerial representation was sought. On receiving clearance from all government departments, the MoJ was briefed on the task of introducing and presenting the report at the Human Rights Council. The Minister of Justice was open to answering questions raised during the interactive dialogue of the UPR working group session. Twenty-five recommendations were submitted. Of these, 15 were accepted in full, four were partly accepted, five were rejected and one was a question not pertaining to human rights. The UK is currently working on the next steps regarding the implementation of the 15 accepted recommendations.

The UK considers the UPR to be an important innovation and a definite means of improving human rights across the world. The spirit of the UPR is to encourage dialogue and not to be an examination. There are no right or wrong answers. Instead, the UPR promotes conversation between peers on prevailing human rights issues and how these can be taken forward. These dimensions of the process can be attributed to the success of the UPR.