

---

# What National Human Rights Institutions Can Do to Get the Most from the UPR\*

## Introduction

As independent national bodies with constitutional or legislative mandates to protect and promote human rights, Paris Principles<sup>6</sup> compliant NHRIs are able to effectively contribute to the UPR mechanism before, during and after the working group sessions in Geneva in the following ways:

### 1. Before the UPR

NHRIs can undertake the following strategies during the preliminary period:

- *Participate effectively in the government's UPR national consultations*

NHRIs should take a proactive approach to ensure that their input is taken into consideration and reflected in the national UPR report. NHRIs should therefore participate actively and effectively in any pre-UPR national consultations organised by their governments.

- *Contribute to the OHCHR's summary of stakeholders' information*

In addition, NHRIs are strongly encouraged to prepare and submit an independent report to the Office of the High Commissioner for Human Rights. NHRIs should organise their own consultations with civil society and government in the preparation of their independent reports. The scope, structure, format and deadline of the report should strictly follow the OHCHR's technical guidelines.<sup>7</sup>

### 2. During the UPR

During the UPR, NHRIs can contribute to the UPR working group session in the following ways:

- *Observe the live interactive dialogue*

If NHRIs can send representatives to Geneva during the UPR working group session, they will be able to attend and observe the UPR interactive dialogue (but not make any direct interventions). NHRIs that cannot travel to Geneva

---

\*Contributed by Kieren Fitzpatrick, Director of the Asia Pacific Forum of National Human Rights Institutions (APF)

---

should still be able to view the live webcast of their government's UPR session on the OHCHR website.<sup>8</sup>

- ***Deliver a statement upon adoption of the UPR final report***

Following the adoption of the final UPR report by the HRC, NHRIs in Geneva may request the opportunity to make a two-minute oral statement. NHRIs that cannot travel to Geneva may wish to seek the assistance of an accredited regional NHRI co-ordinating committee<sup>9</sup> or the resident representative of the International Coordinating Committee of NHRIs (ICC) to present the statement on their behalf.

### **3. After the UPR**

It is after both the UPR working group session and the adoption of the final UPR report that NHRIs have the most potential to use the UPR to strengthen human rights in-country. The Asia Pacific Forum makes four suggestions:

- ***Publicise and disseminate the outcomes of the UPR***

NHRIs can publicise the outcomes of the UPR as this will provide added impetus to governments to implement their pledges and accepted recommendations. NHRIs may choose to do this through releasing a press statement or calling a press conference.

- ***Synchronise internal work plans with the UPR***

The recommendations and commitments within the final UPR report can be an important tool for informing the future direction of the NHRI's work. Where appropriate, NHRIs may wish to consider streamlining their forthcoming activities and internal work plan with the UPR outcomes.

- ***Organise post-UPR consultations***

NHRIs are encouraged to organise post-UPR consultations with government and with civil society with the aim of establishing a timeline and plan of action for the government's implementation of the UPR recommendations.

NHRIs can also assist their governments develop plans for mainstreaming the UPR recommendations throughout national planning and legislative review processes.

- ***Monitor the implementation of UPR outcomes***

NHRIs can play an important role by acting as a 'watch-dog' to assess the extent to which their governments have implemented the pledges and recommendations made during the UPR mechanism. NHRIs may wish to consider

---

using their annual reports as a tool for monitoring implementation. Their assessments should also be reflected in their next independent report to the OHCHR for the second cycle of their state's UPR.

## **Conclusion**

The UPR is still a relatively new and evolving mechanism. It therefore remains to be seen to what extent it will be effective in improving the human rights situation at the national level. Nonetheless, what is certain is that NHRIs can and should play a role in the process, to enable the UPR to fulfil its true potential as a tool for positive change.



*Group discussion during the UPR seminar for Commonwealth countries reporting in 2009, held in November 2008 at the Commonwealth Secretariat, London.*