

Annex 10

Models Applied by Commonwealth Countries in Responding to Recommendations

Listed below are seven models used by Commonwealth countries in dealing with the conclusions and recommendations of the UPR working group session in Geneva.

The standard pattern is to begin with an introductory sentence, which varies from country to country. For instance, the UK used *'In the course of the discussion, the following recommendations were made to UK'*, and Tonga stated *'The recommendations formulated during the interactive dialogue have been examined by Tonga and the recommendations listed below enjoy the support of Tonga'*.

The introductory sentence is followed by the list of recommendations with a mention of the country or countries that proposed each recommendation, for example:

Expedite ratification of Convention against Torture (Sweden, Italy)

The penultimate sentences consist of different patterns, namely: (a) the SuR could offer immediate comments on the recommendations; (b) the SuR could list recommendations that do not enjoy their support; and (c) the SuR notes the recommendations and offers to provide a response in due time or at the Human Rights Council's regular session. In practice, as stated below, several states have used a combination of these patterns.

The final sentence is a standard note which states: *'All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review thereon. They should not be construed as endorsed by the Working Group as a whole'*.

The **UK, Barbados, Botswana, India** and **South Africa** used the following model:

1. In the course of the discussion, the following recommendations were made to [SuR]
2. The response of [SuR] to these recommendations will be included in the outcome report adopted by the Human Rights Council at its X session.

language used for India: 'These recommendations will be examined by [SuR], which will provide responses in due time. The response of [SuR] will be included in the outcome report to be adopted by the Human Rights Council at its [X] session.'

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3. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review thereon. They should not be construed as endorsed by the Working Group as a whole.

Tonga

1. The recommendations formulated during the interactive dialogue have been examined by [SuR] and the recommendations listed below enjoy the support of [SuR]:
To ratify ... (name of country proposing the recommendation)
To study ... (name of country proposing the recommendation)
2. The recommendations noted in the report in paragraphs XX above did not enjoy the support of [SuR].
3. With regard to recommendations XX, the SuR offers the following comments:
4. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review thereon. They should not be construed as endorsed by the Working Group as a whole.

Pakistan

1. In the course of the discussion, the following recommendations were made to [SuR]:
To ratify ... (name of country proposing the recommendation)
To study ... (name of country proposing the recommendation)
2. [SuR] has noted these recommendations for consideration and response in due time. The response of [country] will be included in the outcome report to be adopted by the Human Rights Council at its X session.
3. [SuR] considers that other recommendations contained in paragraphs XX, YY ... cannot be accepted by [SuR].
4. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review thereon. They should not be construed as endorsed by the Working Group as a whole.

Tuvalu and Zambia

1. The recommendations formulated during the interactive dialogue have been examined by [SuR] and the recommendations listed below enjoy the support of [SuR]:

To ratify ... (name of country proposing the recommendation)

To study ... (name of country proposing the recommendation)

2. Recommendations will be examined by [country], which will provide responses in due time. The response of [country] to these recommendations will be included in the outcome report to be adopted by the Council at its X session.

Recommendations noted in paragraphs XX, YY did not enjoy the support of [country].

All conclusions and/or recommendations contained in the present report reflect the position of the submitting State (s) and/or the State under review thereon. They should not be construed as endorsed by the Working Group as a whole.

The Bahamas

1. The recommendations formulated during the interactive dialogue have been examined by [SuR] and the recommendations listed below enjoy the support of [SuR]:

To ratify ... (name of country proposing the recommendation)

To study ... (name of country proposing the recommendation)

2. The following recommendations will be examined by [SuR] and the response of the [SuR] to these recommendations will be included in the outcome report adopted by the Human Rights Council at its tenth session

3. Recommendations noted in the report did not enjoy the support of the [SuR]

4. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State (s) and/or the State under review thereon. They should not be construed as endorsed by the Working Group as a whole.

Ghana

1. In the course of the discussion, the following recommendations were made to (SuR).

To ratify ... (name of country proposing the recommendation)

To study ... (name of country proposing the recommendation)

2. The recommendations listed above enjoy the support of [SuR].
3. Recommendations noted in paragraphs XX, YY, will be examined by [country] which will provide responses, if any, in due time. Both will be noted in the outcome report to be adopted by the Human Rights Council.
4. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State (s) and/or the State under review thereon. They should not be construed as endorsed by the Working Group as a whole.

Sri Lanka

1. The recommendations formulated during the interactive dialogue have been examined by [SuR] and the following recommendations enjoy the support of [SuR]:

To ratify ... (name of country proposing the recommendation)

To study ... (name of country proposing the recommendation)

2. Recommendations noted in paragraphs XX, YY ... will be examined by [SuR] which will provide responses in due time. The response of [SuR] will be included in the outcome report to be adopted by the Human Rights Council at its X session.
3. Other recommendations noted in the report in paragraphs XX, YY ... did not enjoy the support of [SuR].
4. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State (s) and/or the State under review thereon. They should not be construed as endorsed by the Working Group as a whole.