

Universal Periodic Review (UPR)

A. What is the UPR?

The Universal Periodic Review (UPR) is a unique State-led, peer-review process, under the auspices of the Human Rights Council (HRC), whereby the human rights record of each UN Member State is examined every 5 years. 42 States are reviewed each year during three Working Group sessions dedicated to 14 States each.

In this process States under review receive recommendations from other States. All UN Member States have participated in this process so far, and each has already been reviewed twice – in the first cycle (2008–11) and in the second cycle (2012-16). They have, therefore, all received recommendations from other States on measures necessary to improve the human rights situation in their countries and to fulfil their human rights obligations. The third cycle of the UPR started in 2017 and will continue until 2021, meaning that each State is currently being reviewed for the third time.

Recommendations pertain to the full scope of human rights (civil, political, economic, social, and cultural). States under review can either ‘support’ (i.e. accept) or ‘note’ the recommendations that they receive. Recommendations which are ‘supported’ by the States provide a solid base for action in country. At the following cycle, 5 years later, States are expected to explain how they have implemented the recommendations that they have accepted. They sometimes also implement recommendations that they have only “noted”.

BOX: The UPR review takes into consideration:

1. The Charter of the United Nations
2. The Universal Declaration of Human Rights
3. Human rights instruments to which a State is party
4. A State’s voluntary pledges and commitments (including the ones undertaken when presenting the candidature for election to the Human Rights Council)
5. Applicable international humanitarian law

See OHCHR Human Rights Index for UPR Recommendations [here](#).

B. Why is the UPR important?

- **Universal.** The UPR is the only human rights mechanism that reviews the situation of all 193 UN Member States, and all human rights.

- **State driven mechanism.** States are responsible for assessing other State’s human rights record and issuing recommendations.
- **Strong commitment.** States tend to take the UPR seriously, as demonstrated by high-level representation and commitments made in the process. All 193 UN Member States have reported on time, as per the fixed calendar.
- **Positive peer pressure.** States accept to submit their human rights record to international scrutiny. On average, they ‘support’ approximately 74% of the recommendations they receive, which represents a solid basis for action in-country.
- **Accountability.** States are accountable for progress and failure. According to the NGO [UPR Info](#), 48% of recommendations were considered to be partly or fully implemented halfway through the 1st cycle of the UPR.

C. Why should UNICEF engage in the UPR?

The UPR can provide a powerful tool for child rights advocacy and action for a number of reasons:

- Child rights are amongst the top three issues raised in UPR recommendations. During the 2nd cycle of the UPR, 18% of the recommendations were specific to child rights and 84% of these were “supported” by the States under review. In addition, many other, more general recommendations, including on migration, minorities, persons with disabilities or poverty reduction, are also relevant to children.
- The UPR can be used to raise the concerns of the international community on significant child rights gaps and to provide recommendations to address them. When relevant, this is also an opportunity to reinforce priority issues and concluding observations which came out of the CRC reporting process and/or other treaty bodies or special procedures. As all States have to date participated and reported on time, the UPR provides a particularly useful entry point for States that are not reporting to the CRC Committee and other treaty bodies or reporting with considerable delays.
- The process offers various entry points for UNICEF to support the realisation of child rights in countries, including by flagging child rights violations, sharing contributions to inform the review and supporting the implementation of these recommendations. The commitment to the UPR shown by Member States, including as a positive effect of peer pressure, is an opportunity to improve the situation of child rights in country that UNICEF should seize and support.
- Executive Committee decision 2018/35 requires all UN entities to support the implementation of UPR recommendations.

TABLE: Child rights recommendations made by Member States during the 2nd cycle of the UPR, by issue/sector

| Issues/sectors | Proportion of recommendations (%) |
|---|-----------------------------------|
| Child protection | 63% |
| Education | 9% |
| Child rights in general | 8% |
| Ratification of international instruments & withdrawal of reservations and declarations | 7% |
| Equitable chance in life | 6% |
| Child survival | 4% |

| | |
|----------------------------|-------------|
| Several sectors | 2% |
| Safe and clean environment | 0% |
| Grand Total | 100% |

D. How can UNICEF engage with the UPR?

1. Flag child rights violations

Background documentation for the UPR review

The UPR Working Group review of a State’s human rights record is based on the following three reports:

- **A national report prepared by the State under review** (about 20 pages, or 10,700 words) including: information on normative and institutional frameworks for the promotion and protection of human rights; implementation of international human rights obligations; achievements, best practices, challenges and constraints; commitments to overcome challenges; and follow-up to previous recommendations.
- **A compilation of UN information** (about 10 pages, or 5,350 words) including information contained in the reports from treaty bodies, special procedures and other relevant UN documents (including the UNCT submissions and/or UNICEF separate submissions – when available). This is consolidated by the Office of the United Nations High Commissioner for Human Rights (OHCHR).
- **A summary of other relevant stakeholders’ information** (about 10 pages, or 5,350 words), such as NGOs (including UNICEF NatComs), National Human Rights Institutions (NHRIs), human rights defenders, academic or research institutions, regional organisations and civil society representatives. This is also consolidated by OHCHR.

These reports and their source documents are public and are placed on the [OHCHR website](#).

UNICEF and/or UNCT submissions

UNICEF’s inputs provide an opportunity for sharing information on progress made by the Government to improve specifically the situation of child rights in the country, for flagging any issues of concern not addressed since the previous reviews and proposing recommendations to address those challenges.

UNICEF country offices can engage in the process by contributing to UNCT submissions or, less frequently, by providing their own submission (because of the limited word count in UNCT reports or when a UNCT does not submit a joint report). UNCT reports (or UNICEF separate reports) represent solid background documents which can guide the periodic review during the UPR Working Group sessions. In between the 1st and 2nd cycles of the UPR there was increased engagement by UNCTs and the number of UNCT submissions rose from 44 to 93. UNICEF NatComs also provide submissions, either separately, or as part of child rights coalitions.

Should UNICEF prepare an individual or joint submission?

While UNICEF country offices and NatComs do not contribute to the same documents (i.e. UN information on the one hand and ‘other relevant stakeholders information’ on the other hand), they both have a choice of preparing an individual submission or a joint one as part of the UNCT or with NGOs. There are a number of advantages and disadvantages in both approaches.

- Joint submission:
 - Increased recognition and visibility of child rights as a key human rights considerations that need to be addressed, and increased likelihood that information specifically on child rights will be included in the UN compilation or stakeholders’ summary, as it covers priority issues for a range of entities/organisations;
 - Strengthened cooperation with other actors working on human rights issues either within the UNCT or civil society, which also lays the basis for joint follow-up actions.
 - Effective use of resources, especially if others lead the preparation of the submission.
- Individual submission:
 - Can be prepared according to own drafting process and criteria for prioritization of child rights issues to be highlighted.
 - There is sufficient space to raise all UNICEF’s priority issues, as there is not the same limitation in word limit as when submitting jointly.
 - UNICEF raises its own visibility with key partners for the issues it highlights.

Guidance on content

UN entities and other relevant stakeholders are expected to follow the OHCHR technical guidance for submissions. There is separate [guidance for UN entities](#) (e.g. UNICEF, UNCTs) and for [other stakeholders](#) (e.g. NatComs).

The guidance emphasises that the review is based on, inter alia, the implementation of previous recommendations from human rights mechanisms and developments in the human rights situation in the State under review. As such, UNICEF’s contributions should focus on assessments of implementation of past recommendations relevant to children, as well as on emerging child rights issues.

BOX: Previous child rights UPR recommendations made to a State under review

The list of recommendations from a previous cycle and the response provided by the State under review (“supported” or “noted”) consists of a [set of documents](#):

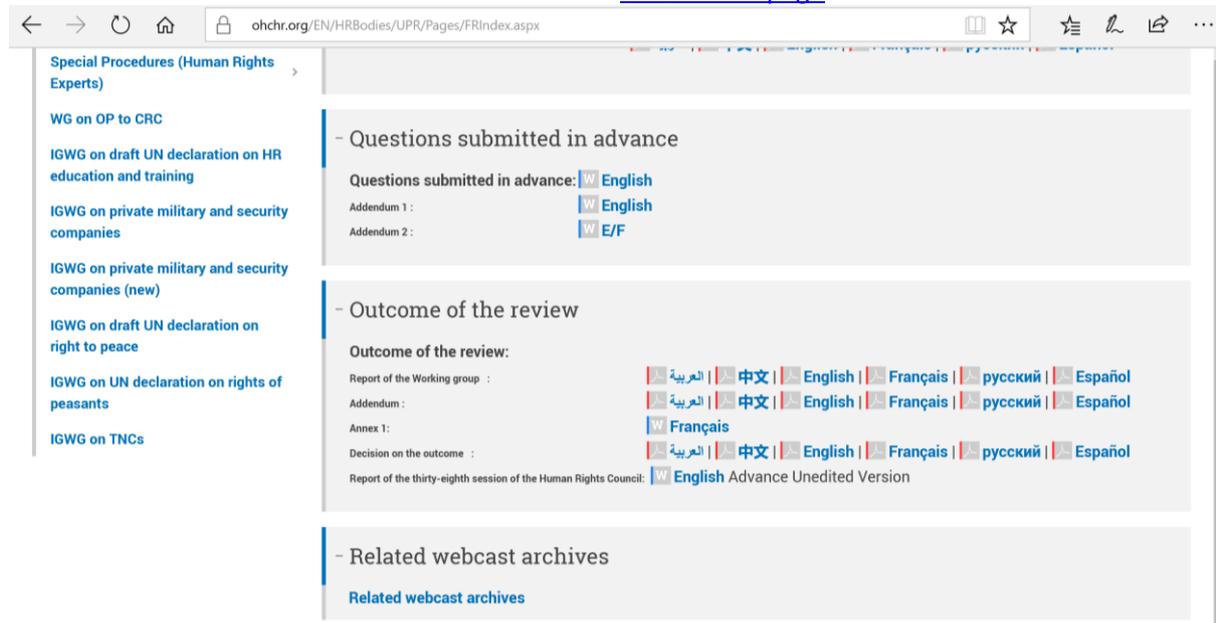
- 1) The UPR Working Group report
- 2) The Addendum(s) shared by the State under review containing additional responses to the recommendations
- 3) The statement delivered by the State under review during the HRC plenary session and available in the corresponding HRC report
- 4) A matrix of thematically clustered recommendations from the previous cycle, when available

TIPs:

The NGO UPR-Info consolidates all the recommendations on the [UPR-Info database](#)

OHCHR consolidates all the recommendations on the [Human Rights Index database](#)

PICTURE: Where to find UPR recommendations on OHCHR webpage

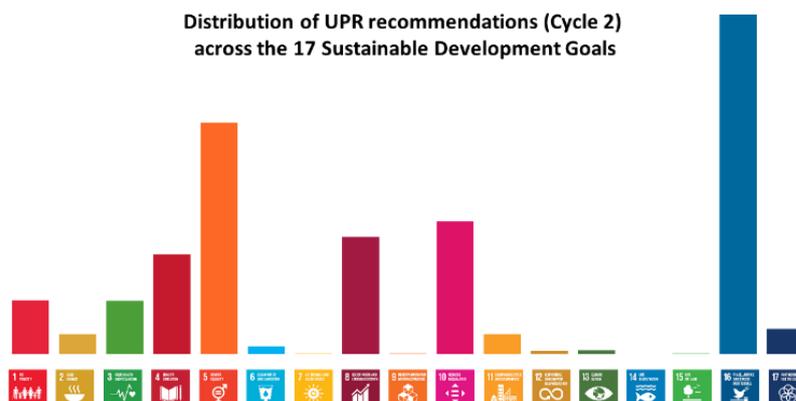


The UPR and the SDGs

The Human Rights Council has acknowledged that the promotion and protection of human rights and the implementation of the 2030 Agenda are interrelated and mutually reinforcing.

According to an analysis undertaken by the Danish Institute for Human Rights, [more than 90% of the SDG targets](#) are linked to provisions of international human rights instruments. Moreover, more than 50% of the [UPR recommendations](#) issued during the 1st and the 2nd UPR cycles are linked to specific SDG targets. Hence, there is a unique opportunity to build national SDG strategies and plans on human rights norms and use UPR recommendations to guide SDG implementation. Likewise, a human rights-based approach to the SDGs can serve as an implementation mechanism for UPR recommendations.

BOX: Linking the UPR and the SDGs (source: The Danish Institute)



Deadlines and process for submission

Submissions from both UNICEF country offices and Natcoms are due approximately 6 months before the scheduled UPR Working Group session for the concerned State.

The UNICEF Programme Division Human Rights Unit in Geneva shares the due date with concerned UNICEF Representatives and Deputy Representatives once available as well as with the UNICEF Private Fundraising and Partnerships - Advocacy and Partnerships team when NatComs countries are under review. Resident Coordinators are also informed by UN DOCO. Deadlines are [available here](#).

In the case of UNCT contributions, RCs are in charge of submitting the reports to OHCHR. When a NatCom contributes to a joint submission with a coalition of NGOs, the leading NGO is in charge of submitting the report to OHCHR. When UNICEF makes separate contributions (country offices or NatComs), submissions should be sent, according to the deadlines and in a Word document, through the "On-line UPR submissions registration system" or through the UNICEF Human Rights Unit in Geneva.

OHCHR will then translate the documents and consolidate the information received from UN entities, special procedures and treaty bodies in the compilation of UN information, and summarize the reports received by other relevant stakeholders in the summary of other stakeholders' information.

National reports prepared by the States under review are expected approximately 3 months before the UPR Working Group session.

All three reports and their source documents are placed on the [OHCHR website](#) one month before the UPR Working Group session.

2. Influence recommendations made to States under review

The UPR review

The UPR review lasts 3,5 hours and takes place within a Working Group (WG). The WG is composed of the 47 members of the Human Rights Council. However, any of the remaining UN Member and Observer States can take part in the interactive dialogue. After the State under review presents its national report, other States participate to the dialogue and make recommendations. The State under review has a total of 70 minutes to present its report and answer questions raised by the UPR WG. While UN entities, NGOs, NHRIs and others can attend the UPR WG session, they cannot take the floor. The review is [public and is webcast live](#), making it accessible to national level actors.

At the end of the review, a group of three States, called the troika (selected for each review by drawing of lots), prepares a report which summarizes the dialogue, the State's responses, and includes the full list of recommendations. The State under review and OHCHR are also involved in preparing the report. The State under review has the opportunity to make preliminary comments on the recommendations choosing to either "support" or "note"

them. Both “supported” and “noted” recommendations are included in the UPR WG report. The Government has until the next HRC plenary session on UPR to take decisions on all the recommendations and share these in one or several addendums to the UPR WG report and/or during the HRC plenary session.

A State that is under review and that indicates ‘support’ to a given recommendation denotes an important commitment, and provides a solid base for action in-country.

BOX: UPR Review in Geneva



BOX: UPR Info informal pre-session

Since 2012, the NGO UPR Info organizes UPR pre-sessions one month before the UPR WG reviews (three times a year). The UPR pre-sessions constitute an opportunity for grass-roots and national NGOs and NHRIs to share their assessment and discuss the human rights situation in their country with permanent missions based in Geneva, as a way to promote specific and relevant recommendations. The pre-session of each State under review lasts up to one hour. UPR Info ensures a broad representation of human rights issues. NGOs and NHRIs that participate to the pre-session also submit a formal submission to the UPR review process. UNICEF can attend as an observer.

Advocating with recommending States

With a presence in nearly all UN Member States, UNICEF is well-placed to assess the situation of child rights in-country, share reliable information and analysis, and suggest concrete measures to improve the situation of children in every country.

While each UN Member State (that is reviewing the progress of another Member State) has its own process to draft the statement it presents during the UPR Working Group (including its recommendations), these are usually prepared collaboratively between the recommending State’s Embassy in the State under review (where such exists), the Ministry of Foreign Affairs in capital, and the Permanent Mission in Geneva.

In order to influence this process, the UNICEF Human Rights Unit, together with UNICEF PPD and PFP, works with UNICEF country offices and/or NatComs in countries under review to identify 3 to 5 key issues of concern, draft policy recommendations and to advocate directly with Member States to influence the recommendations that they will issue to the country under review. To facilitate the process, UNICEF country offices and/or NatComs in the country under review are invited to prepare a one-pager to be shared with permanent missions in Geneva and if relevant, Embassies in-country. Details on how to draft the recommendations are to be found in the next section.

Member States do not usually issue more than three recommendations per State under review. Some of them have adopted an internal policy to issue at least one recommendation

specific to child rights. It is therefore important to strategically prioritize recommendations UNICEF will suggest to the recommending States. Recommendations should either refer to recommendations from the previous cycles that have not been fully implemented, or flag violations that have emerged in the meantime.

Based on a mapping of all previous UPR child rights recommendations and other sources, the UNICEF Human Rights Unit, with PPD and PFP, supports identifying the most appropriate reviewing Member States to approach both in Geneva and in-country. This is done in close cooperation with the concerned country office or Natcom, so as to take national and regional dynamics into account.

In parallel, and when relevant, UNICEF country offices and NatComs can approach the recommending States' delegations in the country under review with the same recommendations.

Contact with the permanent missions in Geneva and Embassies in-country should take place up to 4 to 6 weeks before the review, as they are often the first ones contacted to find out the priority issues in the country.

Other advocacy efforts can also take place at global and/or regional levels, by sector or topics, targeting Member States that are championing specific child rights.

Identifying and drafting suggested recommendations

The issues identified should be:

- Child rights violations that were already raised in previous recommendations but have not been fully implemented, or issues that have emerged in the meantime.
- Issues that are or will be included in the UNICEF country programme, i.e. that we would support to implement if accepted.
- Recommendations from the Committee on the Rights of the Child that have not been fully implemented, or for which commitment needs to be strengthened.
- As much as possible child rights violations on which there is evidence/data available.

You will find here additional aspects to consider when identifying the issues for which to draft recommendations.

In terms of their formulation, recommendations should:

- Address one child right violation (i.e. the breach of one particular right)
- Mention the affected group(s) of children, when relevant
- Be action oriented and focus on the action needed in the process of ending and preventing the child rights violation
 - The preferred option is to provide one specific action, i.e. start with verbs such as conduct, develop, eliminate, establish, investigate, undertake; as well as legal verbs: abolish, accede, adopt, amend, implement, enforce, ratify (source: UPR Info)

- Alternatively, recommendations can also suggest one general action, i.e. start with verbs such as accelerate, address, encourage, engage with, ensure, guarantee, intensify, promote, speed up, strengthen, take action, take measures or steps towards (source: UPR Info)
- Be implementable within 5 years (i.e. at the next UPR review)

You will find further details on SMART recommendations [here](#) (p. 27).

3. Advocate for acceptance of recommendations

The last step of the UPR process in Geneva, before the implementation period begins in-country, is for the HRC to officially adopt the UPR WG report of the State under review, in which the recommendations are presented, as well as whether they have been accepted by the State under review.

During the period between the UPR WG review and the adoption of the report by the HRC, the State under review has to decide which recommendations it will “support” and which it will “note”. The adoption takes place in the HRC session following the UPR WG review as follows:

- For WG reviews taking place in January/February, the UPR outcome is adopted in the June/July session of the HRC
- For WG reviews taking place in April/May, the UPR outcome is adopted in the September/October session of the HRC
- For WG reviews taking place in October/November, the UPR outcome is adopted in the February/March session of the HRC

This period provides a key opportunity for UNICEF country offices and NatComs to advocate for the State to accept child rights recommendations especially if technical or financial support can be provided to the Government to implement the recommendations.

4. Making a statement during the UPR adoption

During the adoption of the UPR outcome by the HRC, the State under review can reply to outstanding questions or respond to recommendations; other States may also make statements, and UN agencies, NGOs, NHRIs and other have a chance to comment. UNICEF, as an observer, can make a short statement from the floor in order to praise acceptance of some key recommendations, regret that others were only noted, and pledge support for the implementation. Only 13 speakers among Member States and observers are given the floor in this particular session, with each a speaking time of 90 seconds. Speakers are drawn by lot among those that registered to speak. The UNICEF Human Rights Unit registers the interested CO, informs them of the results of the drawing by lot, guides and supports the preparation of the statement, and delivers it on behalf of the CO.

BOX: Statements made during the UPR outcome adoption

In their statements, recommending States and observers usually:

- Praise efforts undertaken by the State under review to improve the human rights situation in the country (always)
- Acknowledge progress achieved since the last UPR cycle (often)
- Welcome the acceptance of certain recommendations (always)
- Regret that certain recommendations were only “noted” (very often)
- Ask for clarifications from the State under review on responses to recommendations (often)
- Express concerns about human rights specific situations in the country (often)
- Encourage implementation of recommendations (very often)
- Express readiness to assist the State under review with the implementation of specific recommendations (sometimes)
- Encourage the adoption of the UPR report (often)

5. Support the implementation of the recommendations

Once the UPR review is finalized in Geneva, the High Commissioner for Human Rights sends a letter to the Foreign Ministers of the State under review to encourage the implementation of UPR recommendations and reiterate UN support to address human rights issues in-country.

At the following cycle, five years later, States are expected to explain how they have implemented the recommendations that they have accepted.

They can also submit a mid-term report. These are voluntary and do not need to follow a particular format. Examples are available [here](#), and further information and guidance on mid-term reports [here](#). Such reports help maintain the momentum for progress until the next review and are key to the effectiveness and accountability of the process.

In 2018, the Executive Committee decision 2018/35 required all UN entities to support the implementation of UPR recommendations. UNICEF country offices are encouraged to take UPR recommendations into consideration into the programming process, including when assessing the child rights situation, developing the country programme, reviewing it at mid-term, and monitoring and reporting on progress and achievements. Further guidance on how to integrate UPR recommendations in programming can be found in UNICEF’s PPPx.

The UPR WG report can also provide an opportunity to consolidate partnerships with recommending States on specific issues and to explore options for resource mobilization.

How does UPR complement the CRC reporting process?

The UPR and CRC reporting processes should be used as complementary processes. The main differences between them are:

| CRC reporting process | UPR |
|--|---|
| Comprehensive and in-depth review of the implementation of the rights covered by the CRC, OPSC or OPAC. | Covers a State’s entire human rights record and therefore child rights are not addressed with the same depth. |
| Dependent on the ratification of treaties, but States parties have clear obligations | Not dependent on the ratification of treaties, so child rights issues can be raised for all States |

| | |
|---|---|
| Officially a periodic review (every 5 years), but dependent on the government's timely submission of reports. Many States report late or not at all. | Regular calendar with no reporting backlog and 100% on time reporting. Possibility for mid-term reporting in addition. |
| Many opportunities to influence the process (e.g. reports, pre-session, informal meetings with Committee members) | More limited space to raise child rights issues, as competing with other issues. |
| UNICEF reports are confidential | UNCT or UNICEF reports (when UNICEF submits a separate report) are public |
| States have no option to support or note (reject) recommendations | State can accept recommendations that it will implement by the next review (showing strong political will to implement them). Accepted recommendations have political buy-in. |

BOX: Enhancing synergies between reporting mechanisms

The UPR constitutes an opportunity to reinforce concluding observations and recommendations which came out of the CRC reporting process or other treaty bodies (e.g. CEDAW, CRPD) and/or special procedures. See OHCHR Human Rights Index of Recommendations to a specific country [here](#).

For more information, please contact

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