



The role of Equality Bodies in the UPR



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Introduction

The UPR, a potential game-changer

To provide Equalities bodies with tips to:

- **Engage** in the Universal Periodic Review process;

How?

- **Revisiting** points of entry to the UPR
- **Presenting good practices** of interaction with all UPR stakeholders



UPR Info is international INGO based in Geneva, Switzerland

Our mission is **to make the UPR process an effective mechanism to improve human rights on the ground.**

Our activities:

- **Policy dialogue:** facilitate discussions to strengthen the UPR mechanism
- **Capacity building of all UPR stakeholders** (CSOs, NHRIs, Governments, parliaments, Academia)
- **Technical tools** to facilitate engagement in the UPR process: *UPR Info* Database of recommendations and knowledge products.

Our approach:

- ✓ **Cross-cutting** approach: taking into account outcomes from other human rights mechanisms
- ✓ **Inclusive & participatory** approach: all human rights; participation of regional stakeholders and vulnerable groups
- ✓ **Mainstreaming gender equality** and human rights based approach

Role of Equality Bodies at the UPR

Roles of the Equality bodies in the UPR – EU legislation

The EU equal treatment directives set minimum standards to ensure Equality bodies independence, effectiveness and accessibility.

... in order to fulfill their mandate to address discriminations based:

- ✓ gender, racial or ethnic origin, religion or belief, disability, age and sexual orientation

Promotion and Prevention

- Building a culture that values equality, diversity and non-discrimination
- Conducting research and
- Providing policy recommendations

Protection

- Identifying and investigating cases of discrimination
- Providing information and legal support
- Monitoring and reporting on discrimination issues

- ❖ **Advising** the Government and parliament;
- ❖ **Human rights education** (training and awareness raising campaign) – promoting equality and non-discrimination is rights based and advances the fulfillment of human rights;
- ❖ **Cooperating** with National and international stakeholders and the international human rights system, notably the UPR;
- ❖ Protecting and promoting the rights of **specific groups**.

«By its resolution 16/21 on the review of the work and functioning of the Human Rights Council, the Council strengthens the role of A-status national human rights institutions in the universal periodic review. **National human rights institutions are encouraged to play an active role** during the second cycle of the universal periodic review of the Human Rights Council (2012-2016). A-status national human rights institutions are encouraged to make use of their participatory rights as spelled out in Human Rights Council resolution 16/21”.

Secretary-General report on national institutions for the promotion and protection of human rights (A/66/274) 8 August 2011, paragraphs 96 and 97.

Roles of the Equality bodies in the UPR

- ✓ Acting as a **bridge between the national and international** human rights systems and stakeholders;
- ✓ **Providing independent and authoritative information** on equality and discrimination;
- ✓ Sharing **best practice examples and lessons learned**;
- ✓ Providing **advice to Government** on the implementation of UPR recommendations, and monitoring follow-up; and
- ✓ **Raising awareness** at the national level;
- ✓ **Planning and monitoring**: Support the integration of equality and discrimination issues into the national human rights action plan

Before the UPR

- **Participate actively in the UPR national consultations:** ensure that the Equality bodies experience and perspective is reflected in the national report. ✓
- **Consult with civil society organizations** on key issues related to equality and discrimination and propose recommendations. ✓
- **Submit an independent report:** Include SMART Recommendations! ✓

During the UPR

- **Organize viewing events** of the Working Group
- **Debrief media**

At the adoption of the UPR report

- **Take the floor during the interactive dialogue** with the SuR: “A” status NHRIs
- **Debrief media**

After the UPR

- **Publicize and disseminate the outcomes** of the UPR in the country;
- **Mainstream UPR recommendations into their work (strategy);**
- **Monitor the implementation** of recommendations (follow-up);
- **Work with government to implement** the recommendations
 - Engage in a dialogue with governments for the implementation and follow-up;
 - **Contribute to the development** of legislation, institutional frameworks, policies and programmes to implement the recommendations;
- Work with **Parliament and Judiciary** on supporting roles;
- **Co-operate with international and regional organizations;**
- **Submit a Mid-Term Report.**

How to make an oral intervention at the UPR Adoption

NHRIs with A Status are entitled to intervene immediately after the State under review during the adoption of the outcome of the review by the Council plenary.

Format

- ❖ Oral interventions
- ❖ Video Statements

Process

- ❖ Register online on OHCHR's [website](#)
- ❖ Upload Statements as per the instructions on website



If an A-Status NHRI cannot make it to Geneva for the Statement, **GANHRI** can deliver the statement on their behalf!

Interaction with other Stakeholders

Cooperation with CSOs

Cooperation and coordination is the key to success!

Preparation for the Review

- ✓ Conduct National Consultations state-wide
- ✓ Develop advocacy strategies together
- ✓ Increase public awareness, including through the media

Between the Review and the Adoption

- ✓ Conduct advocacy for acceptance
- ✓ Develop Action Strategies
- ✓ Inform the public

Cooperation with CSOs

Implementation of UPR recs

- ✓ Assist in the formulation and delivery activities;
- ✓ Publicize equality and discrimination issues in a plain language;
- ✓ Increase public awareness, including through the media

Monitoring of UPR recs

- ✓ Access to local information through grass-roots CSOs
- ✓ Investigation cases of discrimination
- ✓ Submission of **Mid-Term Reports**

Cooperation with Parliament – Belgrade Principles (NHRI)

Implementation of UPR recs

- ✓ Consultation in the legislative process
- ✓ Ratification of international instruments - domestication
- ✓ Advocate for the allocation of a sufficient budget to address issue of discrimination and equality
- ✓ Development of equality and non-discrimination culture

Monitoring of UPR recs



- ✓ Discuss equality and discrimination issues at Parliamentary Sessions + Committees

**More than 50% of
UPR recs require
Parliamentary
action!**

Cooperation with Judiciary

Implementation of UPR recs

- ✓ Intervening in Court cases (amicus curiae)
- ✓ Training of the judiciary

Monitoring of UPR recs

- ✓ Ensuring a legal support and bring cases before the judiciary in case of discrimination
- ✓ Provide an opinion to the executive's response to the judgment of human rights courts

Cooperation with Government and Civil Servants

Implementation of UPR recs

- ✓ Clearly formalise your engagement
- ✓ Advise on best ways to implement recommendations
- ✓ Act as bridge between Gov and other stakeholders

Monitoring of UPR recs

- ✓ Base-line study to assess the situation at the beginning of the monitoring period
- ✓ Create indicators, benchmarks and targets together for the implementation and report on them to officials
- ✓ Cooperation with NMRFI



Ask the government to designate a Focal Point within each ministry

Cooperation with Academia

Implementation of UPR recs

- ✓ Conduct research on the UPR mechanism, equality and cases of discrimination.
- ✓ Preparation of training manuals on those themes
- ✓ Training of law enforcement officials
- ✓ Organization of seminars

Monitoring of UPR recs

- ✓ Analyze national trends
- ✓ Create statistics and indicators

Cooperation with Media

Preparation for the Review

- ✓ Popularise the mechanism
- ✓ Draft Press Releases on the issues of equality and discrimination
- ✓ Vulgarization of Advocacy Factsheets

Between the Review and the Adoption

- ✓ Write articles on the equality and discrimination relating them to recommendations received
- ✓ Ask citizens to express their desire outcomes of the review
- ✓ Share the webcast and translate it

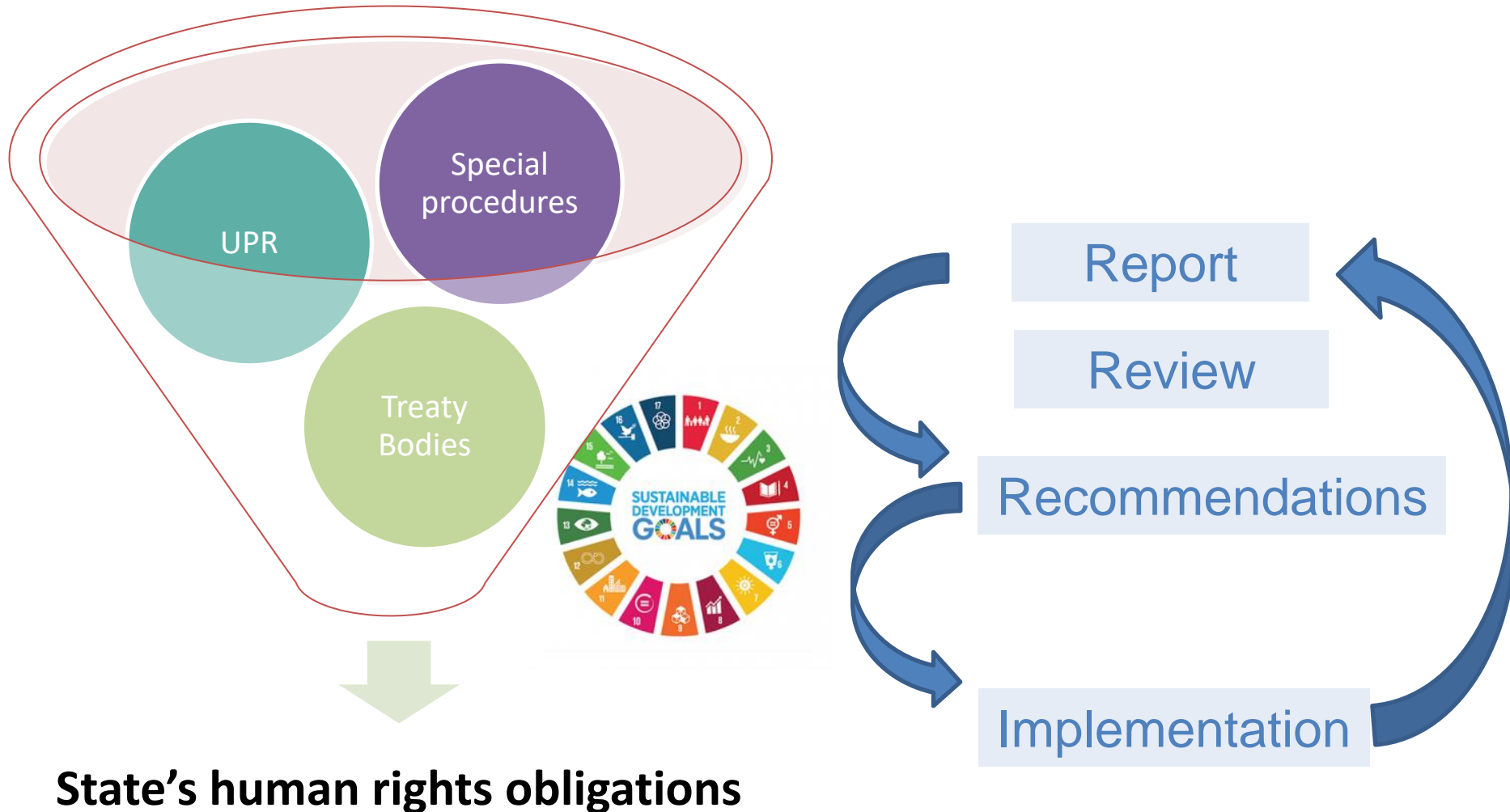
Cooperation with Media

Implementation of UPR recs

- ✓ Collaborate with civil society to translate/make recommendations understandable to the general public
- ✓ Invite the government to inform the general public about national strategies for the implementation of recommendations related to equality and non-discrimination
- ✓ Popularize the UPR in print, audio/visual and social media by publishing articles on what the UPR is and how it impacts on the human rights of citizens

Monitoring of UPR recs

- ✓ Write articles on equality and how discrimination affect people's human rights situation.



Three main international human rights mechanisms of the United Nations

Mechanism	Treaty bodies	Special Procedures	UPR
Description	International treaties setting out duties for States to protect human rights	International experts who examine human rights either thematically or by country	International human rights assessment undergone by each UN Member State every 4 ½ years
Number	10 treaty bodies	44 thematic; 12 country-specific	All 193 UN Member States
Themes	Civil & political rights (CPs); Economic, social & cultural rights (ESCRs); Racial discrimination; Women; Torture; Children; Migrant workers; Disabilities; Enforced disappearances	Varied: CPs; ESCRs; collective rights (<i>e.g.</i> environment); marginalised groups; country mandates incl. Syria; Palestine; Myanmar...	All human rights issues can be raised in the UPR, as well as tenets of humanitarian law
Nature	Legally binding treaties; treaty bodies led by committees of independent human rights experts that oversee compliance	Independent experts appointed by the UN; issue reports & recommendations	Inter-governmental, peer-review political process; not legally binding
Other information	Individual complaints procedure under CCPR; CERD; CAT; CEDAW; CRPD; CED;	Mandate holder must have express permission of the State to conduct a	The only universal human rights mechanism, with a

The UPR: Complementarity

- The Universal Declaration of Human Rights states that all human beings are born free and equal in dignity and rights.
- The Agenda 2030 has, at its core, leaving no one behind.
- Inform your actions by human rights obligations and commitments.
 - Planning, monitoring, implementation;
 - Goals/targets/indicators: measuring the reduction of inequalities, elimination of discrimination in law and practice.
 - Ensuring the disaggregation of data to measure inequalities and discrimination (social groups and income).



SPEAK UP STOP DISCRIMINATION

Good practices and Useful Tools

<https://upr-info-database.uwazi.io/en/>



Recommendations

Voluntary Pledges

Statistics



Database of Recommendations

Search



UPR INFO Database of Recommendations

Search

1100 documents sorted by: Date added (Recently)*

Filters:

- ☐ State: 196
- ☐ Recommendation: 8006
- ☒ Voluntary Pledge: 1100

State under Review

- ☐ Sri Lanka: 45
- ☐ Uruguay: 45
- ☐ Bahrain: 43
- ☐ Mali: 39
- ☐ Canada: 29

156 more

110.112

Cycle

Cycle 3 (2017 - 2021)

State under Review

 Malta

Recommendation

Continue to combat discrimination
against refugees and minors

Recommending State

 Senegal

Action Category

2 - Continuing action

Response

Supported

Issues

Asylum-seekers - refugees, Discrimination,
Rights of the Child

Use filters:

- By cycle
- By State under Review
- By Recommending State
- By response (supported, noted)
- By issue (60 categories of rights)

For example:

- 3rd cycle
- State under Review: Western European Group
- All Recommending States
- Supported and noted recommendations
- Discrimination

121.183

Cycle

Cycle 3 (2017 - 2021)

Session

32 - January 2019

State under Review

 Slovakia

Recommendation

Ensure equal rights for Roma children and their protection from all forms of discrimination

Recommending State

 India

Action Category

4 - General action

Response

Supported

Issues

Disability rights, Minority rights, Racial discrimination, Rights of the Child

114.12

Cycle

Cycle 3 (2017 - 2021)

Session

29 - January 2018

State under Review

 Romania

Recommendation

Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities

Recommending State

 Cyprus

137.170

Cycle

Cycle 3 (2017 - 2021)

Session

33 - May 2019

State under Review

 Portugal

Recommendation

Continue implementation of the National Strategy for Equality and Non-Discrimination and its action plans, especially on combating violence against women and domestic violence

Recommending State

 Slovenia

Action Category

2 - Continuing action

Response

Supported

Issues

Rights of the Child, Women's rights

SDGs – Human Rights Data Explorer

Danish Institute for Human Rights



Belgium

Take stronger measures at the federal level to combat racism, xenophobia, intolerance and discrimination on religious grounds

(UNIVERSAL PERIODIC REVIEW)

10.3

Members of minorities

Supported

CUBA

Recommendation

2016 (Cycle 2)

Source: [A/HRC/32/8](#)



Albania 95.124 Continue efforts to change the prevalent gender stereotypes, combat domestic violence and further promote the participation of women in political and public life (Czechia);

(UNIVERSAL PERIODIC REVIEW)

16.7 5.2 5.5

Women and girls

Supported

CZECHIA

Recommendation

2019 (Cycle 3)

Source: [A/HRC/42/4](#)



Luxembourg

Continue efforts to combat racial discrimination and hate speech against foreigners in order to raise awareness and increase a culture of diversity and tolerance

(UNIVERSAL PERIODIC REVIEW)

10.3 4.7

Members of minorities

Supported

TUNISIA

Recommendation

2018 (Cycle 3)

SDGs – Human Rights Data Explorer

Danish Institute for Human Rights



Luxembourg

Continue efforts to combat racial discrimination and hate speech against foreigners in order to raise awareness and increase a culture of diversity and tolerance

(UNIVERSAL PERIODIC REVIEW)

10.3 4.7

Members of minorities

Supported

TUNISIA

Recommendation

2018 (Cycle 3)

Source: [A/HRC/38/11](#)

|106.63|



Finland

Effectively provide for the application of laws prohibiting wage discrimination for equal work between men and women

(UNIVERSAL PERIODIC REVIEW)

5.1 8.5

Women and girls

Supported

UZBEKISTAN

Recommendation

2017 (Cycle 3)

Source: [A/HRC/36/8](#)

|100.91|

Racist hate crimes

15. The Committee takes note of the initiatives taken by the State party to raise awareness and to build the capacity of the police force, including through the availability of specialized training on hate crimes and courses on non-discrimination and diversity. It remains concerned, however, that racist hate crimes still occur (eight hate crimes based on racism and xenophobia were recorded in 2017) and may remain underreported (arts. 4 and 6).

Concerned persons/groups

- Law enforcement / police & prison officials
- Minorities/ racial, ethnic, linguistic, religious or descent-based groups

Country

- Iceland

Human Rights Themes

- Equality & non-discrimination
- Human rights education, trainings & awareness raising
- Access to justice & remedy
- Data collection & research

25. The Committee recommends that the State party increase measures to combat discrimination, in particular discrimination against children with disabilities and children with a migration background, through programmes and policies to reduce inequalities in access to education, health and development. The Committee also recommends that the State party continue its efforts to raise awareness of discrimination and foster an inclusive and tolerant environment in schools and other spaces for children.

Concerned persons/groups

- Children

Country

- Germany

Human Rights Themes

- Equality & non-discrimination
- Reservations



16.b

16.3



10.3



4.7

4.5

4.a



10.3

Kenya

- ✓ The NHRI sends annual reports to the Standing Senate Committee on Human Rights



Mexico

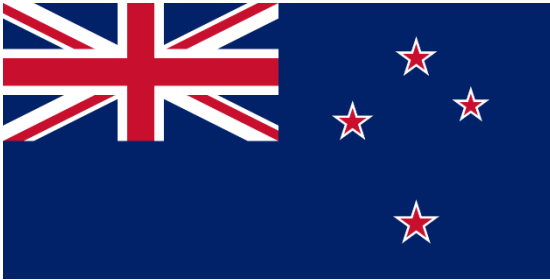
- ✓ NHRI participated in the development of the monitoring mechanism and developed monitoring matrices



Australia and Canada

- ✓ The Australian and Canadian Parliamentary Human Rights Commissions study in cooperation of their NHRIs particular human rights issues and cases and make recommendations to the government on issues, recommendations and questions they consider relevant to the UPR.

New Zealand



- ✓ NHRC led the process to the development of the Action Plan for Human Rights based on the 2nd cycle UPR
- ✓ Developed an online tool to track and monitor implementation
- ✓ In 2019 it served as backbone for the International HRAP developed in consultation with indigenous peoples and youth.
- ✓ Prior to the review, the NZHRC held public community consultations throughout the country to hear about the human rights concerns and to advise on and encourage participation in the UPR submission process.

South Africa

- ✓ South Africa received 21 UPR recs targeting HIV/AIDS
- ✓ South Africa Started the development of a policy by testing potential HIV carriers, but it did not cover all population
- ✓ Doctors and NHRC intervened by asking the judiciary to reformulate this policy and ensure access to all to the treatment



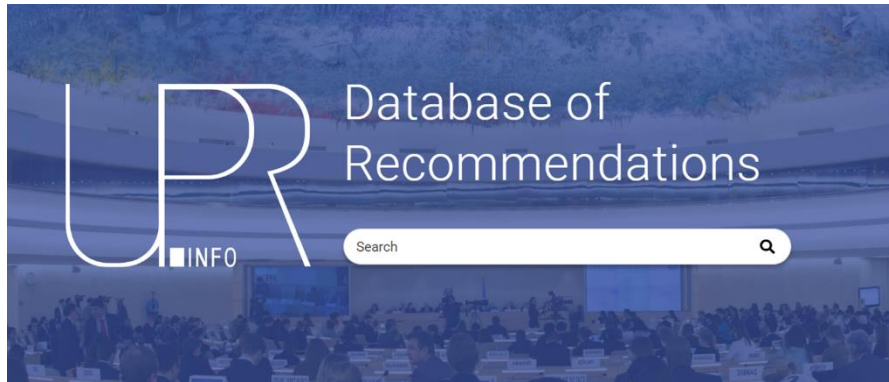
Useful Resources



[IMPACT OSS](#) is an open source tool that allows Governments, National Mechanisms or NHRIs create a public database of human rights recommendations, cluster them and track progress.

It also allows tracking of the SDGs and other national development plans.

It can be used to eliminate implementation gaps, ensure data collection and coordinate implementation across sectors.



Q & A