

## IN FOCUS

### *The Universal Periodic Review*

*Contributed by Sue Simon, Director, U.S. Human Rights Fund*

The United States is preparing for its first ever Universal Periodic Review. Below are a number of frequently asked questions regarding this process, as well as resources for funders to learn more.

#### **What is the Universal Periodic Review?**

The UPR is a new human rights mechanism of the Human Rights Council (HRC). It was created in 2006 by the United Nations General Assembly. The UPR involves a review of the human rights records of each of the 192 UN Member States every four years. It provides the opportunity for each State to declare what actions it has taken to improve the human rights situations in its country. It is designed to ensure equal treatment for each country when its human rights situation is assessed. The report issued out of the UPR process becomes the barometer for gauging future change.

#### **What is the purpose of the UPR?**

UPR goals include reviewing positive developments and challenges faced by countries; addressing inequalities and all forms of discrimination; and sharing best practices between countries and stakeholders. It provides advocates with a new tool by which to hold government accountable for its human rights obligations.

#### **Who conducts the review?**

The reviews are conducted by the 47 countries that serve on the Human Rights Council (the review body is called The UPR Working Group). The Working Group meets three times per year with the intention of reviewing 16 countries at each session. Any UN Member State can take part in the discussion/dialogue with the country under review. Each review is assisted by a group of three members of the Council, known as "troikas" that serve as rapporteurs for the process. These Council members are randomly selected. The State under review can veto one troika member and request that a member from its same region be included.

#### **What is the review based on?**

The review looks at each country's human rights record in accordance with The Charter of the United Nations; the Universal Declaration of Human Rights; the human rights instruments (e.g., treaties and conventions) to which the country is a party; the voluntary pledges the country has made regarding human rights (including commitments to the HRC); and applicable humanitarian law. The U.S. has ratified the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

#### **What is the process for the review?**

Each country provides three documents for the review: a 20 page report about how it has fulfilled its human rights obligations; a compilation of information from UN mechanisms prepared by the Office of the High Commissioner for Human Rights (OHCHR); and a summary of stakeholder/NGO submissions (also prepared by OHCHR). The actual process encompasses three hours of interactive dialogue between

the country under review and other UN Member States. The reviewee has one hour to introduce its report and respond to comments. The final two hours are for questions and recommendations from countries that are part of the Council and/or have observer status. An outcome report is then prepared by the troika summarizing the recommendations. It is formally adopted at the next session of the HRC. The report can then be used to assess what policy changes are needed and how action steps are being implemented.

#### **How can funders get involved in the first Universal Periodic Review of the United States?**

Funders can provide their perspective on how the U.S. is meeting its human rights obligations by participating in the submission of stakeholder reports. Also, the Department of State has created a new website in connection with the United States' review (scheduled for November 26, 2010). It allows people to send ideas, comments, and analysis on issues relating to human rights in the U.S. Most important, funders can support civil society efforts to inform and influence the UPR process and hold the government accountable to fulfill its human rights commitments.

#### **Resources:**

- 1) The Human Rights Project at the Urban Justice Center's "Practical Guide to the United Nations' Universal Periodic Review"
  - 2) The US Human Rights Network's Universal Periodic Review Project Website 3) The Website of the Office of the High Commissioner for Human Rights
- For more information on the Universal Periodic Review and how funders can get involved, contact Sue Simon, Director, U.S. Human Rights Fund.