

Suggestions for OHCHR assessment of UPR recommendations' implementation

jointly submitted by the following NGOs:

APG23 - Associazione Comunità Papa Giovanni XXIII

CI - Caritas Internationalis

ERI - Edmund Rice International

FIACAT - International Federation of Action by Christians for the Abolition of Torture

FI - Franciscans International

FMSI - Marist International Solidarity Foundation

IIMA – Istituto Internazionale Maria Ausiliatrice

MIAMSI - International Movement of Apostolate in the Independent Social Milieus

VIDES International

General remarks

The common agreement among all actors involved in the UPR process (States, OHCHR and NGOs) is that the 3rd UPR cycle should focus on monitoring implementation of UPR recommendations. During the meeting convened on July 19th by OHCHR, this was clearly stated by the UPR Branch and further confirmed through the process of reviewing Guidelines for UPR

submissions aimed at enhancing the assessment of the status of implementation through information provided by Civil Society.

While a more substantial role for OHCHR in the evaluation of UPR recommendations' implementation is desirable, there is a concrete obstacle stemming from the fact that OHCHR offices are not present in all countries. While reliable information from other sources might be available (State, NGO, SP, Treaty bodies etc.), lack of direct access to information on the human rights situation in a given country could represent an impediment for OHCHR in elaborating its own objective assessment. Along the same line, the lack of OHCHR staff in a given country could undermine the legitimacy of an assessment made exclusively on the basis of information from second hand sources. Moreover, the timing suggested for the additional document seems to coincide with the timeframe when the preparatory documents of the UPR sessions (namely the Compilation of UN information and the Summary of other stakeholders submission) are to be drafted as well. The OHCHR UPR branch could encounter serious difficulties in complying with a too demanding process, which could result in advancing even more the deadline for submissions and, therefore, be detrimental for the UPR process (outdated information).

Suggestions

On these basis, we believe that:

- Instead of requesting the drafting of an additional document, OHCHR could **revise the format of the current “Compilation of UN information”** as follows:
 - Make explicit reference to previous UPR recommendations while reporting information provided by UN sources;
 - Strengthen the focus on the evaluation of implementation of previous UPR recommendations, especially when information is provided by the country teams; and
 - Maximize/ emphasize contributions from OHCHR national and regional offices, in particular (if either exists for the country concerned and this lies within the scope of its mandate)

This proposal would enhance OHCHR's contribution to the evaluation of UPR recommendations without burdening the office by demanding additional documents.

Moreover, it would be suitable to approach the OHCHR with an alternative proposal. In this regard, we would suggest to consider the presentation of mid-term reports as an important window of opportunity to enhance the evaluation of the status of implementation. What is now a voluntary initiative by States and NGOs could be translated into a more institutionalized process where OHCHR could take a leadership role, through supporting concerned actors and facilitating the midterm review process.