SPC
Secretariat of the Pacific Community
Regional Rights Resource Team

Workshop on the Universal Periodic Review and CEDAW reporting, 9-14 May 2014, Kiribati

"Open Forum: Universal Periodic Review 2nd Cycle"

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Outline

- UPR overview
- Objectives and principles
- Experiences from 1st UPR cycle
- Good practices and challenges
- Guidelines and time-lines
- Technical and funding support

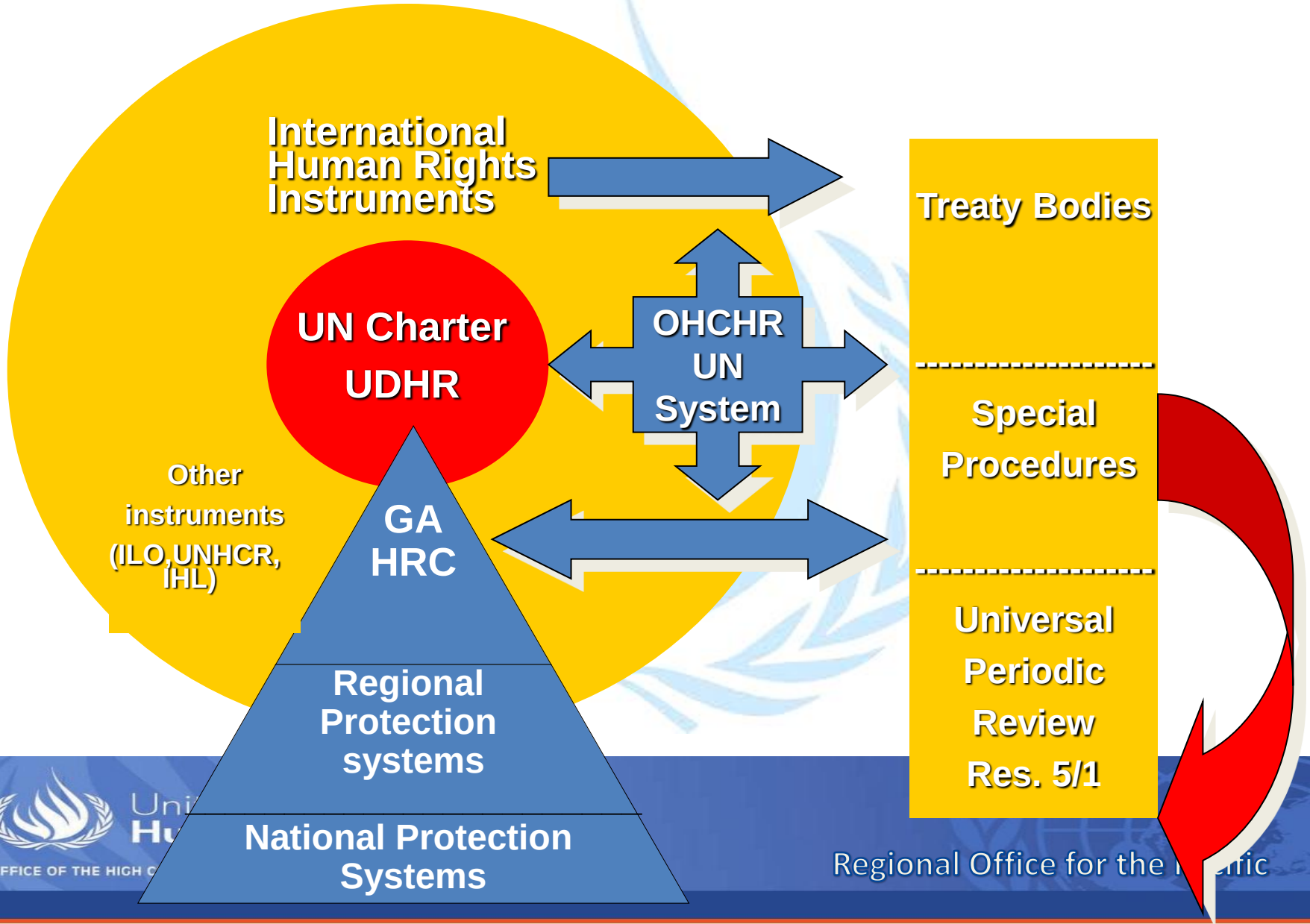
Universal Periodic Review (UPR)

- Unique process of the UN Human Rights Council - a periodic review of the human rights records of all UN Members.

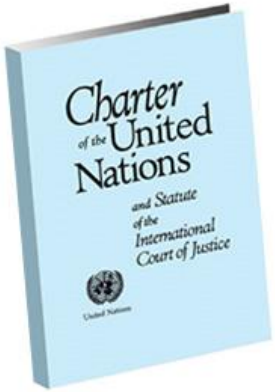
- Objective e.g. to improve the human rights situation in all states under review.

- An opportunity for States to inform about actions and share experiences and good human rights practices around the world.

UN human rights sources and mechanisms



Basis of the UPR review



- United Nations Charter
- Universal Declaration of Human Rights
- Human rights treaties ratified by the country
- Voluntary commitments and pledges (e.g. national human rights polices/programmes)
- Applicable international humanitarian law

UPR - Who, What, How?

- Who conducts the UPR reviews?
  - UN Human Rights Council, UPR Working Group
- What are the reviews based on?
  - National report
  - Compilation of UN information
  - Summary of stakeholders input
- How is a review conducted?
  - Inter-active dialogue

Objectives and principles

- Objectives and principles same as in 1st cycle: fulfilment of States' human rights obligations; improve the situation on the ground; and enhance the capacity of the State; universal; governmental; complementary; objective; transparent; non-political; and participatory.

Experiences

- All 193 UN member States have gone through the 1st cycle UPR process.

- UPR process has created political will and ownership at the national level, both within the Government structures and civil society.

Experiences (contin.)

- The PIF Leaders Communiqué (2011) *"re-affirmed the shared values and principles of the PIF and the UN, incl. important commitments to human rights…".* The UPR was recognized as a *"major regional achievement"*.

- In the Pacific the engagement with UPR mechanism provides a new and important opportunity for the promotion and protection of human rights

Challenges

- Recommendations are often numerous; some may touch upon same issues; some are general to their nature; and not prioritized.

- Resources (financial & human); and the need for sustained commitment and engagement.

General issues raised in the Pacific

- Engagement with international human rights mechanisms
- Steps towards the creation of national human rights institutions (NHRIs)
- Status of women, gender based discrimination and violence, including domestic violence
- Child protection
- Ill-treatment and torture, police violence, prison conditions
- Quality education and health services

Good practice

- All Pacific states supported many UPR recommendations.
- Task-forces/committees prepared national reports (e.g. Palau, Vanuatu, Solomon Islands (group of focal points), Samoa (task-force); PNG (core-committee).
- Inclusive consultations to prepare national reports, multi-sector in Government and stakeholders (with timelines).
- Publish/disseminate the UPR outcome at national level.
- Establish of a task force / steering committee for the implementation of UPR recommendations.
- Develop a national action plan to implement recommendations, and monitor implementation.

Substantive impacts

- Signing and ratification of human rights treaties: Palau (signatures); Vanuatu (CAT); Nauru (CEDAW, CAT, OPCAT)
- Stepping up work around treaty reporting: Solomon Islands; Nauru; Kiribati.
- Open invitation to Special Procedures and engagements with them: Marshall Islands; Palau; Nauru; PNG; and Vanuatu; and visits to Kiribati and Tuvalu; Marshall Islands; Solomon Islands; and PNG
- Steps towards the establishment of NHRI: Samoa, Solomon Islands; Palau; Vanuatu
- Start of legal reforms, new policy and strategy developments.

Technicalities – 2nd UPR cycle

- 14 States to be reviewed/session in three UPR Working Group sessions per year
- Order the same as in 1st cycle
- "Troikas" will be drawn some sessions in advance
- 3,5 hs for the review; 70 min. for the State under review for interactive dialogue (introduction, comments, and conclusions)

Main reporting guidelines

- Document A/HRC/DEC/17/119. 20 pages long.
- Reporting focus: implementation, and new developments in the area of human rights.
- Report outline: A. Methodology and process; B. Developments; C. Promotion and protection of human rights on the ground; D. Follow-up to previous review; E. Achievements and best practice; F. Key priorities; G. Requests for capacity development and assistance.

Time-lines - Kiribati

- Kiribati's 2nd UPR review in the Working Group session in Jan/Feb 2015
- Submission of national State report by 27 October 2014
- Submission of stakeholder information by 15 June 2014

Technical and funding support

- UN Voluntary Fund for Participation in the Universal Periodic Review; UN Voluntary Fund for Financial and Technical Assistance for the Implementation of the UPR.

- Support from partners – e.g. PIFS, SPC-RRRT, Commonwealth, other UN entities, bilateral.

Schedule for 2nd UPR cycle - Pacific

- 2013: Tonga and Tuvalu
- 2014: New Zealand, Vanuatu and Fiji
- 2015: Australia, Kiribati, Marshall Islands, Federated States of Micronesia, Nauru
- 2016: Palau, PNG, Samoa, Solomon Islands

Follow-up to previous recommendations

- What is follow-up and implementation?
- What is the process in Kiribati?
- Matrix of recommendations
- Stocktaking of implementation
- Follow-up and implementation support from OHCHR, PIFS, and SPC/RRRT

Key elements: recommendations, implementation and follow-up?

- Recommendations: legislative measures, policies and programmes, awareness-raising, coordination and cooperation that aim at enhancing the enjoyment of human rights
- Implementation: to carry into effect the "de facto" enjoyment of human rights through the recommendations
- Follow-up: keeping an "eye" on the process and keeping things "moving" forward

What is the process in Kiribati?

- Let’s invite someone from the Government to elaborate on this!

Experiences

- Implementation needs sustained commitment from political leadership and engagement across line ministries
- Implementation usefully done in cooperation with the civil society (training, awareness-raising, information sharing, advocacy etc.)
- Creation of a momentum for cooperation and dialogue among different actors and empowerment of national actors to take the initiatives themselves

Contact

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