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.
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 1\textsuperscript{st} 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 2\textsuperscript{nd} 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
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