

Compilation of statements on the UPR made under item 4.1

26-27 October 2010

Length of the cycle

➤ Extend the length of the UPR cycle from 4 to 5 years / examination of 13 States per session	Egypt (NAM); Nigeria (African Group); Pakistan (OIC); Algeria; Canada; Indonesia; India; Morocco; Peru; Philippines; Chile; Colombia; China; Malaysia; Paraguay; Russian Federation; Iran; Thailand; Venezuela; Nepal; Bangladesh; Saudi Arabia; MRAP
➤ Maintain the 4 year cycle	Belgium (EU); United Kingdom; Austria; Japan; Argentina; Morocco; Chile; Spain; Switzerland; Guatemala; European Disability Forum;
➤ Observe a break before the beginning of the 2 nd cycle	Egypt (NAM); Nigeria (African Group); Pakistan (OIC); India; Morocco (9 months); Philippines (1 year); Chile; China (1 y); Malaysia; Iran (1y); Singapore; Saudi Arabia (1y);
➤ The 2nd cycle should begin at the earliest possible in 2012 (no break)	Japan; Peru (if modalities are detailed); Venezuela; Switzerland; Australia; Guatemala; Commonwealth Secretariat;

Order of the review

➤ Maintaining the same order of the first cycle for the other reviews	Egypt (NAM); Nigeria (African Group); Pakistan (OIC); Algeria; Brazil; Morocco; Chile; Venezuela; Thailand; Malaysia; Russian Federation; Iran; Moldova; Australia;
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National consultations

➤ Drafting guidelines / *best practices for conducting national consultations	Canada; Moldova; Friedrich Ebert Stiftung; Canadian HIV / Aids Legal Network*; GHR (Joint NGO contribution)
➤ National consultations by inclusive insuring participation of persons with disabilities	European Disability Forum

Documents as basis of the review

➤ National reports should be tabled in the national Parliaments	Belgium (EU)
➤ Provide guidelines on the drafting of <u>all the basis documentation</u>	Egypt (NAM); Algeria; India; Peru; Moldova; Kazakhstan; Saudi Arabia; Viet Nam; Australia;
➤ Provide guidelines on the drafting of <u>the compilation and the summary by the OHCHR</u>	Pakistan (OIC); Cuba; Morocco; Philippines; Azerbaijan; China; Malaysia; Iran (through an inter-governmental body); Thailand (by OHCHR); Venezuela;
➤ The SuR should be consulted for the two UPR documents prepared by the OHCHR	Iran
➤ Maintaining the documentation established in Res. 5/1	Cuba; Philippines; Guatemala;
➤ Timeline for stakeholders submissions be adjusted to enable stakeholders submissions to address issues raised in the State report	Canadian HIV / Aids Legal Network

Composition of the delegation

➤ Composition of the delegations: include experts	Egypt (Nam); Philippines
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List of speakers / Length of the review

➤ Allow more time for the WG review	Belgium (EU); Algeria; Canada (4.5h); Austria; Azerbaijan; Paraguay (max 1 day); South Africa; Serbia; Switzerland; Moldova; Chile; Italy Guatemala; Civicus; ISHR 4h: France; Morocco; Israel; Kazakhstan ; Republic of Korea; Norway; Bosnia and Herzegovina; Uruguay; 1 day: Argentina
➤ Maintaining flexibility to arrange the time for the review on the basis of the number of States inscribed	United Kingdom (2 weeks in advance); Canada; United States; Peru; Chile (in advance); Israel (in advance); Republic of Korea (1 month before); Guatemala;
➤ All States wishing to take the floor should be able to do so	Ireland; Libya; Austria; Japan; United States; Spain; Turkey; Republic of Korea; Switzerland; Bosnia and Herzegovina; HRW
➤ Drawing of lots for the list of speakers	Norway; Argentina; Morocco; Chile; Paraguay; Israel (alphabetical lot); Thailand; Uruguay (alphabetical order); Guatemala;

➤ Introduce the possibility to subscribe the speakers' list via web or email and then a computer programme would choose a starting letter	Maldives
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➤ Time for each speaker could be reduced to 2 minutes	Switzerland
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Interactive dialogue

➤ Introduce the two compilation of the OHCHR at the WG session	Belgium (EU); Canada; ISHR; Canadian HIV / Aids Legal Network; HRW; GHR (Joint NGO contribution); NACLC
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➤ Extending the time available for the SuR	Libya; Mauritania; Qatar
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➤ The debate of interactive dialogue should be clustered into themes	Japan
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➤ Allow delegations to make recommendations on behalf of several delegations, irrespective of the fact that they are or not inscribed on the speakers' list. The names of participant delegations should be mentioned	Republic of Korea
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➤ Recommendations not presented orally should be included in the final report	Norway; Japan; France; Republic of Korea; Switzerland; Canadian HIV / Aids Legal Network
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➤ Creation of a Standard Uniform Questionnaire to assess all States on the same issues	South Africa
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➤ Include expertise of Special Procedures	Friedrich Ebert Stiftung
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➤ Advance questions be introduced by the troika	ISHR;
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Recommendations

➤ Recommendations should be clear and action-oriented, limited in number and *in line with IHRL	United Kingdom*; Colombia; Moldova*; Serbia; Friedrich Ebert Stiftung; Canadian HIV / Aids Legal Network*; GHR (Joint NGO contribution)
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➤ Recommendations should be consistent with the basis of the review / *with international standards	Egypt (NAM); Russian Federation*; Iran *; Republic of Korea*; Ghana*; Uruguay*;
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➤ Language that reject recommendations in a manner that is in nonconformity with the object and purpose of the UN Charter or res. 60/251 be omitted from the WG	Israel
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➤ Recommendations should be clustered *by experts	Costa Rica (Grulac); Belgium (EU); Algeria, United Kingdom, Indonesia; Maldives; Argentina; Morocco Philippines; Switzerland; Turkey; Moldova; Bosnia and Herzegovina; Viet Nam; Commonwealth Secretariat; APF; Civicus*
➤ Establishing a limit to the number of questions and recommendations	India; Argentina; Colombia; Iran; Nepal; Uruguay
➤ Create templates / guidelines for recommendations	Canada; Morocco; Colombia; Mauritania;
➤ Introduce independent experts in the UPR process to monitor the compliance of recommendations with international human rights law	France; Switzerland; ISHR

Response to recommendations

➤ Responses to all recommendations should be clear and *included in an addendum or ** integrated into a single document	Belgium (EU)*; Norway*; Canada; Austria*; India; France (in advance)*; United Kingdom**; Peru (in advance); Spain (in advance)*; Moldova; Republic of Korea (2 w prior to final adoption); Serbia; Australia*; ICC; APF; Civicus* (1w); Friedrich Ebert Stiftung; ISHR* (1w); Canadian HIV / Aids Legal Network* (2 w); HRW* (2w); GHR (Joint NGO contribution)*, NACLC*
➤ Failure in submitting the list of recommendations and the State's position should result in a postponement of the adoption and triggering of an urgent sitting of the HRC on the HR situation of concerned State	Austria
➤ The possibility for SuR to simply "take note" should be eliminated	France
➤ Create templates for the addendum	Australia
➤ Considering to mention why States rejected a specific recommendation	Austria
➤ The Addendum should include the reasons for the rejection of certain recommendations	Spain
➤ The Council should be alerted in case of incompatibility of certain recommendations made or certain responses of SuR with international legal obligations	Ireland

➤ Reasons for rejection should be explained and not contrary to the Convention on the Law of Treaties and other obligations under international human rights law	HRW; GHR (Joint NGO contribution)
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Working Group adoption

➤ Giving more time to States to consider the recommendations before the preliminary adoption	Norway (72 h); Morocco (72h)
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Plenary adoptions / Item 6

➤ Using one of the 3 regular sessions for the adoption of the UPR outcomes	Egypt (NAM); Pakistan (OIC); France; Iran; Indonesia; Brazil; India; Serbia; Italy
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➤ Adoption of the UPR outcome immediately after the WG session	United Kingdom; Norway; India; France; Morocco; Republic of Korea (3d after); Switzerland; Civicus
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➤ Participation of NHRIs and NGOs through videoconferencing including non-ECOSOC accredited ones	ISHR; NACLC
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➤ Comments of stakeholders prior of the final report should also be reflected in the summary and form part of the outcome	Canadian HIV / Aids Legal Network;
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Follow-up – implementation of recommendations

➤ States should adopt a plan including a timetable for the implementation *within 12 months of the adoption of the outcome	Belgium (EU)*; Austria*; Amnesty International*; Friedrich Ebert Stiftung; Canadian HIV / Aids Legal Network
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➤ States should be mandated to hold a civil society consultation after the review	United Kingdom
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➤ States should be given the opportunity to systematically inform the Council on their implementation	Austria; United States; Colombia (under Item 6); Thailand (under Item 6);
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➤ Put in place proper and clear follow up mechanism in assessing the status of implementation of the recommendations of the UPR	South Africa; GHR (Joint NGO contribution)
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➤ A dedicated Resource Person could be appointed for States requiring it as a permanent link with the HRC and support point for the implementation.	Maldives; Australia
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➤ The UN resident coordinator could be involved at the stage of preparation of the national report or at the stage of the implementation of recommendations	Uruguay
➤ Hold consultations with all stakeholders *annually	Belgium (EU)*; Civicus*; Canadian HIV / Aids Legal Network
➤ Include regional organisations and national parliaments in the follow-up	Friedrich Ebert Stiftung

Mid-term reports

➤ Encouraging the practice of mid-term reports on voluntary basis *but not as part of the official exercise	Algeria; Brazil; Maldives (annually or every 2 years); Argentina; Morocco; Chile; China; Azerbaijan*; Russian Federation; Iran *; Saudi Arabia; Turkey; Singapore; Thailand; Republic of Korea; Bosnia and Herzegovina; Uruguay; Friedrich Ebert Stiftung; European Disability Forum
➤ Mid-terms reports should be presented every two years	United Kingdom; Norway; Japan; France; Civicus; NACLC
➤ Mid-term reports could include information on requirements of technical assistance	United Kingdom; Norway
➤ There should not be any mi-term review exercise	Bangladesh
➤ The Council should create a segment for follow-up to each UPR examination	Bosnia and Herzegovina; Friedrich Ebert Stiftung; European Disability Forum
➤ Establishing a template for mid-term reports	Canada; Maldives

Second cycle of the UPR

➤ Focusing the 2 nd cycle on the implementation	Cuba; Ireland; Russian Federation; Thailand; Bangladesh; Mauritania; Guatemala; Italy; Switzerland; Bosnia and Herzegovina; Friedrich Ebert Stiftung
➤ Focusing the 2 nd cycle on the implementation of recommendations accepted and the human rights situation in the country	France; Chile; Spain; Mexico; GHR (Joint NGO contribution)
➤ Include a section on the status of implementation <u>in the national report</u>	Belgium (EU); Austria; India; Morocco; Azerbaijan;
➤ Include a section on the status of implementation <u>in all three reports</u>	United Kingdom; United States; Peru; Colombia; Spain; Switzerland
➤ The OHCHR should present an additional report assessing country responses to recommendations and obstacles to the	United States

implementation	
➤ The OHCHR should compile and systematize the recommendations, voluntary pledges and commitments and the responses of SuR in one document available to the HRC well in advance of the second review	Mexico
➤ States and HRC should not overlook important recommendations that were rejected	United States; Argentina
➤ During the second review States could consider to accept some recommendations previously rejected	Japan
➤ Reformulating recommendations already made is not desirable	Chile
➤ The outcome document of the first review should be the basis of the second review	Singapore
➤ Each State should be able to make new recommendations	Switzerland

Troika

➤ The current role and composition of Troika should be maintained	Algeria; Cuba; Brazil; India; Philippines; Azerbaijan; Russian Federation; Iran; Singapore; Nepal; Uruguay;
➤ Troika could play a role in clustering recommendations	Indonesia; Morocco; Mexico (with OHCHR); Thailand (with the Secretariat and full involvement of SuR); Bosnia and Herzegovina; Costa Rica (in consultation with SuR); Commonwealth Secretariat (or OHCHR or both)
➤ The Troika could play a stronger role in giving its opinion on the compliance of questions and recommendations with the spirit of the UPR	Colombia; Mexico;
➤ The Troika should nominate a Rapporteur to coordinate its work and present the three report orally to the Working Group	Belgium (EU)
➤ The role of Troika and other mechanisms could be re-examined to play a role in developing a guiding document or methodology in order to monitor the follow up of the implementation of recommendations	Kazakhstan
➤ The Troika should be composed of experts	Friedrich Ebert Stiftung

NGOs

➤ Modalities for participation and contributions of NGOs and other stakeholders should be maintained	Russian Federation; Iran
➤ Non-ECOSOC accredited NGOs should be allowed to take the floor at the adoption	Friedrich Ebert Stiftung; ISHR; HRW; GHR (Joint NGO contribution); GHR (Joint NGO contribution)
➤ More time available for NGOs in the plenary adoption	France; Spain; European Disability Forum; ISHR
➤ NGOs should be able to make advance questions	ISHR

NHRIs

➤ Allow NHRIs with A status to present a fourth document as basis of the review	Canada; Australia; APF; ICC; Amnesty International; European Disability Forum
➤ Dedicate a separate section in the summary of stakeholders' information from NHRIs	Belgium (EU); Norway; Austria; France; Morocco; Peru; Spain; Thailand;
➤ A status NHRIs should be allowed to take the floor at the Working Group	United Kingdom; Norway; Austria; Peru, Australia; ICC; APF; ISHR; HRW; NACLC
➤ A status NHRIs should be allowed to make recommendations to the SuR which they come from	United Kingdom; Ireland; APF
➤ A status NHRIs should take the floor immediately after the SuR during the plenary session	France; Spain; ICC; APF
➤ A status NHRIs shall be able to present information on implementation	Norway; ICC; Civicus; NACLC
➤ NHRIs should be able to make advance questions	ISHR

OHCHR

➤ Specific role of OHCHR and UN Country Teams in the 2 nd cycle	United Kingdom; Moldova (especially building national capacities for implementation);
➤ Strengthen the role of OHCHR in supporting international cooperation and assistance	Mexico; Thailand; Qatar

Expertise

➤ Exclude the option to include expertise in the UPR process	Russian Federation
➤ Introduce independent experts in the UPR process	Spain

➤ A consultative expert group could review the issues and recommendations proposed by States during the review, to ensure their conformity with international norms and UN human rights mechanisms' jurisprudence	FIDH
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Technical assistance

➤ Technical assistance: strengthening the Voluntary Funds and establishing modalities and strategies	Costa Rica (Grulac), Egypt (NAM); Nigeria (African Group); Pakistan (OIC); Algeria; Japan; Brazil; India; Iran; Thailand; Ghana; Nepal; Serbia; North-South XXI
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➤ Develop tools to provide / Strengthen technical assistance for the implementation of recommendations	Cuba; Indonesia; Japan; India; Morocco; Peru; Colombia; Malaysia; Paraguay; Thailand; Bosnia and Herzegovina; Ghana; Viet Nam; Australia; Guatemala
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➤ The review should include an assessment on the adequacy of the assistance received from international community	Egypt (NAM); Pakistan (OIC); Brazil;
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➤ After each review States should present a report on technical assistance required for the implementation	Chile
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➤ Strengthen assistance including regional human rights bodies in both preparation of reports and implementation	Uruguay
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➤ Recommendations accepted should be used as a basis for technical assistance and capacity building strategies which will be elaborated by the State concerned, the OHCHR and partners providing assistance	Brazil
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➤ Establishment of a separate fund specifically to assist small States to attend their UPR review and to meet UPR reporting obligations	Australia
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➤ The Trust fund to support NHRI participation in the Working Group and OHCHR training	APF
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Other

➤ Consider how the Council should address the cases of persistent non-cooperation	Japan
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➤ Adequate systematization of information relating to best practices to be used by States, NHRIs and NGOs	Colombia
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➤ Using video-conferencing to support the participation of small States	Commonwealth Secretariat
➤ Foresee a new review of the UPR at the end of 2 nd cycle	Morocco
➤ Include country reports and recommendations from Special procedures in the process	Civicus

Acronyms

APF: Asia Pacific Forum

FIDH: International Federation of Human Rights League

ICC: International Coordination Committee

ISHR: International Service for Human Rights

GHR: Geneva for Human Rights

HRW: Human Rights Watch

MRAP: Mouvement contre le Racisme et pour l'Amitié entre les Peuples

NACLC : National Association Community Legal Center