Report:

Eastern and Southern Africa Meeting on the Universal Periodic Review

27-29 SEPTEMBER 2010
Eastern and Southern Africa Meeting on the Universal Periodic Review
Draft Report

1. INTRODUCTION

In September 2010, representatives of governments, National Human Rights Institutions (NHRIs), civil society organisations (CSOs) and UN Country Teams (UNCTs) from eastern and southern Africa met in Johannesburg to learn about and share experiences on the Universal Periodic Review (UPR). As one of the regional workshops on the UPR organised jointly by UNDP and OHCHR, the meeting offered an opportunity to reflect on how best States can commit themselves in collaboration with their partners, to systematic assessment of their human rights situation through the review process. This happened at a time when the development of the UPR was also being reviewed.

Prior to the meeting, some governments, NHRIs, CSOs and UNCTs had requested to learn more about the UPR from their peers who had engaged it. This arose partly because they did not know much about it and needed to prepare adequately for their own reviews. The expressed demand for the meeting was also influenced by the experiences of some countries where the UPR proved concretely its potential to generate positive results.

UNDP and OHCHR jointly responded and facilitated learning between 63 participants from 25 countries in the sub-region, representing 17 governments, 12 NHRIs, 4 CSOs and 15 UNCTs. Participants were drawn among those who had gone through the UPR, others that had not as well as human rights experts. The meeting took stock of good practice and generated lessons to guide countries to increase meaningful engagement with the Human Rights Council (HRC) and to ensure commitment for follow up action, both of which are instrumental in furthering credibility to the process.

2. OPENING REMARKS

The opening provided the context for the meeting by highlighting the importance of the UPR process within the UN System and for Member States and their partners. The uniqueness of the UPR was noted as it presents opportunities to a country to agree to peer review of its human rights commitments, and to also take steps to implement recommendations and report back to the HRC.

Referring to the region specific context, it was recognised that the concerted outcome of the UPR alongside the African Peer Review Mechanisms (APRM) did contribute to advancing democracy and human rights respect. In this regard, NHRIs and CSOs were recognised as channels for harnessing views broadly and providing human rights expertise during the UPR. The need for coordinated support provided by UNCTs to national actors was also noted. A call was made for all stakeholders to take concerted efforts in order to achieve common priorities agreed to at national level, which would bring value to the process.
Despite the uncertainties about the future of the UPR, participants were encouraged to discuss ways of raising awareness on the UPR within countries and how the content of the national Report and the process of preparing for the review could be strengthened. An appeal was also made for the meeting to identify concretely, ways of strengthening the follow up to the UPR.

3. PREPARATION FOR THE UPR

3.1. UPR as a Tool and a Process

Ms. Laia Valls and Mr. Jorge Araya of the UPR Section in OHCHR presented an overview of the UPR, including its mandate, objectives and rational. They noted that the UPR is as much a tool to assess human rights situations as it is a process that involves interactive dialogue between States, every four years. While its focus is universal on all human rights, the UPR is also a cooperative inter-governmental process that complements other international human rights mechanisms.

3.2. Preparation of State Report

Presentations from the UPR section drew particular attention to the reports that national governments are expected to submit, namely, the State Report, a summary report from CSOs and another one compiled by the UN present in that country. These reports form the basis for the review. Central to this is the process of drafting the State Report, and the importance of putting in place mechanisms to promote genuine consultation between stakeholders.

3.2.1. National Process

The primary outcome of the government led national process in preparation for the UPR is a State Report giving an account of the human rights situation in a country. Each report is expected to describe how it was prepared, indicating whether or not other parties were consulted and providing a summary of their views. Productive engagement between governments and other stakeholders particularly NHRI, CSOs and the UNCTs, is one of the benefits of the UPR.

Participants however acknowledged the difficulty for governments to create consultative spaces. This arose from the fact that governments had a short time to consult. In other instances, some governments did not previously have a culture of working with other actors like CSOs or where they did, these actors were reluctant to participate in government-led processes especially in countries that are politically polarised.

The quality of the process and content of the report were also influenced by (i) the lack of previous experience or good practice on how to prepare for the UPR, (ii) inadequate national capacity and lack of national awareness on the UPR, (iii) lack of knowledge on when or how stakeholders could engage in the process, and (iv) lack of budgets for the UPR given that it is a new process.
Learning from Kenya, participants learnt that the UNCT was instrumental in the simulation of the UPR process to the Minister of Justice. The UNCT explained the opportunities that the UPR presented for the country. In addition to providing technical support to the Kenya government, the Kenya National Commission on Human Rights and to CSOs to prepare the State Report. A joint UNCT report was also prepared.

In Zambia, the Ministry of Justice conducted nationwide 3-day provincial level consultations which comprised of representatives from government departments, CSOs and the public. This was possible because, since 2002, the Ministry had created a human rights budget line to ensure that government could take action to discharge its reporting obligations to Treaty Bodies – a requirement that they were late with. It therefore became financially possible for the Ministry of Justice to convene consultative meetings at short notice.

The NHRI in Zambia played a role in contributing to the success of the Zambia experience. The NHRI specifically trained CSOs and created public awareness on the UPR. It also facilitated inclusion of stakeholder views to the national report. The print and electronic media were used as a medium to solicit these views. All the information that was gathered was compiled into a draft State Report and validated at a national workshop.

3.2.2. Content of the Report

States aspired to have inclusive national reports. The country experiences from Djibouti, Kenya and Zambia however showed that the preparatory phase of the UPR process is challenging and complex. Not only was time insufficient to adequately prepare the State Report but it was also difficult for governments to determine what should be included in the 20 page State Report without misrepresenting the country human rights situation.

Report drafting was cumbersome if there wasn’t a strategy for selecting and building consensus on priority issues to include in the State report from among the differing and diverse stakeholder views. While it was also noted that governments did not necessarily reflect all views in the final national Report, this did not imply that stakeholders were not consulted or that the process had been undermined.

Some key lessons from Zambia and Kenya suggested that rather than report on all human rights issues, national human rights priorities were easier to condense into a 20 page document and were also more practical and effective in facilitating the dialogue at the HRC. The process of prioritisation should be informed first by the relevant country context and secondly by the recurring human rights issues raised in existing reports from the human rights Treaty Bodies and Special Procedures, and those from the Human Development Report, MDG Report, and the APRM Report.
The report should raise areas where government had made improvements as well as where it had fallen short. An explanation of how government intended to address the shortfalls was essential in enriching the report and supporting the dialogue before the HRC.

The meeting recommended the following key steps to guide government when preparing the State Report, which are:

i) Designate a national focal point for the UPR and set up an inter-ministerial committee that includes NHRI and CSOs so that all stakeholders from the outset are active participants in planning for the UPR and in steering the preparation of the State Report;

ii) Establish national consultative fora with all stakeholders and develop a work plan and strategy to draft the State Report in a participatory way;

iii) Determine the priorities and issues to be documented, and the structure of the Report to guide government and its partners on what will be contained in it. This may include, efforts already taken to promote and protect all human rights, any demonstrable national achievements; constraints and strategies on how the country intends to address them;

iv) Undertake national consultation to secure views and opinions country wide, while also referring to existing information such as the reports of the APRM, Treaty Bodies or Special Procedures;

v) Simultaneously carry out awareness campaigns on the UPR;

vi) Draft, validate and disseminate the draft State Report, NGO and UN Reports

3.2.3. Key Stakeholder Roles

The UPR is an intergovernmental process with limited space for CSO, NHRI and UNCT participation. However, what the stakeholders do before the review has an important impact on the discussion during the review and on its outcome and follow up. Participants recommended the roles available to the key stakeholders.

3.2.3.1. Governments:

i) Provide political leadership to prepare for the UPR by securing a Cabinet Memo to enhance the profile of the exercise and to secure funding;

ii) Raise awareness within government and among other stakeholders including the public to make them involved in the UPR;

iii) Establish institutional arrangements to prepare for and undergo the UPR process;

iv) Facilitate consensus building around what priorities should be included in the State Report.

v) Prepare the national Report

3.2.3.2. Civil Society Organisations (CSOs)

i) Take part in the national consultations by suggesting broad national consultation, bringing key human rights concerns to the State and asking for them to be addressed, and requesting for wide publicity on the UPR;
ii) Submit information on the situation of human rights in the countries coming up for review, as one of the three official documents to form the basis of the country review

iii) Lobby other governments to make focused interventions and concrete recommendations to the State under review during the Working Group, to address and improve human rights violations

iv) Prepare an independent CSO report for submission to HRC.

3.2.3.3. National Human Rights Institutions (NHRI)is

Provide expertise and support government in their processes to deliver national consultation mechanisms and use these and other relevant opportunities to provide, and gather views for inclusion in the national and other UPR reports.

3.2.3.4. United Nations Country Teams (UNCT)

i) Disseminate information timely, to Governments, NHRI, other national actors, and UNCT about the UPR, what is expected of the State and other key stakeholders.

ii) Proactively promote the UPR and solicit support that may be needed by national actors, through constructive engagement and creation of opportunities for States and other national actors to request for assistance

iii) Provide policy and technical advice on the UPR process and how States and other national actors can better prepare for it;

iv) Support States and other national stakeholders to seek funding from bilateral and multilateral donors and the UPR Voluntary Trust Fund. Where available and within the limits of the UNCT, provide financial resources to take forward the process

v) Train national actors to increase participation and written submissions. The training should explain the UPR and the procedure to follow, the roles of different stakeholders and the importance of their contribution to the report and the possibility of them to submit additional information

vi) Promote and nurture mutual trust among the different country national stakeholders;

vii) Support the strengthening of coordination mechanisms within Governments, and among other actors;

viii) Jointly compile a UN Information Report on the human rights issues in the country to the HRC, based on public information coordinated and submitted through the Resident Coordinators Office to OHCHR.

3.3. Lessons Learnt

i) The UPR is still perceived as a UN driven process because it is a mechanism Of the UN system. There is however strategic significance in countries going through the UPR. While the UPR is universal, the process and what is contained in the State report should be conditioned to the unique circumstances of that country but remain credible and representative of its human rights situation.
The capacity of all the stakeholders involved in the UPR is essential to its success. Specifically, this includes the capacity of Government to lead an inclusive process of drafting the report; the capacity of NHRI and CSOs to meaningfully engage in the process; and of UNCTs to provide the needed technical support. Of concern is the uneven capacity level among stakeholders within and across countries.

Facilitating information sharing on the UPR among all stakeholders is a pre-requisite for preparing a good quality report and encouraging participation through a consultative process. The priorities to be included in the State Report should however not be limited to government priorities that may be defined in political terms but should also be based on technical grounds – hence stakeholders should be encouraged to exercise their comparative strengths through advocacy and engagement.

Given the distinct mandates of the UN agencies in a country, all with direct bearing on the UPR, the leadership role of the Resident Coordinator is key to enabling the participation of all resident and non resident UN agencies in the process and to secure commitment to follow through UNCT engagement with governments and its partners, and in acquiring a corresponding budget to facilitate that engagement.

The active participation of the UN agencies in the UPR process, particularly in drafting the UN Report allowed them to ensure that core UN concerns that may not have been included in the State Report are raised for discussion at the HRC.

The ownership and sustainability of the outcome of the UPR could primarily be achieved by linking and harmonising the UPR with existing national development frameworks and processes such as the APRM to inform each other.

Although civil society was also involved in the process of preparing the State Report, in addition to drafting their own, their role in future processes need to be strengthened. This will require establishing more consultative mechanisms and sustained dialogue throughout the entire UPR life cycle.

4. STATE REVIEW

4.1. Review

This session focussed on what happens during the review before the HRC. Key issues discussed were the interactive dialogue and the adoption of the report. Ms. Laia Valls and Mr. Jorge Araya informed participants that each UPR session lasts three hours, and takes the form of an interactive dialogue between the Working Group and the delegation from the State under review. The delegation has an hour to present its report, reply to questions and to make closing remarks.
The interactive dialogue takes the form of questions, comments and recommendations made by member and observer States on any human rights issue in the country being reviewed. The main segment of the review however comprises the replies by the State under review.

Countries therefore must be well prepared for the dialogue. States reviewed and who received UN assistance for the UPR such as Ethiopia and Kenya, noted that the experience went smoothly whilst others like Djibouti found the experience to be overwhelming because they did not receive support to prepare for the review.

Learning from the experiences of Ethiopia, Djibouti, Kenya and Zambia, insufficient time is a constraint to making exhaustive responses to questions. This potentially undermines the legitimacy and quality of the dialogue. Given this, the delegation may during the review, (i) opt to in writing reply later to some points or (ii) focus on priority issues of concern to the country and comprehensively respond to them.

A good practice from Kenya and Zambia is to take proactive measures prior to the review to anticipate the questions and issues that States could raise and to address them in the report. The State under review can achieve this by contacting and entering a dialogue with the troika to establish what they are or by carrying out an analysis of existing human rights reports and observations to identify what the recurring human rights issues of concern in the country are.

4.2. Adoption of the Report

After the review, participants learnt that the troika prepares the report on the session with the help of OHCHR. These reports include a factual summary of the discussions that took place during the interactive dialogue and the recommendations made to the State under review, with specific mention of the State(s) that made it. The report also documents whether a recommendation enjoys the support of the State under review or not.

The draft report is tabled before the Working Group two days after the review. Both the State under review and a representative of the troika make very short statements, giving their impressions of the UPR session and the report. During this time, CSOs have the opportunity to also make comments on the outcome of the review before the report is adopted by the HRC. However, only accredited CSOs can convey these comments to the HRC.

CSOs noted that that it was difficult to get accredited to the HRC. It was therefore strategic for CSOs to partner with those that have the necessary accreditation if all their views are to shape the outcome of the review.
The Kenya experience showed that their report was unanimously adopted because consensus was quickly drawn on the 150 recommendations. This was possible because the Government of Kenya anticipated the issues that were raised at the review from the civil society report. Also by contacting the troika ahead of the review, the troika advised on and facilitated the dialogue between Kenya and other States. Of the 150 recommendations, Kenya immediately accepted 128; reserved 15 for further discussions with stakeholders and 7 did not enjoy their support.

Lessons Learnt

i) It is not realistic that all the questions raised during that review will be answered at the Working Group. It is good practice for the State under review to anticipate and pre-empt the questions by reporting on the issues around them within the State Report.

ii) Drafting the State Report through a consultative process and developing a constructive relationship with the troika prior to the review, positively affects the outcome of the review. As an enabler for effective dialogue between member States, the State under review should proactively initiate interaction with the troika as early as possible prior to its review.

iii) Where the space limits the participation of CSOs and NHRIIs, the review is often less vigorous and robust. CSOs and NHRIIs can counter this by creating a visible and vocal presence at all stages of the process such as in aligning with members of the troika to lobby for key human rights issues to be raised and to generate commitment for action by the State under review. Similarly, holding side events in Geneva are important to raise awareness on key human rights issues arising from the country being review.

viii) The delegation of the State under review usually consists of representatives of various ministries and is generally led by high-level delegates at the ministerial level. It is important that the responses to questions are satisfactory and also provide an accurate situation of the country to contextualise the recommendations appropriately. Governments should make a smart choice of the number of and who should constitute the delegation informed partly by who can respond to the anticipated issues.

ix) The UPR is an inherently political process and it is essential that CSOs and NHRIIs are actively involved. CSOs and NHRIIs can help improve the functioning and effectiveness of the UPR, by bringing their expertise and knowledge of the human rights situation on the ground. However, they need to also have realistic expectations of what can be gained through this process and should identify strategies to ensure this within the limited space available to them.
x) Broadcasting the interactive dialogue before the HRC at public meetings within the country being reviewed via the web–cast increases transparency of the process.

xi) The interactive dialogue is useful in drawing attention to the recommendations of Treaty Bodies and of Special Procedures of the HRC, and recommending their implementation. As such, the complementarity of the UPR to the work of Treaty Bodies is advantageous to reinforce state obligation under human rights treaties.

5. FOLLOW UP TO THE UPR

Once the outcome of the UPR has been adopted, the state reviewed is responsible for implementing the recommendations that they support in the outcome report. The ultimate value of the UPR therefore lies in the extent to which recommendations are fully implemented promptly and leading to an improvement in the situation of human rights at the national level.

Discussions focussed on how governments could be encouraged to continue to work with CSOs, NHRIs and UNCTs to identify measures to implement the recommendations from the review. Participants noted that publicising and prioritising the recommendations and identifying opportunities to implement them were central to this. It was recommended that over the four year period until the next review, States should sustain the drive cultivated during the preparation for the review through to implementation of the recommendations.

Although the experiences from Kenya, Eretria, Zambia, Ethiopia and Djibouti pointed to steps that were being taken to develop follow-up mechanisms, participants proposed the following concrete measures.

5.1. Recommendations

5.1.1. Government:

i) Designate where it exists or establish a manageable cross-institutional framework with a lead Government Ministry/Department to spearhead and coordinate all stakeholders in taking forward the recommendations from the review. The Ministry that was principally in charge of preparing for the UPR would be best place to continue coordinating implementation of the recommendations and reporting on progress.

ii) Integrate recommendations into national development frameworks e.g. Sectoral Plans and National Human Rights Action Plans. In order to achieve this, the recommendations should be prioritised by taking into account the country context, and then streamline the priorities into the development frameworks. This will enable government to harmonise the recommendations and the approaches used to realise them with what is ongoing and to also mainstream them into government business. It is only
when the UPR recommendations are integrated into government agenda that governments can be held more easily accountable. Where these frameworks have already been developed, the recommendations should be integrated and addressed in the annual planning process as emerging priorities that they would dovetail into the national priorities. To ensure effective implementation local institutions and actors should be engaged so that the interventions taken have a wider reach even to those who are normally left out.

iii) Develop and implement a Communication/Information Strategy on the UPR that should be developed in consultation with the relevant Ministry/department of Information. The strategy will include measures to:

– Publish and disseminate copies of the National Report, Observations of WG, the Plenary of the HRC and the recommendations that whose enjoyment were supported or not.
– Popularise the Report for different stakeholders through print and electronic media (radio jingles; newspaper pull outs; publishing of popular versions of the report etc, in English and local languages);
– Convene consultative meetings on the recommendations within key Government departments with the responsibility to promote and protect different rights, with Parliament,

iv) Agree on mechanisms for periodic review of progress. The cross institutional committee should develop, publicise and disseminate an Action Plan that is agreed to with and disseminated to all stakeholders. This will require all the relevant ministries and departments to make the recommendations actionable with benchmarks and targets, which the committee should oversee and monitor. In addition, reporting on progress to achieve the targets in the action plan and overall UPR recommendations should be mainstreamed into annual government and Parliamentary reports and discussed during sector annual reviews.

Tailor made periodic reports on the UPR should also be made to (i) the political leadership and Parliament to inform them and raise the profile of the UPR for their support. The public and the HRC should also be informed and made aware of steps that governments are taking.

5.1.2. Role of CSOs

Given the cyclical nature of the UPR process, CSOs are essential in lobbying for prompt implementation of the outcome of the review, monitoring progress and in complementing governments in implementing UPR recommendations. This meant that some of the recommendations could be integrated into their own work. In any case, some recommendations specifically called on governments to involve civil society groups, including human rights NGOs, in the follow-up stage to the UPR.
5.1.3. Role of NHRIIs

The role of NHRIIs was noted individually but also through active collective engagement with similar NHRIIs in the region to follow up on the commitments made by States. It was recommended that they should be involved in the dissemination of the Review report to all major stakeholders and to keenly monitor the implementation of the recommendations. The NHRIIs have served as a credible convener of civil society and governments at international and national levels. They should convene inclusive national consultation processes, throughout all stages of the UPR, including in advocating for CSOs and national sectors and agencies to integrate recommendations into their work, while also integrating others relevant to them in their own functional work.

5.1.4. Role of UNCT

i) The UN human rights Working Groups comprising of different UN agencies should carry out an analysis of the UPR recommendations to suggest clear outputs on how the UNCT can support government and other stakeholders to implement them. A technical note that documents the analysis and the nature of UN assistance could serve to facilitate the dialogue among UN agencies in the country team, and also between the UNCT on one hand and government and its stakeholders on the other.

ii) Informed by the outcome of the dialogue with government and its stakeholders, translate the human rights issues into actionable development areas that should be integrated into the UNDAFs and CPDs to secure and commit UN.

iii) Monitor and advocate for implementation of the UPR outcomes so as to keep the issues on the agenda.

iv) Develop capacities of governments, NHRIIs, CSOs, media, Parliaments and the public to all play their complementary, monitoring, advocacy and feedback roles to achieve the recommendations.

The UNCTs will find it necessary to review and increase their internal capacities to effectively discharge their role. The UNCT Human Rights Working Group should periodically report to the Resident Coordinator and the UNCT on efforts being taken with respect to the UPR.

The benefits of the UPR have been several. They include: (i) facilitating local consideration of international standards and associated progress reporting; (ii) providing opportunities for thematic groups to address issues and cross-sectoral matters (iii) enhancing information sharing (iv) identifying capacity gaps within government as well as other national partners for future support (v) providing opportunities to address multi-dimensional and sensitive issues, and development strategies. It has further created a stronger sense of the collective responsibility of government with its national partners for the human rights situation in a country and recognition of their complementarity in the process.
6.0. CONCLUSIONS

Conceptual

At the centre of the UPR are human rights, which are part of, and impact on people's daily lives. The process is very elaborate and it inspires inclusive participation of all groups particularly those able to articulate concerns of disadvantaged and marginalised group. The recommendations made from the review are comprehensive, covering human rights and development principles and priorities. The value of the UPR in creating transformational change should therefore be recognised more and cultivated.

This calls for an effective partnership strategy for governments (at central and local levels) to work with stakeholders to successfully respond to national development challenges posed by the HRC and other member States. A holistic follow-up of the recommendations from the UPR, Treaty Bodies and Special Procedures is key. Although governments have the primary responsibility for this, a partnership strategy will enable other stakeholders to leverage and secure their visibility in such action and consequently in the development process at country level. The role of key stakeholders in the UPR should be strengthened to know why, when and how to use the process for development.

Parliaments have a role to play in the UPR in view of their function to pass legislation, oversee government action, scrutinize the budget and to represent citizens. However, that role has remained undefined or underutilized. Parliaments can be the bridge between governments, the public and civil society to interact productively with other national actors. The cyclic nature of the UPR also necessitates their sustained involvement for the follow up on recommendations given their responsibility for legislative action and their ability to initiate changes at the national level.

The role of the media in shaping public perceptions and opinions about significant political and social issues is undisputed. The way the media report and communicate UPR issues shapes thinking and the action to be taken. The significant role of the media to raise and disseminate information on the UPR should be developed. Emphasis should be laid on the messages and how they should be covered without bias with a view to positively influence citizen participation, policy decisions and increased accountability to the people.

The Paris Principles call upon NHRI to enhance relations with civil society in discharging their mandate. NHRI and CSOs should further explore and advance mechanisms for joint interaction with the UPR process. Developing such collaborative approaches creates the foundation for NHRI and NGOs to work jointly on the dissemination of the UPR report and follow up. The proactive interaction between NHRI and CSOs should therefore be encouraged. Through such interaction, opportunities are created for NHRI and CSOs to share ideas and reflect on areas of collaboration according to their comparative advantage in influencing positively human rights thinking and practice.
Complementing support for the UPR with development support and operating within development settings is inevitable and will add value. Development assistance should therefore seek to unblock the obstacles that prevent the UPR from reaching the full potential in the human rights situation in a country and consequently contributing to improving the lives of people. Rather it is essential for the UN to provide targeted assistance that will ensure that the requisite conditions and success drivers are available to promote that transformative value of the UPR.

Some of the success drivers identified during the meeting are, leadership and adequate capacity of the State, government, NHRI, CSOs, and media; broad based mobilisation and consultation of all stakeholders; and committed support from the UNCT. A conducive environment comprising of strong, independent and functional NHRI, CSOs, Parliament and media; as well as genuine consultative mechanisms for all stakeholders and citizen participation, are necessary if the UPR is to be effective.

It is necessary to maintain the momentum and commitment to act on the outcome of the review through to the second cycle of the UPR. This will be possible if there is national ownership of the process led by a capable government and where sustainability is at the core of institutional abilities. This can be achieved through the joint strengths of planning and budget tools, and strengthened institutional capacities of all relevant stakeholders to absorb and ensure action on the recommendations. An empowered citizenry as well as long term partnerships between all national actors and development actors is also crucial.

6.2. Policy and Strategic Planning

Depending on country-specific context, closer collaboration between human rights and development actors is important and should be pursued through:

i) Integrated and coordinated national approaches: Prioritise, align and situate the UPR and its recommendations within broader national development policy and planning frameworks to make them more actionable. These frameworks provide an effective vehicle for coordination, holistic joint analysis and needs assessment. The resulting comprehensive picture will facilitate a common strategic approach and inform programmatic interventions. More concretely, there is mutual benefit as development actors benefit from human rights analysis of the relevant conditions to guide programming. Development actors they can in turn assist with articulating the context in which the UPR recommendations can most effectively be implemented.

ii) Partnerships: Facilitate government’s leadership and advance the involvement of all stakeholders. This can be partly achieved through joint preparation for the UPR as well as joint commitment on implementation of strategies to realise the recommendations. Central to this is better coordination of UN entities and programmes to support the UPR within a common framework.
iii) Resource mobilisation: Provide access to development funding resources to governments, NHRI s, CSOs, media and Parliaments. This should be coordinated between donors and all UN agencies and aimed at facilitating national efforts to prepare for the UPR and act on the recommendations for the benefit of the citizens.

iv) Technical support: Take advantage of extensive knowledge and experience of the UNCTs in assisting national governments with preparation for the review and on how to take forward its outcome.

v) Sustainability: Capitalise on existing national frameworks, continuing UN presence on the ground and long-term perspective to adequately follow through all stages of programming and create sustainable mechanisms beyond the review.

6.3. UN Programming

i) Coordination and programming framework: At the country level, design integrated UNCTs programmes for UPR support for inclusion in programming and planning frameworks such as UNDAFs in support of “Delivering as One” principle. This will maximise coordination and use of all available human rights and development resources. By encouraging collective assistance on the UPR within the UNCT, the OHCHR should work collaboratively with UNDP and other UN entities to make specific capacity development contributions in areas of their comparative advantage.

ii) Interdependence between development programmes and UPR programmes: Based on the value of the UPR as an end and a means to development, at the country level, the UN system should not consider in separation development and support to UPR programmes. Development and UPR-related programmes should be developed on the same set of principles with a creation of programmatic linkages between UPR-related outputs and other programmes.

iii) Capacity development programmes: The capacities of implementing government ministries /departments, CSOs, media, Parliament and NHRI s to prepare for, participate in the review, conceive, manage and implement recommendations of the HRC, should be enhanced if the desired results are to be achieved. This will necessitate identification of the capacity gaps.

iv) Process-oriented assistance: UN assistance to the UPR should be centred on promoting an inclusive process for quality outcome of the review. Therefore, emphasis should be laid more on closing the gaps between the expected standards of participation and inclusion, and the realities experienced by disadvantaged and marginalised.
v) Significance of consultative programming process: All stakeholders should be genuinely consulted because they have a stake in the programmes that either directly affect their institutional performance or people’s livelihoods. This should be a precondition for adequate support programmes on the UPR.

vi) Development of inclusive institutional frameworks at national and local levels: Establishment of the institutional framework should include government, CSOs and NHRI to collectively oversee, manage and monitor implementation of the programmes for mutual accountability and to maintain the momentum.

vii) Holistic approaches in follow up support: Consolidation of the recommendations from Treaty Bodies, the Special Procedures, Regional bodies and the UPR should be mainstreamed into programming areas.

7.0. WAY FORWARD FOR UNDP

The UNDP as the principal UN provider of development advice, advocates for change and connects countries to knowledge, experience and resources to help people build a better life. Through its GHRSP, UNDP plays an important role in advancing its commitment towards 'human rights for development'. The critical importance of making UNDP support to the UPR more systematic and coherent cannot be overemphasised, given the instrumental value of the UPR to development, in that recommendations therefrom are acted upon to redress marginalisation, exclusion and inequities by building the action into national policies, programmes and way of work.

A significant outcome of the regional meeting is the acknowledgment that national capacities must be strengthened if the UPR is to achieve its instrumental value. UNDP can develop those capacities and its efforts to do so should be mainstreamed across its entire scope of operations and engagements. Although the needs may vary from country to country, key to this is:

i) Strengthening UNDP internal capacity to support these processes and engendering coordinated action with other UN entities operating within a country to influence change;

ii) Developing national institutional capacities of key government Ministries, local governments, NHRI, CSOs, Parliament, media as well as those of citizens. Of significance is capacity development to ensure effective and systematic follow up to the UPR through a government-wide approach that recognises the State's obligation and reinforces their readiness to address the concerns raised while also facilitating other national actors to play their complementary, advocacy, oversight and feedback roles;
iii) Targeting the creation of an inclusive process encompassing the marginalised, discriminated and voiceless groups in society who sometimes are represented by CSOs. Such a process will help to pay special attention to issues and patterns affecting those groups, in order to target interventions for equity and inclusivity;

iv) Harnessing and documenting good experiences while drawing out non-prescriptive measure, drivers and conditions on how to prepare for and take action on recommendations, with a view to strengthening the UPR from a long-term development perspective.

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