EMPOWERING
CIVIL SOCIETY ORGANISATIONS AT THE UPR

Strengthening Implementation of Recommendations from the UN's Universal Periodic Review

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Created in 2018, the UPR Project at BCU engages with the UN's Universal Periodic Review through three streams of work: (1) research, (2) education, and (3) practice. Its practice-based work includes taking part in the UPR Pre-sessions, providing capacity building for UPR stakeholders (including civil society organisations and National Human Rights Institutions), alongside the filing of stakeholder reports in selected sessions, and international and domestic advocacy.

Contents

List of Terms

African	African Group (UN Regional Group)
Asia-Pacific	Asia-Pacific Group (UN Regional Group)
CEHRO	Consortium of Ethiopian Human Rights Organizations
CSO	Civil Society Organisation
EEG	Eastern European Group (UN Regional Group)
EHRC	Equality and Human Rights Commission
ERI	Edmund Rice International
FGM	Female Genital Mutilation
GRULAC	Group of Latin American and the Caribbean (UN Regional Group)
ICJR	Institute for Criminal Justice Reform
NAT	National Albinism Taskforce
NHRI	National Human Rights Institution
NMIRF	National Mechanism for Implementation, Reporting and Follow-up
OHCHR	Office of the High Commissioner for Human Rights
UNCT	UN Country Team
UNHRC	United Nations Human Rights Council
WEOG	Western European and Others Group (UN Regional Group)
YDTI	Yayasan Dedikasi Tjipta Indonesia

INTRODUCTION

The UN's Universal Periodic Review

The Universal Periodic Review (UPR) is hailed as the UN Human Rights Council's (UNHRC) innovative mechanism. Created in 2006 and attracting 100% cooperation from UN Member States to date, the UPR cyclically reviews all 193 UN Member States' protection and promotion of human rights. The first cycle commenced in 2008, and Cycle Four began in 2022.

Empowering CSOs at the UPR

The aim of this study is to empower civil society organisations when engaging with the UPR, in turn strengthening the domestic implementation of UPR recommendations.

Using an online survey and semi-structured interviews, a significant dataset has been created, detailing experiences of civil society organisations (CSOs) that take part in the UPR.

This novel work is important because CSOs play a substantial role in advocating for human rights and holding governments to account, particularly through the UPR. By understanding their experiences of engaging with the UPR process, challenges can be identified alongside opportunities for improvement. Empowering these organisations can lead to more effective monitoring and implementation of UPR recommendations at the national level, which will improve human rights on the ground.

Ultimately, this study aims to contribute to a more transparent, accountable, and inclusive human rights system that benefits individuals and communities worldwide.

Definition: Civil Society Organisation

A civil society organisation (CSO) is a non-governmental, non-profit entity that operates independently from the government and is driven by the collective interests, goals, or values of its members.

Modalities of the UPR

Each Member State's UPR is recorded in publicly available documentation. This starts with the **preparation of the three pre-session documents** that form the basis of each review: the National Report, prepared by the State-under-Review, and the Compilation of UN Information and Summary of Stakeholders' Information, both of which are compiled by the Office of the High Commissioner for Human Rights ('OHCHR').

The **review** itself is then held in a Working Group of the UNHRC, wherein an **interactive dialogue** takes place between the State-under-Review and other States. As part of this, **recommendations** are provided by UN Member and Observer States regarding how the State-under-Review can better protect and promote human rights. The proceedings are written up into a **Report of the Working Group**, and the State-under-Review then decides whether to support, support in part, or note each of the recommendations. The Working Group Report will thereafter be **adopted** at a **UNHRC plenary session**.

Figure 1: The UPR Cycle

Image Source: OHCHR

Finally, supported recommendations should be **implemented** domestically by the State-under-Review, with progress on implementation forming the basis of the next review. States may also submit a **mid-term report**, halfway between cycles, updating on their progress, but engagement with this is limited.

CSOs at the UPR

CSOs play a vital role in the UPR, acting as 'stakeholders' throughout the process. This is underscored by UNHRC Resolution 5/1, the 'Institution-building of the UNHRC,' which sets out the process and modalities of the UPR, and makes clear that the UPR should "**[e]nsure the participation of all relevant stakeholders, including non-governmental organizations and national human rights institutions**." In preparation for the third cycle, the OHCHR elaborated on the definition of a 'stakeholder' explaining that it includes "inter alia, **NGOs, national human rights institutions, human rights defenders, academic institutions and research institutes, regional organizations, as well as civil society representatives**."[1]

Alongside the advocacy that takes place outside of the formal confines of the Palais des Nations, CSOs can submit 'stakeholder reports,' which Resolution 5/1 says should include "credible and reliable information." CSOs can submit single stakeholder reports or can collaborate with other CSOs to make a joint submission on human rights issues in the State-under-Review. The OHCHR will then summarise these reports into a 10-page document. As the Summary Report is one of three reports that underpins every State's UPR, the stakeholder submissions are a core part of the mechanism. Moreover, stakeholders should be involved in a "broad consultation process" with the State-under-Review when it prepares the National Report.

CSOs can also take part in the UPR Pre-sessions, which are organised by leading NGO, UPR Info, and take place at the Palais one month before the review. This provides CSOs and other stakeholders the opportunity to inform Member State delegations about the human rights situation in the State-under-Review, supporting the creation of meaningful recommendations.

The State's UPR, and its response to each recommendation, is formally adopted at a UNHRC plenary session, and ECOSOC accredited CSOs are able to take the floor to provide their comments. CSOs can then support the State-under-Review to implement UPR recommendations domestically.

With this significant role in mind, empowering CSOs at the UPR must be a priority.

National Report

Compilation Report

Summary Report

The Review

Interactive dialogue & recommendations

Adoption of the Working Group Report

Followed by domestic implementation
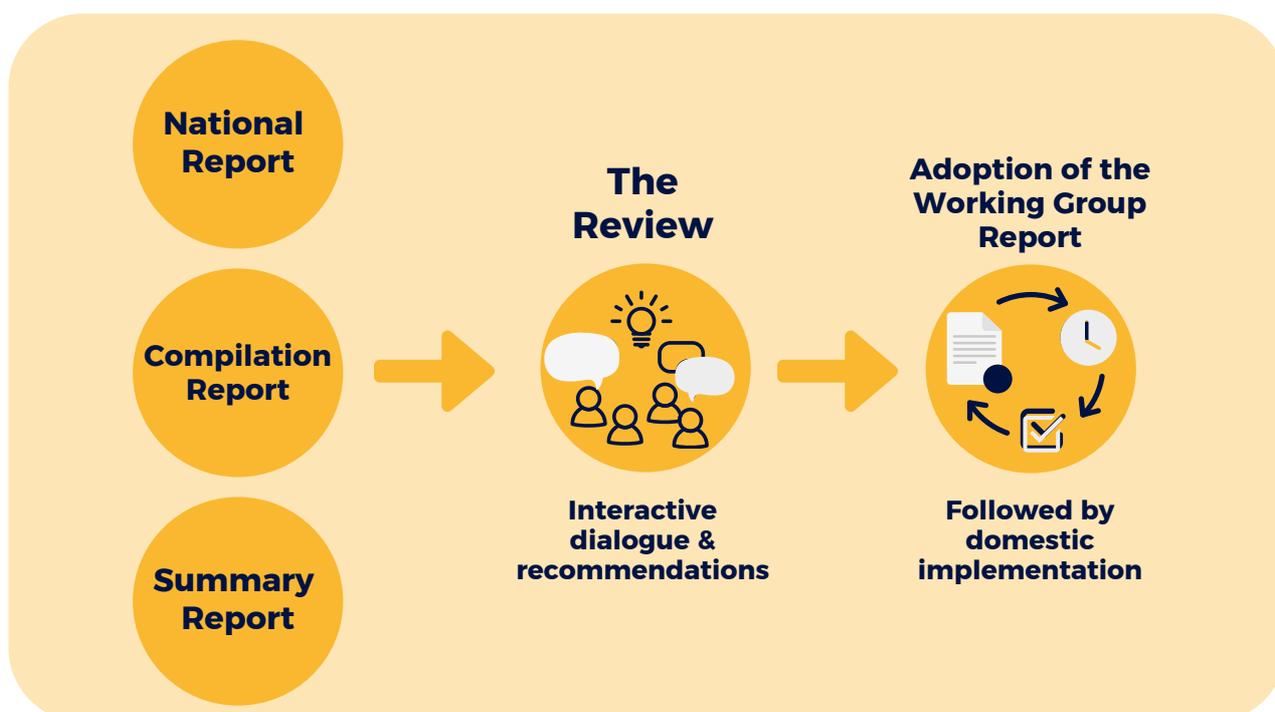
Figure 2: Key Elements of the UPR

Key Findings

The data from this study reveals that CSOs generally find the UPR to be a **valuable tool**, particularly when used alongside other UN mechanisms and domestic advocacy efforts. However, on average, survey participants scored their experience of engaging with the implementation process as 4.49/10 (0 being very poor, 10 being excellent)**, indicating significant room for improvement**.

Additionally, the findings of this study emphasise that UPR recommendations cannot be implemented in isolation. **Effective engagement throughout the entire UPR process is crucial** to ensure domestic implementation is successful.

The findings identify actions to be taken by key UPR actors through four themes:

1 Empowering Civil Society

2 Engaging with Domestic Governments

3 Collaborating with Other UN Member States

4 Supporting Role of the UN and OHCHR

Key actors of the UPR are encouraged to take note of the findings from this study and consider implementing the suggested actions in order to empower CSOs' engagement with the UPR and promote effective implementation of UPR recommendations. This will assist in **ensuring the UPR meets its mandate to protect and promote human rights on the ground.**

Research Context and Support

EXECUTIVE SUMMARY

This executive summary sets out the findings from the "Empowering Civil Society Organisations at the UPR" study. This novel research aims to empower civil society organisations, in turn strengthening the domestic implementation of recommendations from the UN's Universal Periodic Review (UPR).

Through an online survey and semi-structured interviews, a significant dataset was created detailing experiences of civil society organisations (CSOs) that engage with the UPR.

The Universal Periodic Review (UPR) is hailed as the UN Human Rights Council's (UNHRC) innovative mechanism. Created in 2006 and attracting 100% cooperation from UN Member States to date, the UPR cyclically reviews all 193 UN Member States' protection and promotion of human rights. The first cycle commenced in 2008, and Cycle Four began in 2022.

The findings identify actions to be taken through four themes:

1 Empowering Civil Society

2 Engaging with Domestic Governments

3 Collaborating with Other UN Member States

4 Supporting Role of the UN and OHCHR

This executive summary presents an overview of the four themes, providing links to the detailed action points.

Key actors of the UPR are encouraged to take note of the findings and consider implementing the suggested action points in order to empower CSOs' engagement with the UPR and promote effective implementation of UPR recommendations. This will assist in ensuring the UPR meets its mandate to protect and promote human rights on the ground.

1 Empowering Civil Society

Empowering civil society draws upon the experiences of the participant CSOs when engaging with the UPR, identifying practical ways to further support CSOs.

1.1 Education and Training

In line with relevant scholarship, the data suggests that education on the mechanism is required, specifically for CSOs and domestic governments.

1.2 Capacity Building and Technical Assistance

Participants requested support with capacity building and technical assistance, for example, with compiling stakeholder reports and navigating the later stages of the UPR.

1.3 Financial Support

A common issue is the requirement for financial support to allow CSOs to take part in the UPR process, in particular implementation activities.

1.4 Protection from Reprisals and Harassment

Many participants shared experiences of reprisals and harassment because of their engagement with the UPR. More robust support for CSOs is required from the UN and Member States.

1.5 Advocacy Strategies

Numerous participants shared their impactful advocacy strategies in relation to the UPR and implementation of recommendations. To empower CSOs, these strategies could be replicated by other organisations, where appropriate.

2 — Engaging with Domestic Governments

Engaging with domestic governments explores how participants have worked, and would like to work, with national governments throughout the UPR cycle.

2.1 Cooperation between CSOs and Governments

The data demonstrates a need for greater cooperation between CSOs and domestic governments, so they can work together to realise UPR recommendations in practice.

2.2 Engagement with CSO Recommendations and Themes

The dataset showed that CSOs require support to engage with governments when UPR recommendations do not align with their expertise or the State has noted relevant recommendations.

2.3 Effective Follow-up Mechanisms

Participants identified the requirement for effective follow-up mechanisms and regular progress updates from government on implementation of UPR recommendations.

3 — Collaborating with Other UN Member States

Collaborating with other UN Member States relates to how other State delegations can empower CSOs through meaningful and effective collaborations.

3.1 Meaningful Collaborations with CSOs

CSOs would be further empowered by having more opportunities to collaborate with other UN Member States. It is vital that these interactions are meaningful and mutually beneficial.

3.2 Making SMART Recommendations

The data confirmed the literature's findings that recommendations should be SMART to support implementation on the ground: Specific, Measurable, Achievable, Relevant, and Timebound.

3.3 Embassies Supporting Implementation

Multiple CSOs suggested that embassies are key to strengthening the role of CSOs in the implementation of UPR recommendations.

4 Supporting Role of the UN and OHCHR

Supporting role of the UN and OHCHR points to action that could be taken by the UN and OHCHR, in conjunction with CSOs, to improve the UPR mechanism and empower CSOs.

4.1 Strengthening UN Support for CSOs

Participants requested further support directly from the UN, including ensuring CSOs are consulted during key stages and creating more space for CSOs to take part in the UPR.

4.2 Improving the Implementation Process

As the process of implementing UPR recommendations currently takes place outside of the scrutiny of the UN, participants identified this as an area for the UN to improve.

4.3 OHCHR Transparency

The data reflected suggestions in the scholarship that the OHCHR's method for summarising the Stakeholder Summary Report could be more transparent to support the empowerment of CSOs.

METHOD

Research Design

Funding from the **British Academy and Leverhulme Trust** was awarded in 2022 to conduct an empirical study on the experiences of CSOs engaging with the UN's UPR, with a specific aim of strengthening CSOs' role in the implementation of UPR recommendations.

A core objective was to give a voice to CSOs through this research. To do this, data collection was conducted through **two stages**: (1) an **online survey** and (2) **semi-structured interviews**, to capture the experiences, opinions, and suggested actions directly from CSOs.

Online Survey

The online survey was shared with CSOs across the world that had engaged with the UPR, to ascertain their experiences of participating in the UPR process and, in particular, implementation of recommendations. Participants were screened for eligibility using the following criteria: the participant must (1) be at least 18 years old and (2) work or volunteer for a CSO that has engaged with the UPR. The survey was open from 22nd May 2023 to 14th July 2023 and received **59 completed responses** from **59 distinct CSOs across the world**.

17 of 59 CSO participants (28.8%) requested anonymity, so the first action taken with the raw data was to anonymise any identifiable information. For consistency, the CSO names were changed to CSO-01 – CSO-17.

The data collected from survey participants was predominantly qualitative, although the survey provided some quantitative information. This included how many different types of CSOs had engaged with the survey (non-governmental organisation (53), NHRI (0), academic (2), or other (4)), and how often the CSOs had taken part in the UPR and in which cycles.
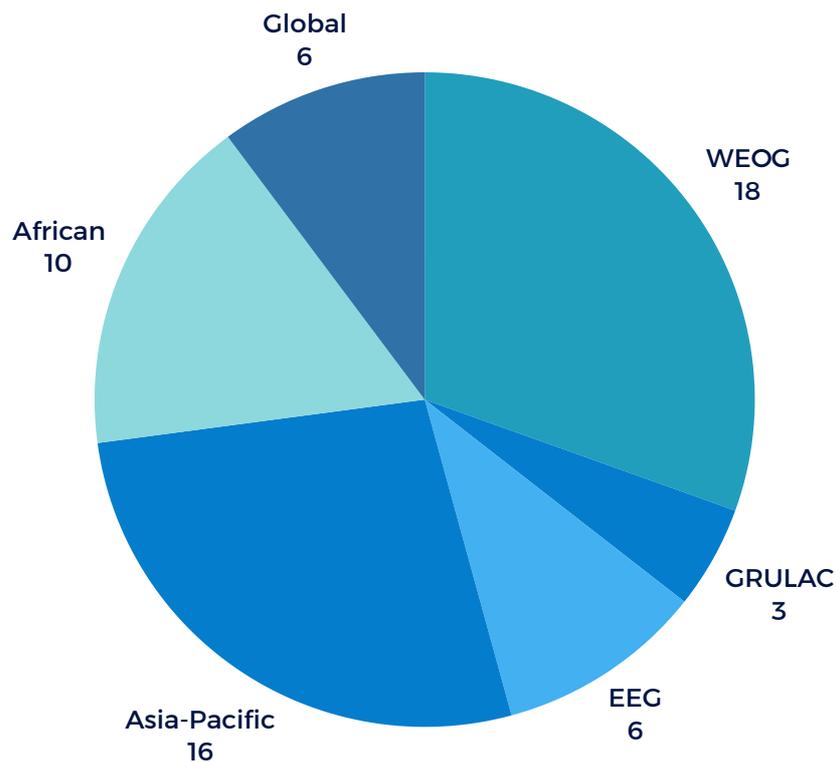
Figure 3: Number of responses to the online survey by UN regional group

Semi-Structured Interviews

The semi-structured interviews allowed a deeper investigation into the first-hand experiences of CSOs. At the end of the survey, participants were asked whether they would like to take part in an interview, directing them to a separate survey to provide their contact details. **Twelve CSO representatives engaged in the semi-structured interviews, which took place online via Microsoft Teams during September and October 2023**, allowing participants from across the world to engage with the study. Calendar slots were made available to participants, taking into consideration multiple time zones. Interviews were recorded and transcribed, initially through the Microsoft Teams transcription service, and again by the researchers to ensure accuracy. The semi-structured interviews produced qualitative data only.

For the three CSOs that wished to remain anonymous, their names were changed to CSO-A – CSO-C to ensure consistency.
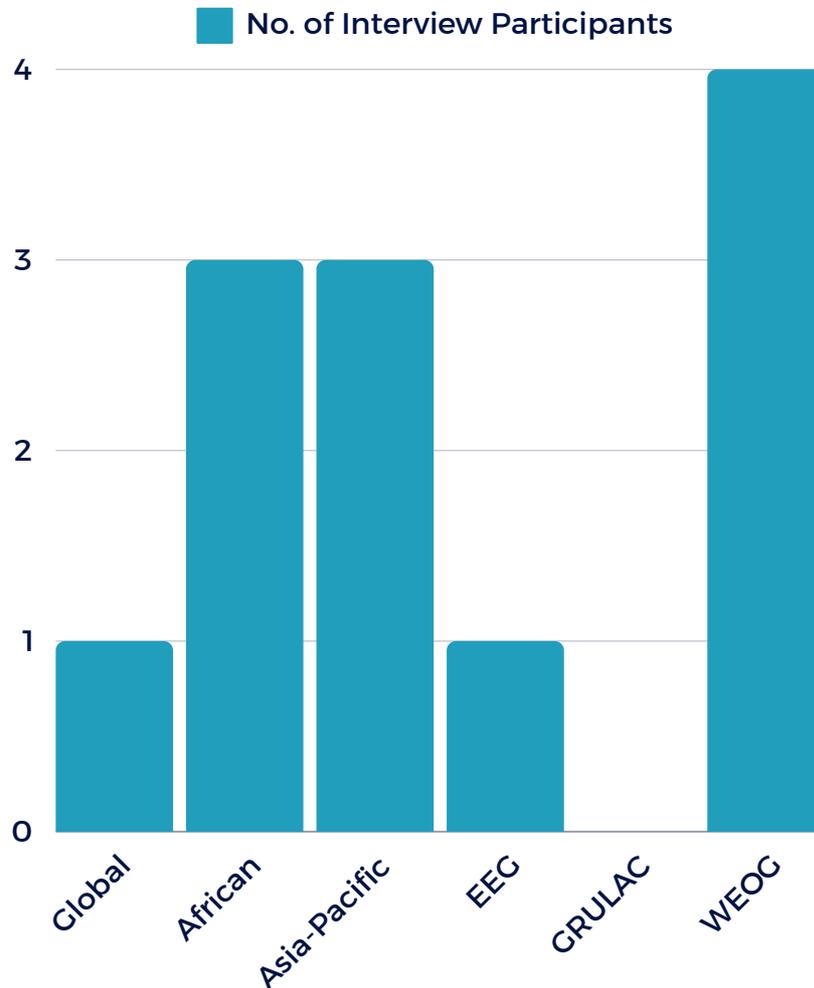
Figure 4: Number of semi-structured interviews by UN regional group

Data Analysis

The qualitative data from the survey and interviews created a significant dataset, which was analysed using thematic analysis.[2] The qualitative data was initially coded, identifying "interesting features of the data in a systematic fashion across the entire data set"[3] followed by the creation of 'themes' generated from the data. The thematic analysis employed an inductive approach to identifying themes, in that the outcome of the analysis was data-driven as opposed to using pre-existing parameters.

The analysis produced **four themes** that this report is organised around.

1   **Empowering Civil Society**

"Empowering civil society" draws upon the experiences of participant CSOs when engaging with the UPR, identifying practical ways to further empower CSOs. This includes suggestions of how CSOs could be supported to improve their engagement with the UPR and implementation of recommendations. Actions to empower CSOs can be taken by various parties, including CSOs, other key actors within the UPR, and wider groups, for example, lawyers, academics etc.

2   **Engaging with Domestic Governments**

"Engaging with domestic governments" explores how participants have worked, and would like to work, with national governments throughout the UPR cycle. It provides action points to allow CSOs to effectively engage with national governments in order to implement recommendations made during the UPR. This includes the recognition of responsibilities, transparent communication, accountability through effective follow-up mechanisms, and engagement with CSO recommendations.

3   **Collaborating with Other UN Member States**

"Collaborating with other UN Member States" relates to how other State delegations can empower CSOs through meaningful and effective collaboration, drawing upon the participants' experiences. This can be at the UN Human Rights Council before, during, and after the review, or on the ground domestically to support CSOs' engagement with implementation of UPR recommendations.

4   **Supporting Role of the UN and OHCHR**

"Supporting role of the UN and OHCHR" examines the experiences of participants when engaging with UN bodies, in particular the UPR's Secretariat (the OHCHR). It also points to action that could be taken by the UN and the OHCHR, in conjunction with CSOs, to improve the operation of the mechanism and, in turn, further empower and support CSOs' role in implementation. This includes critiques of the UPR mechanism and its operation, on the basis that such critiques can be addressed by changes to the functioning of the UPR process.

Ethics

This research received ethical approval from the Business, Law & Social Sciences Ethics Committee of Birmingham City University. Participants in both the online survey and semi-structured interviews were provided with a participant information form, detailing an overview of the project, how their data will be collected, stored, and used, and contact details for any questions to be asked. All participants provided their express, written consent to take part in this study.

Outcomes

Alongside this report, initial outcomes of the Empowering CSOs at the UPR study include:

- The Executive Summary translated into five languages.
- A video series of support for CSOs.
- Factsheets corresponding to each of the four themes:
  CSO Advocacy Strategies | Action Points for Domestic Governments |
  Action Points for UN Member States | Action Points for the UN and OHCHR

Inside Room XX in the Palais des Nations, where the UPR Interactive Dialogue takes place.
Image Source: OHCHR

Structure of the Report

The next sections of the report present the results and findings of this empirical study. It is structured by theme, with each part discussing a specific theme, outlining its sub-themes, and proposing action points to empower CSOs' involvement with the UPR. Weaved throughout the report are references to relevant literature and scholarship.

Participants are referred to according to the CSO they represent, anonymised where relevant. To indicate the UN regional group that each CSO is from, references to CSOs throughout the report are followed by the relevant UN regional group name: 'African, Asia-Pacific, EEG, GRULAC, and WEOG', or 'Global' for those CSOs that work in countries around the world.
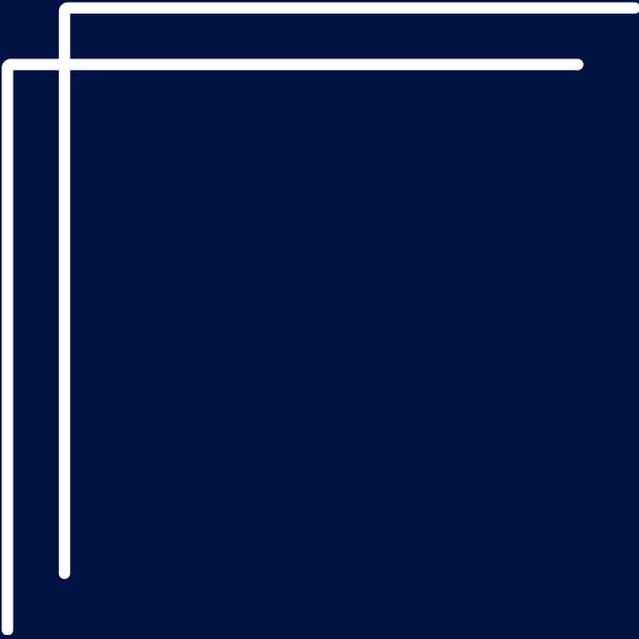
RESULTS AND FINDINGS

1   EMPOWERING CIVIL SOCIETY

"Empowering civil society" draws upon the experiences of participant CSOs when engaging with the UPR, identifying practical ways to further empower CSOs. This includes suggestions of how CSOs could be supported to improve their engagement with the UPR and implementation of recommendations. Actions to empower CSOs can be taken by various parties, including CSOs, other key actors within the UPR, and wider groups, for example, lawyers, academics etc.

Overall, CSOs were generally positive about the UPR mechanism, with Jamaica Family Planning Association (GRULAC) finding that whilst there were some challenges engaging with it, they "would welcome the opportunity to experience the UPR again." The Lutheran World Federation (Global) found that it is "a very helpful and useful tool to mobilise CSO[s] on human rights." However, CSO-01 (African) and CSO-02 (African) suggested that **civil society requires "empowerment" to better engage with implementation of UPR recommendations.** "Empowerment" meant different things to different CSOs, as discussed below.

Image Source: Canva

1.1 Education and Training

The UPR has undoubtedly facilitated real-world human rights impact.[4] However, given its relative infancy when compared with other UN mechanisms, the UPR, and how to engage effectively with it, is still not as widely known. In line with research in this area, participants in this study suggested that education on the mechanism and its wider context is required to empower CSOs with their engagement in the UPR process. They identified **education and training needs for (1) CSOs and (2) domestic governments.**[5]

Some CSOs recognised their own education needs, for example CSO-07 (WEOG) was "not aware of what this process [of implementation] entails" and CSO-09 (WEOG) suggested that training to "ensure CSOs know about" UPR recommendations would assist with implementation.

National Albinism Task Force (NAT) (African) noted that there is a particular training need in relation to what work CSOs can do "after the UPR session" particularly "in terms of the implementation of the recommendation[s] and how do we do that effectively." Forum Menschenrechte (WEOG) stated that "a good understanding of the process" is vital for CSOs to successfully engage with implementation of UPR recommendations: "we need this kind of awareness raising…this is part of a broader process that can bring about change." Háttér Society (EEG) also suggested that CSOs would benefit from education and training on broader advocacy and policy work, as well as the local domestic context, even prior to education on how the UPR works.

Other CSOs identified country-specific needs for education and training. Yayasan Dedikasi Tjipta Indonesia (YDTI) (Asia-Pacific) explained that the UPR is not very well-known across civil society specifically in Indonesia and confirmed that education on the mechanism would be beneficial. The Consortium of Ethiopian Human Rights Organizations (CEHRO) (African) reported similar experiences in Ethiopia.[6]

Just Fair (WEOG) suggested that education "has to go both ways because… there's a lot of people within government, politicians and civil servants, who don't actually understand international obligations." MICOP Kenya (African) noted that, while their engagement with government has generally been positive, domestic governments would benefit from education surrounding international law.

> "They're not wish lists. They're not extra add-ons, they're not 'would be nice to haves,' they're international legal obligations."
>
> Just Fair (WEOG)

Action Points

> **i. Organisations with knowledge and practical experience of the UPR should provide education and training support.**

An example of this in practice is the UPR Project at BCU's 'UK's Universal Periodic Review 2022 – Civil Society Engagement' project, funded by the Equality and Human Rights Commission (EHRC). Multiple events were scheduled, aiming to equip CSOs and lawmakers across the UK with knowledge and training on the modalities of the UPR.

As the project team reported, "[e]nsuring that there is a mobilised and informed civil society throughout the UPR cycle of each Member State is fundamental to the success of the UPR."[7]

For those who are able to, engaging in existing in-person training would be beneficial. For example, Edmund Rice International (ERI) (Global), regularly runs a human rights education programme, both in Geneva and in selected countries. ERI (Global) found that "bringing people to Geneva and actually being present during the UPR [is]…more effective."

The Geneva Academy also offers an extensive training programme on the UPR, which is open to both CSOs and governments, and "largely focus[es] on the nature of implementation of the UPR recommendations at national level."[8]

Villa Moynier, Geneva Academy of International Humanitarian Law and Human Rights
Image: Geneva Academy/OLIVIER CHAMARD

There is also online training available. For example, during the COVID-19 lockdowns, ERI (Global) moved its training online, which engaged "several hundreds of participants" including those outside of ERI's usual network. Other, large organisations should also be encouraged to develop and offer regular UPR training to support and empower smaller CSOs across the world.

ii. CSOs and domestic governments should make use of existing training materials.

Training videos on the UPR are available online

The UPR Project at BCU

[What is the UPR?](#)

The Advocates for Human Rights

[How to Find UPR Documents](#)

The Advocates for Human Rights

[Writing a UPR Stakeholder Report](#)

The Advocates for Human Rights

[SMART Recommendations](#)

The UPR Project at BCU

[Writing SMART UPR Recommendations](#)

The Advocates for Human Rights

[Electronic UPR Advocacy (1) Overview](#)

The Advocates for Human Rights

[Electronic UPR Advocacy (2) Identifying Countries to Lobby](#)

The Advocates for Human Rights

[Electronic UPR Advocacy (3) Writing a One-Pager](#)

The UPR Project at BCU

[Engaging in Implementation of UPR Recommendations](#)
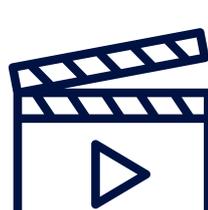
The University of Worcester

[The UPR and Parliaments](#)

Multiple organisations have provided 'factsheets' on the UPR, for CSOs and governments to engage with

UPR Info & Child Rights Connect

[Fact Sheet 1 - The Universal Periodic Review](#)

The UPR Project at BCU

[Factsheet 1 - What is the Universal Periodic Review?](#)
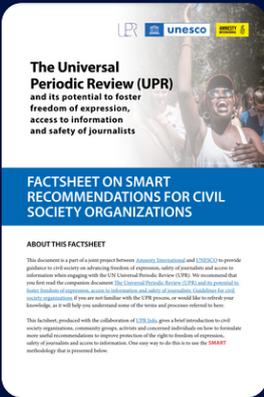
Amnesty International

[Factsheet on SMART Recommendations for Civil Society Organizations](#)

UPR Info & Child Rights Connect

[Fact Sheet 3 - Civil Society Advocacy](#)
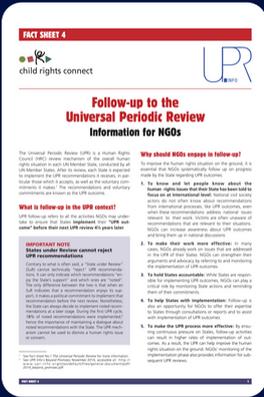
UPR Info & Child Rights Connect

[Fact Sheet 4 - Follow-up to the UPR](#)

The UPR Project at BCU

[Factsheet 4 - The UK's Fourth UPR: What Next for CSOs?](#)

The UPR Project at BCU

[Factsheet 5 - The UK's Fourth UPR: The Role of Parliamentarians](#)

The UPR Project at BCU

[Factsheet 7 - The UPR, Sustainable Development Goals (SDGs), and other UN Mechanisms](#)

iii. Work on engaging domestic governments in education and training.

Further work is needed to encourage domestic governments to take part in education and training opportunities, to support their understanding of the UPR process, with a core focus on implementating recommendations. This is already happening to some extent, for example, UPR Info ran a side event at the UNHRC on "Involvement of Local Actors in the UPR Process." Moreover, a coalition of organisations published guidance for "Local and Regional Governments in the UPR."

Additional activities should also take place on the ground in countries where domestic actors live and work. There is precedent for these events taking place and being successful.[9] For example, in Burkina Faso in 2016, a training workshop for Parliamentarians was convened over three days, focusing on human rights, the UPR, and the UN Treaty Bodies,[10] led by global CSO, the National Democratic Institute.[11]

There is also a distinct role for National Human Rights Institutions (NHRIs) to play in educating domestic governments on the UPR, and indeed on international law and other human rights mechanisms. In line with the Paris Principles,[12] which state that NHRIs should "assist in the formulation of programmes for the teaching of, and research into, human rights,"[13] NHRIs should take the lead on providing education programmes for domestic governments. The academic literature supports this approach, with Kumar arguing that "NHRIs need to engage in imparting education at all levels. The education of the citizenry should go hand in hand with the education of the government machinery at all levels."[14]

An interesting absence from this study was engagement from NHRIs[15] and a lack of discussion of the role of NHRIs from the participants. There was no express reference to NHRIs in the survey data and, while two interview participants referred to NHRIs, they did not discuss action or support that they could provide.[16] In part, this may be attributed to CSOs working in a Member State where there is no NHRI, but some discussion of the role of NHRIs in empowering CSOs' engagement with the UPR was expected.[17]

1.2 Capacity Building and Technical Assistance

CSO-03 (Asia-Pacific) asked for support in terms of "capacity building," to empower CSOs engaging with the UPR. This includes technical assistance, as suggested by Centro para los Defensores y la Justicia (GRULAC). The UN defines "capacity building" as "the process of developing and strengthening the skills, instincts, abilities, processes and resources that organizations and communities need to survive, adapt, and thrive in a fast-changing world."[18] Significant attention is given to the capacity-building needs of the State-under-Review within the UPR process, in fact this features in General Assembly Resolution 60/251 which created the mechanism.[19] **A clearer focus on capacity-building specifically for CSOs engaging with the UPR is now required**.[20]

The data identified specific requests for capacity-building and technical support. CSO-15 (EEG) stated that time and resources are required to allow CSOs to properly engage with implementation of UPR recommendations and CEHRO (African) asked for particular support with submitting a stakeholder report. YDTI (Asia-Pacific) explained that they require the support of an English-speaking "facilitator" to guide them "through the process" and to assist with writing the reports. Equally, YDTI noted that support in terms of "the whole procedure of formulating a questionnaire [and] engaging more NGOs who are concerned in the same issue" would also be helpful.

Action Points

> **i. Provide CSOs with technical support to prepare, draft, and submit stakeholder reports.**

UPR Info have an "In-country Programme" which supports CSOs engaging with the UPR, including the drafting of stakeholder reports. They also offer an eHub learning platform on the UPR. CSOs are encouraged to take part in these offerings and can contact UPR Info for more information.

Furthermore, large and well-resourced CSOs should consider how they can provide technical assistance to smaller organisations.[21] For example, CSO-A (Global) works with partner organisations on the ground to compile UPR stakeholder reports. CSO-A has their "partners take the lead in terms of issues of focus," given their local knowledge and expertise. Where appropriate, CSO-A (Global) also enlists "pro-bono attorneys" to support with the writing of UPR reports, harnessing the skills of lawyers who are trained in drafting.

UN Country Teams (UNCTs) are also supporting CSOs to draft and submit stakeholder reports, as well as engaging in wider advocacy activities, in line with UNCTs' role in capacity building. Examples are emerging from Ecuador, Bahrain, and Bangladesh,[22] which could be replicated by other UNCTs.

ii. Support CSOs to navigate the post-stakeholder report stages of the UPR.

YDTI (Asia-Pacific) suggested that further support after the submission of the stakeholder report would help CSOs to meaningfully engage with implementation. YDTI requested specific support in relation to Indonesia, asking, where recommendations are made by "Member States to Indonesia… Where does that go?… To which…level to which ministry, to which institutions does that go? Who's following that up? I've no idea."

Clarity on the stages following submission of the stakeholder report is vital for CSOs to understand the context of their international and domestic advocacy.

Key stages following submission of the stakeholder report:

> The OHCHR drafting teams summarise the individual and joint submissions from stakeholders into the Summary Report.

> CSOs can engage in pre-review advocacy with recommending States.

> Member States make recommendations to the State-under-Review.

> The State-under-Review will support, support in part, or note each recommendation.

> Supported recommendations should be implemented by the State-under-Review and CSOs can engage in post-review advocacy.

As all domestic contexts are different, this is an example of where a network of CSOs working together domestically would support smaller CSOs or those that do not often engage with the UN or the UPR (see section 1.5(i)).

1.3 Financial Support

A common issue across many participant CSOs was the requirement for financial support. Reseau Ouest Africain des Defenseurs des Droits Humains (African) believes that **financial support would allow CSOs to engage further with the UPR**, with CSO-15 (EEG) noting that smaller CSOs cannot fully take part in the UPR process because of issues accessing funds. Háttér Society (EEG) identified that this is also a problem for larger CSOs and said that "even NGOs of our size would find it quite difficult to travel to Geneva for a few days with the extreme hotel cost."

> **"If I have to attend even a three-day workshop, I have to get into my pocket and pay for my transport [and] accommodation."**

MICOP CBO Kenya (African)

Other CSOs are being tactical in terms of which UN bodies they engage with in-person. For example, Just Fair (WEOG) explained that "we made a call that the Universal Periodic Review isn't really our main monitoring mechanism anyway and [after doing a] cost benefit analysis, it wasn't worth it for us" to attend the UPR Pre-sessions in Geneva.

Action Points

i. The UN and OHCHR should provide financial resources to support CSOs when engaging with the UPR.

There are some existing funding opportunities available to CSOs, for example, through UPR Info to attend the Pre-sessions and through embassies etc., and the UN provides support for Member States from its Voluntary Fund regarding implementation of recommendations. However, the UN and OHCHR must re-consider its approach to funding for CSOs, given that CSOs are a vital part of the UPR mechanism.

As the scholarship suggests, UN agencies should also use their funding to support implementation activities that are relevant to their thematic expertise. [23] For example, UN Women could fund activities related to UPR recommendations on women's rights.

ii. Financial support that is available from other Member States should be widely publicised.

Widely publicising funding would ensure that CSOs are aware of available opportunities to apply for funding to support implementation activities. As CSO-A (Global) said, "if there are small grants available, it's not clear to the civil society organisations how they could apply for them and get them. There might be a lot of bureaucracy involved or it's just not transparent." Where financial support is already available, making this clear to CSOs, through the OHCHR or other organisations, would be a small but effective step towards empowering CSOs.

Image Source: Canva

1.4 Protection from Reprisals and Harassment

Multiple CSOs shared experiences of reprisals and harassment because of their engagement with the UPR. CSO-B (Asia-Pacific) discussed the "backlash" they experienced when engaging with the UPR, particularly in Cycle One. This was not only from domestic government, but also from non-state actors, including friends and family. Háttér Society (EEG) has experienced reprisals specifically because they are an LGBTQ+ organisation. This has included being linked to paedophilia and being accused of propagating the interests of foreign governments when awarded international funding.[24]

In 2022, the UN Secretary-General reported on specific cases of harassment, including examples of alarming reprisals related to engagement with the UPR, [25] and multiple instances of reprisals against CSOs are shared in the UPR literature.[26] This study confirms these findings, providing further examples of a concerning trend of increased reprisals, and affirming the urgent need for more robust support for CSOs, as they are being disempowered through this intimidation.

Action Points

> **i. The UN and OHCHR must provide further support to CSOs facing reprisals.**

Defend Panay Network (Asia-Pacific) stated that the UN (and other international bodies) should "monitor and address reprisals against CSOs that participate in the UPR and engage in advocacy work related to the process."

The OHCHR provides the following guidance on its [UPR webpage](#):

> "Any act of intimidation or reprisal for cooperation in the context of the UPR should be promptly reported to the UPR Secretariat ([ohchr-uprreprisals@un.org](#)) as well as to the reprisals team of the Office of the High Commissioner for Human Rights ([ohchr-uprreprisals@un.org](#))."

However, New Generation of Human Rights Defenders Coalition (Asia-Pacific) reported that, when they experienced reprisals, "there was no support from any international actor, including…the UN."

CSOs are encouraged to log any harassment or reprisals with the OHCHR's reprisals team, so that there is a record of it. However, there is an onus on the UN to review the support it currently provides to the **OHCHR reprisals team**, ensuring that it is adequately resourced. The UN should also consider the role of **UN Country Teams** and how they can support CSOs facing domestic reprisals.

> **ii. Support from Embassies.**

Forum Menschenrechte (WEOG) suggested that other UN Member States have a role to play in protecting CSOs from reprisals, by using their in-country embassies to support CSOs to "get their voices heard" through the UPR but also that they feel safe to do so.

This could include supporting CSOs to travel to Geneva to attend the UPR, for example, Forum Menschenrechte suggested that where "an activist will travel to Geneva for the UPR that they take them to the airport and make sure that they get safely on the plane." This is particularly important as there have been instances of CSOs being prevented from leaving the country to travel to Geneva.[27]

1.5 Advocacy Strategies

There has been support for CSOs employing multifaceted approaches to the UPR from early in its operation, and scholarship in this area is developing to suggest a range of CSO advocacy strategies.[28] Moreover, numerous participant CSOs shared their impactful advocacy strategies in relation to the UPR and implementation of recommendations. **To empower CSOs, these strategies could be replicated by other organisations.**

Action Points

i. Creating CSO networks.

It is well-documented that creating 'stakeholder networks,' made up of multiple CSOs that collectively and strategically engage with the UPR, leads to positive outcomes.[29] The data from this study confirmed this approach. For example, MICOP CBO Kenya (African) is part of the Kenya Stakeholders' Coalition,[30] which brings together organisations across Kenya to create a "national or local platform" as a group of CSOs. Collectively, they engage in multiple activities, including in relation to the implementation of UPR recommendations. For example, in preparation for the fourth cycle of Kenya's UPR, each CSO that is part of the coalition conducts "research on what has been implemented" from the previous cycle, to inform the next stage of their collective work.

As Chauville reported in 2015, "[t]he universality of the UPR in terms of issues covered has made it possible for CSOs working on very different subjects (from the right to land to the right to a fair trial) to come together and present a joint report."[31] This approach is still relevant almost a decade later, and CEHRO (African)[32] demonstrated this best practice in action, bringing together a consortium of CSOs in Ethiopia and being strategic about their reports, noting that "we just made…more than ten submissions on different thematic areas." This allows each report to go into the requisite detail, rather than one report trying to cover too many themes and providing too little detail to support Member States making UPR recommendations.[33]

ii. Using visuals in advocacy.

Multiple CSOs explained that, alongside their stakeholder reports, they create shorter, more visually attractive documents in order to support their advocacy efforts, aiming to inform Member State recommendations.

Just Fair (WEOG) noted that "we're also aware that Permanent Mission staff don't actually see the individual reports generally that organisations send in" instead they read the OHCHR Stakeholder Summary. To combat this, Just Fair creates two page "briefings...on each of the individual topic areas we had covered in our report and also with some updated information" which are specifically aimed at Permanent Mission staff.

Advocates for Human Rights published a [training video](#) on writing "one-pagers" for UPR advocacy

See an example factsheet [here](#), available on the UPR Info website

CSO-B (Asia-Pacific) finds that their stakeholder submissions are "very wordy...very boring." To combat this, they create shorter briefings to attract attention from Member States, making it "easy for them to just pick up the recommendations." They will send this summary "to Permanent Missions in Geneva" as part of their advocacy strategy.

This approach is supported by leading NGO, UPR Info, [which suggests](#):

"When meeting with delegates, whether in the [State-under-Review] or in Geneva, it is important to raise priority issues and to be brief. For this purpose, UPR Info encourages CSOs to compile UPR Factsheets, which are a collection of individual documents, each focusing on a particular human rights theme. Each factsheet presents four to five specific questions/draft recommendations in a short document of one or two pages (maximum)."

iii. Lobbying Member States.

Advocates for Human Rights published a training video on identifying countries to lobby

CSOs are encouraged to engage in targeted lobbying of Member States. This is a common feature of CSOs' participation in the mechanism, with Moss's 2010 study and Landolt's research on Egypt from 2013 setting out the different stages of the UPR that CSOs can take part in lobbying.[34]

This study's data showed how some CSOs lobby Member States in practice. For example, CSO-A (Global) identifies States to lobby to take up their recommendations. CSO-A will send out "tailored" emails to individual countries, with their reports and briefing papers attached, along with information regarding the human rights issue in the State-under-Review. If CSO-A is able to be in Geneva, they will "request a meeting" or will "offer to do a virtual meeting" if not.

ERI (Global) takes a similar approach in their advocacy strategy and provided an example of their engagement with Canada's UPR in 2023. ERI attended Canada's Pre-session and, whilst they were not a panellist, ERI "used the opportunity to talk to representatives of Permanent Missions who were there, [gave] them a copy of our submission and encourage[d] them to consider putting forward recommendations." ERI also asked the Permanent Missions "to contact [their] embassies in Canada of those countries and send them a copy of the submission" to support the creation of recommendations informed by ERI. Scholarship suggests that CSOs can also lobby embassies directly.[35]

Lobbying Member States does not have to be in-person, as CSOs can undertake electronic advocacy. For example, the UPR Project at BCU submitted its report to Namibia's third cycle UPR on women and girls living with HIV, and was a panellist at Namibia's Pre-session, during the COVID-19 lockdown. To engage in electronic advocacy, the UPR Project used UPR Info's recommendations database to identify Member States that had made recommendations on HIV/AIDS previously, and emailed the relevant Permanent Missions with its shorter Pre-session statement.[36]

CSOs can obtain the contact details of Permanent Missions to the United Nations Office at Geneva here.

iv. Engaging with the review.

There are multiple ways CSOs can engage with the review outside of Geneva, encouraging participation from multiple key actors with the UPR, including the general public and the media.

CSO-A (Global) explained that "[d]uring the interactive dialogue we will do live tweeting" using X, formerly Twitter. CSO-A will provide "little summaries of every recommendation that was received" and "tag our partner organisations, we'll use…the obvious hashtags and all of that and we have the Twitter handles for not all, but almost all of the Permanent Missions in Geneva. So we're able to…mention them when they make a recommendation."

A further example is the UPR Project at BCU's live stream of the UK's fourth cycle review. The project leads shared the UN Web TV live stream through Microsoft Teams, inviting other CSOs to join and engage in a live discussion through the chat function, and then a post-review discussion reflecting upon the content of the review and next steps for the CSOs.[37]

v. Domestic follow-up and implementation.

Implementation of accepted UPR recommendations is arguably the most important part of the process. For the UPR to meet its mandate, there must be domestic action to put recommendations into practice. Roesdahl's research on Nepal agrees, finding that "the limited attention to the full cycle of the UPR process beyond the Geneva-based review is likely to have serious implications for the change potential of the UPR."[38]

CSOs in this study noted the importance of focusing on the implementation stage of the UPR. For example, ERI (Global) said that "we would encourage people to follow up those recommendations and that's probably an issue or an area that we're trying to improve because I think a lot of effort goes into drafting and putting in the submission, but maybe there's not the same effort that goes into monitoring."

> **MICOP CBO Kenya (African) stated that "the UPR is not only [in] Geneva…we also need to come and localise the UPR, go to the county level or the local government level," allowing the relevant groups of people to "themselves know the process of the UPR."**

MICOP CBO Kenya

After the review, CSO-A (Global) will "**reach out to our partner organisations** about...what's happened and what's next." For example, if a particular country "received all these recommendations to abolish the death penalty, of course, now is the time for our partners on the ground to be reaching out to the ministers...and really encouraging them to accept those recommendations."

Just Fair (WEOG) shared their best practice approach in terms of the UK's fourth cycle UPR, as "following the review, **we organised a joint statement** from a lot of civil society organisations highlighting the key points and that was sent to the Ministry of Justice."[39] This also led to the UK's UPR being referred to by The Guardian, highlighting the importance of garnering media attention to support domestic implementation of UPR recommendations.[40]

Having a clear strategy is vital for ensuring implementation, for example, Háttér Society (EEG) found that having "key advocacy goal[s]" is particularly important for CSOs to support implementation on the ground. NAT (African) noted that the response from government can sometimes be quite slow and so it may help for CSOs to put in place "a monitoring framework of our own...that will be able to measure the progress" made on implementation of UPR recommendations. However, NAT also noted that it would be unhelpful "to implement them in a fragmented way...we need to have an integrated approach" with government.

Following the review, Háttér Society (EEG) takes part in an LGBTQ+ roundtable, which is part of a "human rights roundtable structure" created by the Hungarian government.

> "Even though the government is quite hostile, it's still one of the best working groups, because we had a very strategic approach to...what we're doing. We take the international recommendations, we come up with our own recommendations based on that. We follow up, we argue about it and then we try to make sure that [the government] understand[s] what we want from them."

Háttér Society

This emphasises the nature of civil society, fostering overlap and cooperation between different CSOs working on the same theme. It also allows CSOs to use UPR recommendations effectively, particularly in countries that may be hostile to international involvement.

A 'voluntary' part of the UPR process is the mid-term reporting, which encourages States to submit reports in between its UPRs to provide updates on progress relating to the implementation of recommendations.[41] Compared with 100% cooperation from UN Member States with the UPR process generally, only 87 States had submitted mid-term reports across all four cycles as of 7th August 2024.

Alongside the State-under-Review (or in its absence) CSOs can submit their own mid-term reports to update on implementation. For example, Amnesty International's mid-term report on Bangladesh annexed the OHCHR's recommendations matrix, providing its comments on the level of implementation using a traffic light system:

Figure 5: Screenshot from Amnesty International's UPR Mid-term Report on Bangladesh

This best practice approach provides a CSO perspective on implementation and can be drawn upon by recommending Member States in the next UPR cycle.

NHRIs and UN bodies can also submit mid-term reports and are encouraged to do so, as it provides a richer context for the assessment of implementation.

"Engaging with domestic governments" explores how participants have worked, and would like to work, with national governments throughout the UPR cycle. It provides action points to allow CSOs to effectively engage with national governments in order to implement recommendations made during the UPR. This includes the recognition of responsibilities, transparent communication, accountability through effective follow-up mechanisms, and engagement with CSO recommendations.

Image Source: Canva

Domestic governments should work with CSOs throughout the UPR cycle. This requirement is underpinned by UNHRC Resolution 5/1, which provides that governments should engage with CSOs (termed 'stakeholders' at the UPR) when preparing its National Report ("States are encouraged to prepare the information through a broad consultation process at the national level with all relevant stakeholders")[42] and during the implementation phase ("[t]he outcome of the universal periodic review, as a cooperative mechanism, should be implemented primarily by the State concerned and, as appropriate, by other relevant stakeholders.")[43]

In this study, participants' experiences of interacting with governments on implementation varied. Some CSOs from the African group, Asia-Pacific group, and EEG expressed specific concerns regarding their engagement with governments, where the overarching consensus emphasised the need to enhance CSOs' ability to work with governments in a more meaningful and effective manner. The Association pour la Promotion de la Francophonie en Flandre (WEOG) explained that States can often evade or delay implementation, and the Korean Confederation of Trade Unions (Asia-Pacific) underscored the importance of governments recognising their responsibilities in implementing UPR recommendations.

2.1 Cooperation between CSOs and Governments

The data demonstrates a need for greater cooperation between CSOs and governments, so they can work together to realise recommendations in practice. CSO-04 (Asia-Pacific) said that States should "enhance" cooperation with CSOs. The Liberal Democracy Institute's (African) experience revealed a prevailing perception of CSOs and government officials as adversaries. They noted that "CSOs and government officials are usually seen as opponents...[t]he CSO is usually throwing accusations on the government and the government officials are usually defending themselves against these accusations."[44] They emphasised that "it is important to find a way to create a sense of cooperation and dialogue" between CSOs and national governments. YDTI (Asia-Pacific) suggested that this cooperation should involve CSOs being "seen as equal stakeholders" with government, as currently they are "seen as criticising enemies by the government." CSO-B (Asia-Pacific) said that "we would like to work with government, not have them treat us like an opponent."

Similarly, Jamaica Family Planning Association (GRULAC) proposed that CSOs should be involved in government discussions about implementation of UPR recommendations, as did NAT (African) and CSO-12 (Asia-Pacific). Furthermore, CSO-02 (African) asserted that CSOs should be involved in decision-making processes related to the UPR.

New Generation of Human Rights Defenders Coalition (NGHRDC) (Asia-Pacific) works on Kazakhstan's UPR. NGHRDC identified challenges in the existing forum intended to foster discussions between civil society representatives and government agencies regarding the implementation of UPR recommendations. According to NGHRDC:

> "There is a forum which is supposed to bring together the representatives of the civil society and the government agencies to discuss...how to implement these recommendations. But unfortunately, there are obstacles when it comes to accessing this... The process itself is not transparent and there are also significant gaps when it comes to accountability. Some CSOs are invited and others are not."

NGHRDC (Asia-Pacific)

Comparably, Just Fair (WEOG) noted, "it feels like the approach to who gets invited [to engage with the government regarding the UPR] is not one I particularly like because it really just depends on whether you get the tap on the shoulder, and that feels a little bit closed." Just Fair was one of the organisations invited to provide a reply to recommendations "before [the UK government] completed their formal response to the Human Rights Council" but they noted that the timescales for that were "ridiculous" as there was a very short turnaround for CSOs to send responses to the government.

CEHRO (African) generally had a positive experience of working directly with the Ethiopian government in terms of implementation of recommendations. However, they also stated that:

> "The peace and security situation in the country has very much affected our very constructive engagement [with government] as we are not able to generate evidence across the country because of the restrictions on movement, internet access, communication access, and also civil society and human rights defenders being targeted by armed groups and also sometimes by government security."

CEHRO (African)

Action Points

i. Governments should establish ongoing collaboration mechanisms to address CSOs' concerns and ensure transparent communication.

Family Frontiers Malaysia (Asia-Pacific) suggested that governments should "provide more spaces" for CSOs to discuss and monitor implementation. CSO-B (Asia-Pacific) worked with domestic government in Cycle Three, particularly in terms of government consultations and CSO writing workshops, including how to monitor engagement with the UPR and the recommendations, and meeting with government agencies. While sometimes this has been useful, other times they found that "we think it could be like a check box exercise for them to say we have engaged with civil society." Although CSO-B conceded that "it is better than not meeting them at all."

To enhance the authenticity of government-CSO engagement and avoid performative actions,[45] governments should establish lasting commitments through regular forums, working groups, or advisory committees.

Being receptive to addressing CSOs' concerns is crucial, including actively incorporating relevant feedback into policies and practices.

Additionally, fostering transparent and efficient communication channels between government agencies and CSOs is essential. Implementing mechanisms for constructive feedback and reciprocal evaluation can empower CSOs, promoting meaningful collaboration and mitigating adversarial sentiments.

Equally, CSOs should engage constructively with governments, emphasising mutual benefits and tailoring advocacy to the domestic context. MICOP CBO Kenya (Africa) highlighted that constructive engagement with the government is "about the approach" and emphasised that "language matters." They found it imperative to "sharpen our way of advocacy. It is not about bulldozing, [it is] about befriending first and showing the people in the government how...the government is going to benefit" from engaging with CSOs.

CSOs should strategically approach the government, taking into consideration the domestic context and nuances, and working around those factors where possible.

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ii. Governments should consider adopting public consultations, using examples of good practice.

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Adopting public consultations throughout the UPR process is considered good practice.[46] Forum Menschenrechte (WEOG) has actively participated in dialogues and consultations with the German government regarding the UPR. This included a "public consultation" where "all Ministries were represented," ensuring that government officials could not "hide behind their screens." The venue, hosted at a university, possessed the necessary "technical facilities" to include online participation for the public. Additionally, there were "staff members from parliament" and "students in the audience," fostering discussions on human rights issues preceding the UPR. Additionally, this approach emerged as "an outcome of a couple of background meetings of civil society organisations," making it plausible for other CSOs to advocate for the adoption of a similar structure in different countries.

There are further examples to be drawn upon. Before the government of Aotearoa New Zealand replied to UPR recommendations received during their Cycle Three UPR in 2019, they invited CSOs to send feedback on the recommendations received to highlight "which recommendations are supported strongly by civil society."[47] The UK government also led various stakeholder events as part of its Cycle Two mid-term reporting, inviting CSOs to share their priorities and updates regarding human rights across the country. [48]

Other domestic governments could be encouraged to take a similar approach to engaging in public consultations, adopting inclusive practices that promote dialogues with CSOs and the broader community.

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iii. Governments should engage CSOs in socialising new laws and policy in communities to ensure effective implementation.

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When a State amends or creates laws and policies following relevant UPR recommendations and CSO advocacy, this should be celebrated. However, as the participants identified and the scholarship affirms,[49] this is just the first stage of implementation. These laws and policies must then be 'socialised' within communities, including lay people, lawyers, police, the judiciary etc., to ensure that the relevant people are aware of and engage with the law and policy effectively.
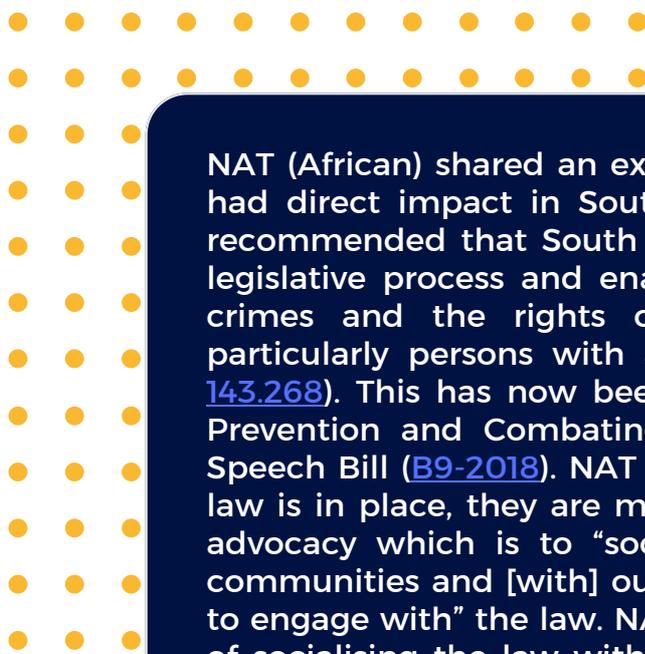
> NAT (African) shared an example of where the UPR has had direct impact in South Africa, when Sierra Leone recommended that South Africa should "[e]xpedite the legislative process and enact into law all bills on hate crimes and the rights of persons with disabilities, particularly persons with albinism" (A/HRC/52/17, para. 143.268). This has now been implemented through the Prevention and Combating of Hate Crimes and Hate Speech Bill (B9-2018). NAT (African) noted that, now the law is in place, they are moving to "phase two" of their advocacy which is to "socialise" the new law "in our communities and [with] our people" so they "know how to engage with" the law. NAT also noted the importance of socialising the law with police because "when these matters are reported to them, they need to know…how [to] deal with these issues in line with" the law.

CSO-A (Global) provided a similar example, where, following relevant UPR recommendations, its partner organisation had worked with the Moroccan government to ensure a law allowing rapists to escape prosecution if he married his minor victim was repealed.[50] However, as CSO-A noted, while the recommendations have technically been implemented because the law was repealed, there is further work for them and their partners to do in terms of ensuring this practice is eradicated in practice as well as in law.

2.2 Engagement with CSO Recommendations and Themes

The dataset highlighted another significant issue, focusing on engagement with CSO recommendations and themes. YDTI (Asia-Pacific) said it is difficult to engage with the UPR, especially the implementation of recommendations, when Member States do not make recommendations on human rights issues that align with CSOs' expertise. Similarly, Háttér Society (EEG) found that it is challenging to work with government on implementation when they do not accept recommendations that are relevant to a CSO's work. This is echoed by Legal Initiatives for Vietnam (Asia-Pacific), which found that the Vietnamese government "did not take the CSO recommendations seriously" in the previous two cycles, highlighting the recurring issues that impede effective collaboration between CSOs and governments.

On this point, it is generally advised that CSOs conduct awareness campaigns to elevate the profile of their advocated issues and build alliances with international organisations and like-minded states.[51] However, the data indicates that many CSOs face resource constraints, limiting their ability to engage with events that foster such an opportunity (see section 1.3).

Action Points

> **i. CSOs should strategically leverage the UPR mechanism by advocating for different types of recommendations.**

CSO-A (Global) agreed that it is a "negative experience" when an organisation "works really hard and gets a tonne of recommendations in the UPR mechanism and they are all noted." However, they found that **there are other ways of using the UPR recommendations strategically**, for example, in a country that relies upon public support as a reason for retaining capital punishment, CSO-A will "push for recommendations not just to abolish the death penalty, but do a public awareness-raising campaign about death penalty issues and human rights concerns." CSO-A explained that this was a "good way to...call their bluff...[and] point out the hypocrisy" when a State-under-Review that relies on public opinion is actively refusing to "make a commitment to raise the awareness of the public." This alternative use of the UPR is particularly relevant when CSOs anticipate that a recommendation is likely to be noted by the State-under-Review.

ii. CSOs should not dismiss 'noted' recommendations; effective action and consultation can still lead to implementation.

There is still value in noted recommendations for CSOs and their advocacy strategies,[52] and effective CSO action and consultation can still lead to implementation. There have been various occurrences of noted UPR recommendations being implemented. For instance, in the Republic of Korea's Cycle Three mid-term report, it was recorded that its stance on Recommendation 132.12 ("Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities") transitioned from 'noted' to 'accepted' as the Optional Protocol was acceded to in 2022. There was strong CSO presence in advocating for the ratification of the Optional Protocol, including (1) CSOs submitted contributions to a 2019 report to the High-Level Political Forum on Sustainable Development, (2) CSOs submitted a joint submission to the 42nd Session of the UPR which comprised of 461 NGOs and, (3) many CSOs engaged in follow-up activities.

A further example is the case of access to HIV treatment in Botswana. In 2018, France recommended Botswana "widen the programmes to combat HIV for non-Botswana nationals" (Recommendation 128.62) which was noted. In September 2019, the Champions for an AIDS-Free Generation in Africa raised the issue of a potential policy shift to the President of Botswana, Mokgweetsi Masisi. Subsequently, the government decided to allow health facilities in the country to provide treatment to all individuals living with HIV, including foreign nationals.[53]

CSOs are encouraged to still act on noted recommendations, leveraging the recommendations as further support for their advocacy, particularly given that they were made by other UN Member States.

Image Source: Canva

2.3 Effective Follow-up Mechanisms

The "follow-up" stage of the UPR process, in the context of stakeholder action, involves CSOs engaging in various activities to encourage States to implement accepted UPR recommendations before the subsequent UPR review.[54] This follow-up period is essential for holding States to account and ensuring UPR recommendations are translated into tangible actions to improve human rights on the ground.

Centro de Derechos Humanos de la Universidad Católica Andres Bello (GRULAC) stated that "effective mechanisms for follow-up," including implementation of recommendations, should be created. This includes the requirement for regular updates from government on implementation, which NAT noted requires "political will." ERI (Global) stated that "clear updates about progress of implementation" of accepted recommendations is vital, and "it would be helpful if States could provide reports about what they're doing."

Action Points

i. Governments should consider following good practice by developing tracking tools for the implementation of UPR recommendations.

There are existing tools for tracking recommendations to support implementation activities. The Geneva Human Rights Platform provides a comprehensive database of all tracking tools: Digital Human Rights Tracking Tools and Databases: The Directory, which is regularly updated.

Examples include:

National Recommendations Tracking Database (UNOHCHR)

This is available to domestic governments upon request from the OHCHR and is tailored to each State. It is free for Member States to use, and governments may also grant access to CSOs to support the follow-up process. Member States are encouraged to request access to their database, especially because it also includes recommendations from the Treaty Bodies and Special Procedures alongside UPR recommendations. [55]

SADATA (Samoa)

This is administered by Samoa's inter-ministerial National Mechanism for Implementation, Reporting and Follow-Up, powered by open-source technologies, designed to "improve [the] realisation and transparency of human rights and the SDGs."[56]

Equality and Human Rights Commission's Human Rights Tracker (UK)

This tracker was created by the EHRC, which is the NHRI of England and Wales. It brings together all UN recommendations made to the UK and provides updates on implementation progress.

There are several benefits to introducing such a tool for governments, NHRIs, and CSOs. Overall, an online tracking system for UPR recommendations could contribute to greater transparency, accountability, efficiency, and collaboration within the UPR process, ultimately promoting human rights. While currently, these tools predominantly focus on tracking recommendations received, **ensuring these tools also include updates regarding implementation of recommendations would be a welcomed addition**.

ii. Governments could establish a National Mechanism for Implementation, Reporting and Follow-up (NMIRF).

Just Fair (WEOG) suggested that governments should provide a domestic "regularised structure" for engagement with the UPR process, including implementation of recommendations, allowing CSOs to be a core feature of the structure. They noted that this would have wider benefits for CSOs engaging with the UPR, as "this would ensure as wide a swathe of civil society as possible would be able to take part as consultation lists for each cycle are kept and built upon rather than created anew each time." CSO-06 (Global) identified something similar, in terms of creating a domestic "working group that consistently tracks and monitors the implementation" of UPR recommendations, with CSO-13 (WEOG) suggesting a "special task force" could do this.

A way of achieving this in practice could be through a NMIRF, which serves as a component within human rights governance, providing a structured approach to monitoring the implementation, reporting, and follow-up of human rights

obligations at the national level.[57] It can be used as a central hub for receiving, analysing, and disseminating information on the implementation of recommendations. While it appears that, in practice, NMIRFs are still getting to grips with the 'implementation' process,[58] by facilitating systematic reporting and follow-up procedures, NMIRFs can play a pivotal role in ensuring a State upholds its commitments to international human rights standards.[59]

Best Practice: Samoa's NMIRF [60]

Samoa created its NMIRF in 2016, supported by the OHCHR "following wide acceptance within government that the previous ad hoc system was not functioning adequately."

Once Samoa receives recommendations from a UN mechanism, such as the UPR, the NMIRF will meet and "[r]ecommendations are clustered and members are invited to discuss and propose implementation actions." While government delegates are predominantly responsible for the NMIRF and implementation more broadly, other key actors including CSOs, the judiciary, and parliamentarians also take part in the process.

Ultimately, the NMIRF led to the creation of SADATA (discussed above).

The Commonwealth & Universal Rights Group 'Bridging the Human Rights Implementation Gap: A Commonwealth Survey' (2022)

While NMIRFs may not be suitable for every State, Samoa's approach provides a best practice example that could be replicated by other governments to support the implementation of international human rights domestically.

iii. Develop a comprehensive toolkit for States without tracking mechanisms.

For those States that do not have an existing tracking mechanism in place, Federation Signs of Equality (EEG) suggested that a "toolkit" would support CSOs to request updates on progress. Such a toolkit would need to be comprehensive, and tailored to the needs, and context, of each State, that could require the government to provide:

Implementation Indicators

Clearly defined indicators can gauge the progress or results of recommendations, thereby establishing measurable criteria for evaluating success or challenges in achieving the goals of the objectives. As an illustration, the World Health Organization (WHO) utilises various indicators to assess progress and offer guidance on actions that States can undertake to fulfil their mandates and objectives.

Clear Timelines and Milestones

Clear timelines providing specific deadlines for the implementation of actions and measurable milestones offer identifiable markers of progress. This ensures that both governments and CSOs have a structured framework for tracking advancements and holding each other to account for meeting established goals. Moreover, this would facilitate communication between CSOs, as they can collectively assess progress and address any challenges that may arise in a timely manner.

Effective Communication Strategies

Regular communication between government and CSOs would solidify the toolkit. Just Fair (WEOG) noted the need for this, providing an example from its engagement with the UK government: "the key point that we really wanted to get across to the government in that meeting we had in the July [after the review] was that that single meeting cannot be it until mid-term reporting. And that if [the] government was serious about implementing these [recommendations] and involving civil society in that, then it would be the first in a series of meetings and engagement. And we would start to see a plan for how they intended to fulfil that."

3   COLLABORATING WITH OTHER UN MEMBER STATES

"Collaborating with other UN Member States" relates to how other State delegations can empower CSOs through meaningful and effective collaboration, drawing upon participants' experiences. This can be at the UN Human Rights Council before, during, and after the review, or on the ground domestically to support CSOs' engagement with implementation of UPR recommendations.

The other 192 UN Member States are critical to the success of a State-under-Review's UPR. They take part in the review, where there is an interactive dialogue between the State-under-Review and the other Member and Observer States. This is also where Member States make recommendations to the State-under-Review regarding how it can better protect and promote human rights, spanning the entirety of the human rights spectrum. Predominantly, the literature has focused on the formulation and success of Member State recommendations, given how central they are to the UPR mechanism.[61] However, as discussed below, this study also identified potential roles for other Member States in the pre- and post-review stages.

3.1 Meaningful Collaborations with CSOs

Defend Panay Network (Asia-Pacific) suggested that "CSOs should be given more opportunities to engage with" other UN Member States because "[i]ncreased engagement will allow CSOs to provide additional information on the State-under-Review and other human rights-related issues." Equally, AsyLex (WEOG) suggested that meetings between recommending Member States and CSOs would be beneficial in terms of influencing recommendations and ensuring implementation thereafter. Focusing on these interactions being 'meaningful' and mutually beneficial would empower CSOs within the UPR process.

CSO-A (Global) said that CSOs should feel confident in requesting this cooperation from Member State delegations, because:

> **"[CSOs are] helping [governments to] do their job...they have to at least get ready for this next session of UPRs... And you're going to give them information that's going to help."**

CSO-A (Global)

Action Points

i. Member State representatives should be available to CSOs during the Pre-sessions.

Children and Young People's Commissioner Scotland (WEOG) suggested that Member State delegations should encourage engagement and discussions with CSOs during the Pre-session events, using their experience as a best practice idea: "one [delegation] had a sign at their table and were open to approaches from CSO representatives. This approach was great and should be encouraged."

The Pre-sessions play a key role in empowering CSOs, whilst also making sure that Member States have relevant and up-to-date information about the State-under-Review in advance of the interactive dialogue.[62] These suggested interactions at the Pre-sessions would also support the formulation of informed and impactful Member State recommendations.

ii. CSOs should foster online engagement with Member States.

While, ideally, CSO connections with Member States would be fostered in-person, for those CSOs that cannot travel to Geneva, there are other options available to start engaging in digital advocacy (also see section 1.5):

Use virtual platforms and develop a strong online presence through a professional website, social media, and other digital platforms.

Engage in digital diplomacy, using diplomatic channels through emails, official letters, and other digital means to reach out to representatives in Geneva. Support should also be provided in terms of digital literacy and for those who have limited or no access to the internet.[63]

Contact diplomatic missions and embassies based in the CSO's country, as they can play a crucial role in facilitating communication between CSOs and their respective governments (see section 3.3).

Collaborate with partners based or with a presence in either Geneva or the 'target' recommending Member State. They can act as intermediaries and facilitate connections with representatives, whilst also providing insights into the domestic context of the recommending state.

3.2 Making SMART Recommendations

CSO-08 (WEOG) identified a common theme that is frequently raised in the literature,[64] that recommendations must be specific in order to support implementation on the ground. CSO-08 found that "[a]t the moment the recommendations are too vague to be meaningful." Háttér Society (EEG) agreed, affirming that states should "[m]ake sure that recommendations are specific enough to allow actual follow-up."

Member States are encouraged to make SMART Recommendations

Specific: The recommendation should focus on taking action on a specific human right or violation. Specific recommendations clearly define what action needs to be taken, by whom, and in what context.

Measurable: The recommendation should include clear, quantifiable indicators that allow progress to be tracked and outcomes to be measured.

Achievable: The recommendation should be attainable given the domestic context, as well as the capacity and resources of the State-under-Review.

Relevant: The recommendation should be directly related to human rights issues on the ground in the State-under-Review.

Timebound: The recommendation should include a clear timeframe or deadline for implementation, helping States to plan and prioritise next steps.

While there is an alternative view that sometimes the accepatance of a vague recommendation can be more helpful for CSOs than the noting of a SMART recommendation, this is a clear example of where Member State collaboration with CSOs is vital. Member States should make recommendations with the domestic context in mind, supported by the local knowledge and expertise of CSOs.

Action Points

> ### i. CSOs should make SMART recommendations in their stakeholder submissions.

To encourage Member States to do the same, CSOs should ensure they are adhering to the SMART principles when drafting recommendations in their stakeholder reports submitted to the OHCHR. This is especially important as McMahon and others' study of the UPR's first cycle concluded that Member State "recommendations do in fact reflect perspectives and themes contained in recommendations of" CSOs.[65]

Online training support is available for CSOs to support them with drafting SMART recommendations:

The UPR Project at BCU

[Writing SMART UPR Recommendations](#)

The Advocates for Human Rights

[SMART Recommendations](#)

> ### ii. CSOs should use advocacy with Member States to encourage SMART recommendations.

By creating meaningful collaborations with Member State delegations (see [section 3.1](#)), this will allow CSOs to share comprehensive data and on-the-ground insights that can be used to inform recommendations, in turn supporting the drafting of SMART recommendations by Member States.

UPR Info has provided a comprehensive "[Guide for Recommending States at the UPR](#)." The report breaks down what SMART means for UPR recommendations, with practical examples. CSOs should also encourage Member States to use this guidance.

Equally, if there is a particular issue that the State-under-Review is unlikely to accept, CSOs can encourage Member States to still make SMART recommendations, but on smaller issues. Bergquist's study on the implementation of death penalty recommendations suggests that CSOs can "advocate for UPR recommendations that take an incremental approach toward abolition [of capital punishment]."[66] This same approach can be applied to other human rights issues.

3.3 Embassies Supporting Implementation

Multiple CSOs suggested that embassies are key to strengthening the role of CSOs in the implementation of UPR recommendations.[67] Although CSO-B (Asia-Pacific) believed that this would work for some human rights issues (for example the right to education), they cautioned that some embassies would be unlikely to engage with more politically sensitive issues.

Action Points

i. Financial support from embassies.

MICOP CBO Kenya (African) proposed that "embassies should come in and provide funds for UPR" activities, which in turn will support the implementation of UPR recommendations. CSO-A (Global) provided an example of this: "if the countries that made recommendations on death penalty issues, detention conditions etc, also had pots of money…small grants to help [for example] get transportation to go to a women's prison for a day to document how many women are under a sentence of death. That would be huge."

Linked to section 1.3, particularly when a Member State has made a recommendation to the State-under-Review that is relevant to a CSO's work, the corresponding embassy could provide financial and technical support in terms of implementation activities.[68]

Image Source: Canva

ii. Hosting events for CSOs and government delegations.

CSO-A (Global) suggested that embassies also have a role to play in supporting CSOs to work with domestic governments, because "the implementation doesn't happen in Geneva. The implementation happens on the ground." Forum Menschenrechte (WEOG) said that embassies "could also provide spaces for...civil society to meet." MICOP CBO Kenya (African) believes that embassy support would help in terms of "learning and integrating...the practices" of CSOs in other countries. This would facilitate the sharing of best practice between CSOs to provide peer support, while also providing a space for CSO networks to be created (see section 1.5).
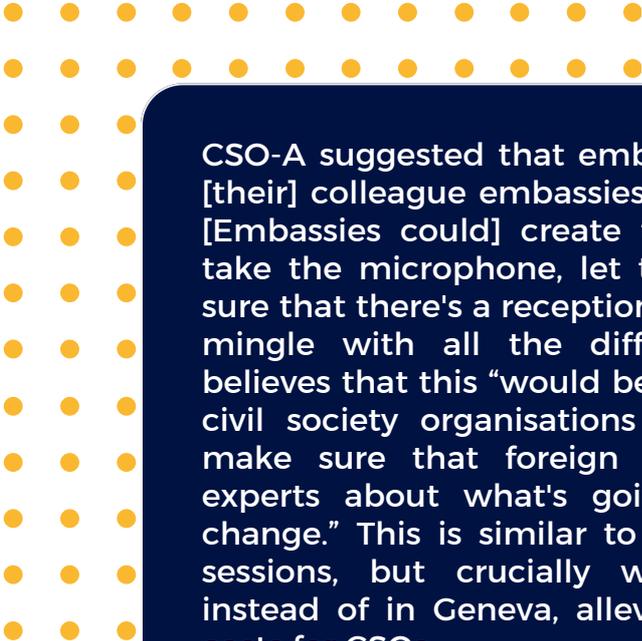
CSO-A suggested that embassies could "host events for [their] colleague embassies and give the CSOs the floor. [Embassies could] create the platform and let [CSOs] take the microphone, let them speak, and then make sure that there's a reception afterwards so that CSOs can mingle with all the different governments." CSO-A believes that this "would be really empowering for those civil society organisations to see themselves (and to make sure that foreign governments see them) as experts about what's going on and what needs to change." This is similar to the format of the UPR Pre-sessions, but crucially would happen domestically, instead of in Geneva, alleviating some of the financial costs for CSOs.

4   SUPPORTING ROLE OF THE UN AND OHCHR

"Supporting role of the UN and OHCHR" examines the experiences of participants when engaging with UN bodies, in particular the UPR's Secretariat (the OHCHR). It also points to action that could be taken by the UN and the OHCHR, in conjunction with CSOs, to improve the operation of the mechanism and, in turn, further empower and support CSOs' role in implementation. This includes critiques of the UPR mechanism and its operation, on the basis that such critiques can be addressed by changes to the functioning of the UPR process.

The UN, and particularly **the UNHRC and OHCHR**, has a clear operational role to play in terms of empowering CSOs. Moreover, other UN bodies are also relevant to this theme, particularly in terms of the implementation of recommendations. For example, **thematic UN bodies** such as UNICEF or UNAIDS could support recommendations related to their work, and **UN Country Teams** can support with domestic activities on the ground. This could empower CSOs to ensure the government implements UPR recommendations.

Image Source: Canva

4.1 Strengthening UN Support for CSOs

Participant CSOs requested further support directly from the UN. For example, Juristes pour L'Enfance (WEOG) would like to receive feedback from a "rapporteur" of the UNHRC on their stakeholder submission. Institute for Criminal Justice Reform (ICJR) (Asia-Pacific) explained that they "had tried to reach OHCHR Asia-Pacific to help guide us on 'what to do next' after the UPR outcome is done. Yet we received no response," suggesting that the UN could be doing more to bridge the existing gap between CSOs and government, allowing CSOs to be involved in discussions and decision-making regarding implementation. The Anglican Consultative Council (Global) agreed, believing that UN support with this process would mean "States would pay more attention." As CSO engagement is so important to the UPR's success,[69] UN support is vital for empowering CSOs.

Action Points

i. The OHCHR should ensure that CSOs are consulted during key stages of the UPR cycle.

As set out in [Theme 2](), domestic governments should at least consult with CSOs during the preparation of the National Report and throughout the implementation stage of the UPR. To ensure that this is happening in practice, Association pour la Promotion de la Francophonie en Flandre's (WEOG) suggested that the UN should ask each Member State during the review whether CSOs were consulted during the follow-up/implementation stage of the UPR.

This would be a small but significant addition to the mechanism by the OHCHR, and could be facilitated through advance questions, or during the interactive dialogue.

ii. Create more opportunities for CSO participation in the UPR cycle.

Lutheran World Federation (Global) suggested that the UN and OHCHR should "open a wider participation space for CSO[s]" within the UPR, that goes beyond current opportunities, thereby strengthening the capacity of CSOs. There are multiple ways for the UN to facilitate more spaces for CSOs in practice:

(1) The OHCHR could allow CSOs to submit advance questions, as Member States currently do.[70]

(2) The OHCHR could create a space for CSOs to engage in discussions around implementation, both in-person at the UNHRC and online. For example, NAT (African) suggested that CSOs should be able to engage in further side sessions after the review, "to empower [CSOs] in driving [implementation] and how best to engage with government in ensuring progress."

(3) CSO-B (Asia-Pacific) suggested that, domestically, UN Country Teams could hold roundtable events, bringing together "governments, human rights institutions, [and] civil society" to discuss implementation and to "bring affected communities to the table."

MICOP CBO Kenya (African) identified the vital need for grassroots involvement in these further opportunities, because "[i]ssues of human rights are felt at the grassroots." To achieve this, the UN and OHCHR could offer funding to smaller organisations to attend in-person events, or ensure that hybrid engagement is offered to ensure that those who are unable to travel to Geneva can take part.

4.2 Improving the Implementation Process

As already noted, implementation of accepted UPR recommendations is essential for the mechanism to meet its mandate to protect and promote human rights globally. However, this part of the mechanism currently takes place outside of UN scrutiny, which some consider to be a weakness of the UPR.[71] Participants in this study also identified this as an area to be improved. Fédération Internationale des ACAT (WEOG) suggested that there should be more attention on this part of the process and that, currently, there is a lack of communication between Geneva and the State during this phase. CSO-05 (WEOG) proposed that the OHCHR should formalise the follow-up and implementation process. Legal Initiatives for Vietnam (Asia-Pacific) agreed, suggesting that the UN and OHCHR "should invent more effective methods to encourage the implementation of…recommendations," explaining that this is particularly important for the improvement of human rights on the ground.

Action Points

i. Formalise mid-term reporting.

While the UPR has seen 100% co-operation from Member States to date, the 'voluntary' mid-term reporting in-between cycles sees a smaller amount of engagement from Member States.[72] Formalising the mid-term report,[73] making it as necessary as the National Report currently is, would encourage further engagement from Member States. This would be a great support for CSOs tracking implementation, as the mid-term report should provide an update on progress halfway between cycles, allowing CSOs to focus their efforts where recommendations have not been implemented.

While CSOs and NHRIs are also encouraged to submit their own mid-term report (see section 1.5(vi)), not all CSOs have the capacity to do this, and the onus should be placed on the Member States in the first instance.

ii. Create an implementation toolkit to support CSOs.

ICJR (African) suggested that "[t]he UN bodies, especially OHCHR, should be more proactive in providing information that is not only [a] read-out but in the form of [a] [w]ebinar or online [w]orkshop. This will give the domestic CSOs [a] toolkit on the implementation monitoring."

To action this, the OHCHR, in conjunction with UN Country Teams and other UN bodies, should create an implementation toolkit to support CSOs that are working on ensuring the implementation of UPR recommendations. The format of the toolkit should be informed by all key actors, including the UN and OHCHR, Member States, and stakeholders, but it would be helpful to include a webinar and written guidance. This could include:

Guidance on how to engage with domestic governments

This could include wider opportunities for engagement (see section 4.1), as well as drawing upon exiting resources, e.g., examples provided in section 1.1.

Support for CSO coalitions

As NAT (African) suggested, the UN could bring stakeholders together "to do a check in" on progress but also to "advise" on "how best we can work together" as stakeholders.

Guidance on how to track implementation

This is particularly important for States without a tracking system in place, and could be actioned through its support for CSO coalitions suggested above.

4.3 OHCHR Transparency

Acting as the UPR's Secretariat, the OHCHR works hard to support all actors within the process, including facilitating the pre- and post-review reports.[74] While the OHCHR, and particularly its drafting team, does some excellent work, it has been argued that the process of summarising the Stakeholder Summary Report (and the Compilation of UN Information) could be more transparent,[75] not least because transparency is an underpinning principle of the UPR.[76] There has also been a report of CSOs having their stakeholder reports removed from the UPR repository and citations in the Stakeholder Summary also being omitted.[77] Transparency would be helpful to understand how and why such decisions are made.

This requirement for transparency from the OHCHR was also reflected in the data. YDTI (Asia-Pacific) suggested that understanding how CSOs' stakeholder reports are used, and when the Stakeholder Summary document is published by the OHCHR, would be of benefit. They also shared their experience that just one sentence was selected from its report to be included in Indonesia's Stakeholder Summary document. YDTI found that the OHCHR's summary was not particularly clear, noting that "if I would have to choose one sentence" to include in the Summary Report, "I would not choose that one."

Action Points

> **i. Provide clear guidance on how the OHCHR compiles its Stakeholder Summary.**

Guidance could be provided by the OHCHR, setting out its method of collating the Stakeholder Summary (and the Compilation of UN Information). This would support CSOs when writing their reports in terms of how to present the most important elements.

Information that may be useful to CSOs could include:

A definition of "credible and reliable information" that is expected from stakeholders in their reports.

A clear overview of the processes the OHCHR drafting team go through to:
(1) identify which reports it will cite;
(2) select the specific information it will reference from each report;
(3) summarise information when not directly citing the stakeholder report.

Further empirical research on which organisations are most likely to have their reports cited in the Stakeholder Summary would be helpful. This would provide data on inter alia the size, type, and human rights focuses of CSOs that are most likely to be referenced by the OHCHR.

CONCLUSION

The value and utility of the UPR for global human rights protection and promotion has been widely demonstrated.[78] This research focused upon how the UPR, and engagement with it, can be improved to empower civil society organisations across the world, with the ultimate aim of strengthening domestic implementation of UPR recommendations.

Supported by empirical data directly from CSOs and other, relevant literature, this study has developed action points to empower CSOs engaging with the UPR.

These action points should be reviewed by key actors within the UPR to identify how they can be put into practice

Civil society organisations can take the good practice examples and materials and incorporate them into their own strategies for engaging with the UPR: see the Advocacy Strategies for CSOs factsheet.

Domestic governments, when acting as the State-under-Review during the UPR, could benefit greatly from engaging with CSOs: see the Action Points for Domestic Government factsheet.

Other Member States have distinct roles to play during other States' UPRs to empower CSOs, in particular through their Permanent Missions and embassies on the ground: see the Action Points for UN Member States factsheet.

The UN and OHCHR should consider actioning the suggested operational changes to the UPR, while also including other UN bodies in UPR-related work: see the Action Points for the UN and OHCHR factsheet.

**To discuss the findings in this report and how they can be actioned, please contact the lead researcher:
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ENDNOTES

[1] See: www.ohchr.org/sites/default/files/Documents/HRBodies/UPR/TechnicalGuideEN.pdf (2017).

[2] Virginia Braun & Victoria Clarke. 'Using Thematic Analysis in Psychology' (2006) Qual Res Psychol. 3(2):77–101; Michelle E. Kiger & Lara Varpio, 'Thematic Analysis of Qualitative Data' (2020) AMEE Guide No. 131, Medical Teacher.

[3] Braun & Clarke (n 2).

[4] UPR Info, Beyond Reporting (2022) https://upr.info/en/resources/upr-info-publications (available in English, French, and Spanish).

[5] CSOs and governments are encouraged to make use of academic research on the UPR, which is often practice-based, see https://upracademicnetwork.wordpress.com/resources/.

[6] 68 CSOs submitted stakeholder reports to Indonesia's fourth cycle UPR in 2022 and 22 CSOs submitted stakeholder reports to Ethiopia's third cycle UPR in 2019.

[7] Amna Nazir, Alice Storey, and Jon Yorke, 'The Universal Periodic Review as Utopia' in D Etone, A Nazir and A Storey (eds) Human Rights and the UN Universal Periodic Review Mechanism: A Research Companion (2024).

[8] See: Geneva Academy, The Universal Periodic Review and the UN Human Rights System: Raising the Bar on Accountability, www.geneva-academy.ch/geneva-humanrights-platform/training-hub/upcoming-training-courses/detail/184-the-universal-periodic-review-and-the-un-human-rights-system-raising-the-bar-on-accountability. Please note that there is a fee for attending this training.

[9] In-country human rights training for domestic governments has taken place before, see David Kinley & Trevor Wilson, 'Engaging a Pariah: Human Rights Training in Burma/Myanmar' (2007) 29 Hum Rights Quarterly 368.

[10] See José Parra, Beyond the Procedure: The Universal Periodic Review as a Catalyst for Public Debate on Human Rights, https://library.fes.de/pdf-files/bueros/genf/13278.pdf.

[11] See https://www.ndi.org/who-we-are.

[12] See https://www.ohchr.org/en/instruments-mechanisms/instruments/principles-relating-status-national-institutions-paris.

[13] ibid para 3(f).

[14] C Raj Kumar, National Human Rights Institutions and Economic, Social, and Cultural Rights: Toward the Institutionalization and Developmentalization of Human Rights (2006) Human Rights Quarterly 28, no. 3, 755–79, who also suggests that there must be "constant engagement with other wings of the state government so that NHRIs are able to educate and create awareness about human rights, both inside and outside the government."

[15] No NHRIs took part in the survey or semi-structured interviews.

[16] CEHRO (African) made one reference to NHRIs, in that they would be one of multiple groups to benefit from Ethiopia adopting a National Human Rights Action Plan. Just Fair (WEOG) made three references to the EHRC (the NHRI for England and Wales) predominantly in relation to funding Just Fair had received from the EHRC to complete activities related to the Committee on Economic, Social and Cultural Right's review of the UK.

[17] The role of NHRIs was implicit in the research design, as a key actor within the UPR.

[18] See www.un.org/en/academic-impact/capacity-building#:~:text=Capacity%2Dbuilding%20is%20defined%20as,in%20a%20fast%2Dchanging%20world.

[19] Stating that the UPR "shall be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs." UNGA Resolution 60/251 para 5(e).

ENDNOTES

[20] See Karolina M. Milewicz & Robert E. Goodin, Deliberative Capacity Building through International Organizations: The Case of the Universal Periodic Review of Human Rights (2018) British Journal of Political Science, 48(2):513-533, who argue that the UPR fosters deliberative capacity-building throughout the entire process, including CSOs' role as stakeholders in the mechanism. However, this study also found that a clearer focus is required on how this can happen in practice.

[21] Particularly considering Baird's assessment that international CSOs should partner with local organisations when submitting to the UPR "to ensure that they are not distorting this authentic local voice." Natalie Baird, 'The Role of International Non-Governmental Organisations in the Universal Periodic Review of Pacific Island States: Can 'Doing Good' Be Done Better?' (2015) Melbourne Journal of International Law 18.

[22] Joel E. Oestreich, Closing the circle of implementation: the sustainable development goals, universal periodic review, and the rights-based approach to development (2024) The International Journal of Human Rights, 28:1, 69-88, 76.

[23] ibid 81, "[t]hese agencies have national presence, a long history of cooperation with states, important connections with civil society groups, and the power of their funding." See also Mie Roesdahl, who argues to "[e]nsure separate, long-term, and flexible funding for NGOs to focus on implementation of UPR recommendations at national level." Mie Roesdahl, 'Universal Periodic Review and its Limited Change Potential: Tracking the Complexity of Multiple Actors and Approaches to Human Rights Change through the Lens of the UPR Process of Nepal' (2017) Journal of Human Rights Practice, 9, 2017, 401-423.

[24] There is a widespread issue of government restrictions on CSO activity related to "foreign funding," see: Antoine Buyse, 'Squeezing Civic Space: Restrictions on Civil Society Organizations and the Linkages with Human Rights (2018) The International Journal of Human Rights, 22:8, 966-988.

[25] See www.ohchr.org/en/documents/reports/ahrc5147-cooperation-united-nations-its-representatives-and-mechanisms-field.

[26] See Fiona McGaughey, 'The Role and Influence of Non-Governmental Organisations in the Universal Periodic Review – International Context and Australian Case Study' (2017) 17 Human Rights Law Review 421; Kate Gilmore, Luis Mora, Alfonso Barragues & Ida Krogh Mikkelsen, 'The Universal Periodic Review: A Platform for Dialogue, Accountability, and Change on Sexual and Reproductive Health and Rights' (2015) 17 Health & Hum Rts J 167.

[27] Sudanese CSOs have experienced this kind of reprisal, where passports were confiscated at the airport to prevent CSOs attending the UPR Pre-sessions. This was highlighted by the then-UN Secretary General Ban Ki-Moon in his report: Cooperation with the United Nations, its representatives and mechanisms in the field of human rights, Human Rights Council, 33rd Session, 14 August 2016, see www.bcu.ac.uk/law/research/centre-for-human-rights/consultancy/upr-project-at-bcu/upr-project-at-bcu-sudan.

[28] See for example Ben Shokman and Phil Lynch, 'Effective NGO Engagement with the Universal Periodic Review' in Hilary Charlesworth and Emma Larking (eds), Human Rights and the Universal Periodic Review: Rituals and Ritualism (CUP 2014) 126: "[a]s a relatively new and largely untested mechanism, NGOs must employ innovative tactics in order to adapt to the opportunities provided by the UPR." The same can still be said for CSOs today, see Amy Bergquist, From Advocacy to Abolition: How the Universal Periodic Review Can Shape the Trajectory of the Abolition of the Death Penalty (2023) California Western International Law Journal: Vol. 53: No. 2, Article 6.

[29] See Miloon Kothari, 'Study on Emerging Good Practices from the Universal Periodic Review' (2021) 96, who observed the benefit in the formation of national civil society coalitions bringing "perceptible change"; McGaughey (n 26); Shokman and Lynch (n 28).

[30] See www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session8/KE/KSC_UPR_KEN_S08_2010_KenyaStakeholdersCoalitionforUPR.pdf; Michael Lane, The Universal Periodic Review: A Catalyst for Domestic Mobilisation (2022) Nordic Journal of Human Rights, 40:4, 507-528; Damian Etone, The Human Rights Council: The Impact of the Universal Periodic Review in Africa (Routledge 2021); Kothari (n 29).

[31] Roland Chauville, 'The Universal Periodic Review's First Cycle: Successes and Failures' in Hilary Charlesworth and Emma Larking (eds), Human Rights and the Universal Periodic Review: Rituals and Ritualism (CUP 2015).

ENDNOTES

[32] See https://cehro.org.

[33] Alice Storey, 'The UN's Universal Periodic Review and FGM in Somalia: The Value of Civil Society Recommendations' (2024) (submitted for publication, on file with author).

[34] Lawrence C. Moss, 'Opportunities for Nongovernmental Organization Advocacy in the Universal Periodic Review Process at the UN Human Rights Council' (2010) Journal of Human Rights Practice, Volume 2, Issue 1, pp 122–150; Laura Landolt, 'Externalizing Human Rights: From Commission to Council, the Universal Periodic Review and Egypt' (2013) Human Rights Review 14, 107–129; see also McGaughey (n 26); Elvira Dominguez-Redondo, 'Universal Periodic Review of the UN Human Rights Council: An Assessment of the First Sessions' (2008) 7 Chinese Journal of International Law 721, 731.

[35] See, Nicola Edwards, 'Challenging impunity in Indonesia and the Philippines through the Universal Periodic Review Mechanism' (2020) Australian Journal of Human Rights, 26:2, 274-291; Louisa Ashley, 'Universal Periodic Review Prospects for Promoting Support for the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP)' in D Etone, A Nazir and A Storey (eds) Human Rights and the UN Universal Periodic Review Mechanism: A Research Companion (2024).

[36] Nazir et al (n 7), Namibia then "received three specific recommendations on women and girls with HIV, focusing on stigmatisation and PMTCT, appearing to use the information provided by the UPR Project. This was a significant improvement, as Namibia had received 0 recommendations specifically on women with HIV in Cycle 2."

[37] See www.eventbrite.co.uk/e/uk-fourth-cycle-universal-periodic-review-upr-cso-live-stream-tickets-444655846607.

[38] Roesdahl (n 23).

[39] See https://justfair.org.uk/wp-content/uploads/2022/12/Joint-Statement-of-CSOs-UK-UPR-FINAL_.pdf.

[40] See www.theguardian.com/global-development/2022/nov/10/angola-uk-poverty-cost-of-living-crisis-un-review and www.theguardian.com/world/2022/nov/08/uk-rolling-back-efforts-to-tackle-modern-slavery-charity-says.

[41] See www.ohchr.org/en/hr-bodies/upr/upr-implementation; Luka Glušac, 'Universal Periodic Review and Policy Change: The Case of National Human Rights Institutions' (2022) Journal of Human Rights Practice, Volume 14, Issue 1 pp 285–304.

[42] UNHRC Res 5/1 para 15(a). Although note Gujadhur & Limon's research which "raises serious questions about the degree to which this [consultation process] is happening in practice."

[43] ibid para 33.

[44] Roesdahl (n 23) found similarly: "[t]he fact that civil society is formally integrated in a process, led by the international human rights instruments, that is perceived by many countries, particularly in the global South, as critical and non-cooperative can imply that the relations between civil society organizations and state institutions are further polarized."

[45] See Amy Maguire, Fiona McGaughey & Georgia Monaghan, 'Performance or Performativity? Australia's Membership of the United Nations Human Rights Council' (2019) Australian Journal of Human Rights, 25:2, 317-338; Paul Chaney, Civil Society, Human Rights and Religious Freedom in the People's Republic of China: Analysis of CSOs' Universal Periodic Review Discourse (2018) The International Journal of Human Rights, 22:4, 503-524.

[46] See Parra (n 10).

[47] See https://consultations.justice.govt.nz/policy/663eef5f/.

[48] See https://webarchive.nationalarchives.gov.uk/ukgwa/20140205012858/http:/www.justice.gov.uk/human-rights/universal-periodic-review/upr-events.

[49] See Annalize Steenekamp, Using Law and Education as Agents for Social Change in South Africa (2018) University of Pretoria (South Africa); Hannelore Van Bavel et al, Understanding the roles of Alternative Rites of Passage and Public Declarations in FGM/C abandonment: An ethnographic study among the Loita Maasai, Kenya Social Science & Medicine (2023).

ENDNOTES

[50] Article 475 of the Moroccan Penal Code, www.refworld.org/legal/legislation/natlegbod/1962/fr/122857, amended in 2014. See: www.aljazeera.com/news/2014/1/23/morocco-repeals-rape-marriage-law.

[51] See for example Adam C Levine et al, The role of civil society organizations (CSOs) in the COVID-19 response across the Global South: A multinational, qualitative study PLOS Global Public Health (2023); H.S. Nuhu et al, Involvement of Women Based Civil Society Development in Hawul Local Involvement of Women Based Civil Society Organizations in Rural Development in Hawul Local Government Area of Borno State, Nigeria Government Area of Borno State, Nigeria, IJAIR (2016). See also https://esdn.ixsol.at/fileadmin/ESDN_Reports/QR_44_Final.pdf.

[52] See, Kazuo Fukuda, 'Human Rights Council's Universal Periodic Review as a Forum of Fighting for Borderline Recommendations? Lessons Learned from the Ground' (2022) 20 Northwestern Journal of Human Rights 63; Ann M. Clark & Paul J. Danyi, The Role of Nongovernmental Organizations in Developing and Protecting Human Rights, 44-62 in The Protection Roles of Human Rights NGOs (Bertrand Ramcharan, Rachel Brett, Ann Marie Clark, and Penny Parker eds. 2023).

[53] See www.gov.bw/disease-prevention-control/national-arv-program#:~:text=Provision%20of%20free%20Antiretroviral%20(ARV,non%2Dcitizens%20residing%20in%20Botswana.

[54] See https://upr.info/sites/default/files/documents/2015-01/upr_info_fs4_follow-up_e.pdf; www.childrightsconnect.org/wp-content/uploads/2018/01/en_factsheet-4.pdf.

[55] See an example of this being used in practice by Malaysia www.kln.gov.my/web/usa_un-new-york/news-from-mission/-/blogs/malaysia-s-candidature-to-the-human-rights-council-term-2022-2024-voluntary-commitments-and-pledges.

[56] See https://impactoss.org/.

[57] See the UN High Commissioner for Human Rights' report on treaty body strengthening in 2012 (A/66/860) highlighted the importance of establishing NMIRFs, leading to the adoption of General Assembly Resolution 68/268 titled "Strengthening and enhancing the effective functioning of the human rights treaty body system"; Marc Limon, 'The Global Human Rights 'Implementation Agenda' and the Genesis of NMIRFs' in R Murray and D Long (eds) Research Handbook on Implementation of Human Rights in Practice (2022). Specifically in relation to the UPR there are calls for NMIRFs to improve implementation, see: Mizanie A Tadesse, 'Ethiopia and the Universal Periodic Review Mechanism: A Critical Reflection' (2016-2017) 28 Journal of Ethiopian Law 23; Gianni Magazzeni, 'The Universal Periodic Review and National Protection Systems' in B Ramcharan, G Magazzeni, M M'Bikay and I French (eds) A Global Handbook on National Human Rights Protection Systems (2023).

[58] Rachel Murray, The 'Implementation' in 'National Mechanisms for Implementation, Reporting and Follow-up;': What about the Victims?, in Frans Viljoen, Charles Fombad, Dire Tladi, Ann Skelton and Magnus Killander (eds) A Life Interrupted: Essays in Honour of the Lives and Legacies of Christof Heyns (2022).

[59] There are multiple examples of NMIRFs in practice. See www.ohchr.org/sites/default/files/Documents/Publications/HR_PUB_16_1_NMRF_Study.pdf; www.humanrights.dk/files/media/document/INTERACTIONS%20BETWEEN%20NATIONAL%20HUMAN%20RIGHTS%20INSTITUTIONS%20AND%20NATIONAL%20MECHANISMS%20FOR%20IMPLEMENTATION%2C%20REPORTING%20AND%20FOLLOW-UP_accessible.pdf; www.humanrights.dk/sites/humanrights.dk/files/media/document/COUNTRY%20EXPERIENCES%20WITH%20HR-SDG%20INTEGRATED%20NATIONAL%20MECHANISMS__ENG_accessible.pdf; www.universal-rights.org/urg-policy-reports/bridging-the-human-rights-implementation-gap-a-commonwealth-survey/; the University of Bristol's ongoing study, with a jurisdictional map of NMIRFs across the world to be published: www.bristol.ac.uk/law/research/centres/hric/themes/implementation/national-mechanisms-for-implementation-reporting-and-follow-up/.

[60] See The Commonwealth & Universal Rights Group 'Bridging the Human Rights Implementation Gap: A Commonwealth Survey' (2022), that details multiple examples of NMIRFs, including Samoa's.

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[61] See for example Amna Nazir, 'A UPR Perspective on Capital Punishment and the Kingdom of Saudi Arabia' (2022) Muslim World Journal of Human Rights, vol 19, no 1, pp 77-94; Damian Etone, 'The Universal Periodic Review and Transitional Justice' in D Etone, A Nazir and A Storey (eds) Human Rights and the UN Universal Periodic Review Mechanism: A Research Companion (2024); Rochelle Terman & Erik Voeten, 'The Relational Politics of Shame: Evidence from the Universal Periodic Review' (2018) 13 Rev. Int. Organ. 1; Alice Storey, 'Improving Recommendations from the UN's Universal Periodic Review: A Case Study on Domestic Abuse in the UK' (2023) Pace International Law Review 35, 193; Fukuda (n 52).

[62] See Noelle Higgins, 'Creating a space for indigenous rights: the Universal Periodic Review as a mechanism for promoting the rights of indigenous peoples' (2019) The International Journal of Human Rights, 23:1-2, 125-148; Yooneui Kim, 'A Network Analysis of Naming and Shaming in the Universal Periodic Review' (2023) International Interactions, Vol 49, No 3, 287-314.

[63] See https://wacsi.org/unmasking-digital-colonialism-empowering-civil-society-organisations-in-the-digital-age/; www.helvetas.de/en/what-we-do/how-we-work/all-helvetas-network-projects/Asia/Lebanon/cso_digital_iteracy.

[64] See (n 61). Also see, the UPR recommendations 'action categories.'

[65] Edward McMahon & others, 'The Universal Periodic Review. Do Civil Society Organisation-Suggested Recommendations Matter?' (Friedrich Ebert Stiftung 2013) 1.

[66] Bergquist (n 28).

[67] The literature has also identified the important role of embassies in empowering CSOs, albeit usually from the perspective of CSOs lobbying embassies pre-review to inform recommendations, see Kim (n 61).

[68] This approach is also supported by the literature, for example, Roesdahl suggested that "when recommendations are made by countries with a diplomatic representation in the country under review, the 'reviewing country' could make commitments to supporting the 'reviewee country' in its efforts to meet the recommendation." Rosedahl (n 23).

[69] See the Introduction for an overview of the role of CSOs in the UPR.

[70] Alice Storey, 'Challenges and Opportunities for the UN Universal Periodic Review: A Case Study on Capital Punishment in the USA' (2021) 90 UMKC Law Review 129.

[71] See Chauville (n 31); Aoife Hegarty & Hans Fridlund, Taking Stock—the Universal Periodic Review's Achievements and Opportunities (2015) Open Democracy.

[72] See section 1.5(vi) above; www.ohchr.org/en/hr-bodies/upr/upr-implementation.

[73] A previous proposal for "mandatory mid-term reports was defeated" as they would be "overly burdensome" (see Jane Cowan & Julie Billaud, 'The 'Public' Character of the Universal Periodic Review: Contested Concept and Methodological Challenge' in R Niezen and M Sapignoli (eds) Palaces of Hope: The Anthropology of Global Organizations (2017) 106-126). This could be debated again during the next review of the UNHRC and UPR, Storey (n 70), especially as Glušac (n 41) found that the mid-term reporting has been "a useful tool and a good way to increase visibility of UPR recommendations at the national level and the accountability of government."

[74] See https://unesdoc.unesco.org/ark:/48223/pf0000381509.

[75] Alice Storey & Mark Eccleston-Turner, 'Transparency, Accountability, and Legitimacy in the United Nations' Human Rights Council's Universal Periodic Review', in, Salvador Santino Regilme Jr and Irene Hadiprayitno (eds) Human Rights at Risk: Rethinking International Institutions, American Power, and the Future of Dignity (Rutgers University Press 2022); Elvira Dominguez Redondo & Rhona Smith, Searching for Recommendation Alignment Across UN Human Rights Bodies, in D Etone, A Nazir and A Storey (eds) Human Rights and the UN Universal Periodic Review Mechanism: A Research Companion (2024).

[76] UNHRC Resolution 5/1 para 3(g).

[77] See www.hrw.org/sites/default/files/supporting_resources/181105_joint_statement_ohchr_chinaupr.pdf.

[78] UPR Info, Beyond Reporting (n 4); Etone (n 30); McMahon and others (n 65).

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