

What is the UPR?

The UPR, or Universal Periodic Review, is a full review of the human rights record of all the governments that are members of the United Nations (formally referred to as Member states). The UPR process was created in 2006 and is overseen by the UN Human Rights Council (HRC), which is made up of government representatives. The UPR process provides countries with recommendations on how to address and improve their human rights conditions.

Specifically, the Universal Periodic Review (UPR) assesses how and if members are respecting, protecting, and fulfilling their human rights obligations set out in:

1. the UN Charter;
2. the Universal Declaration of Human Rights (UDHR);
3. the human rights treaties and accords that each government has formally agreed to;
4. voluntary pledges and commitments made by each government (e.g., national human rights policies and/or programs implemented); and,
5. applicable international humanitarian law (or those laws governing armed conflicts).

What is the difference between the UPR and the treaty review processes?

Primarily, the UPR is an opportunity to reinforce the recommendations made to the government under the treaty review processes and to expand the enjoyment of human rights.

Core Elements of the UPR Process

The actual review is a three and half (3.5) hours interactive dialogue, held in Geneva, Switzerland. The core of the UPR conversation is drawn from three reports, totaling 40 pages of information.

First Report: Non-governmental organizations (NGOs) have the most influence over the first report. Each organization may submit a five page stakeholder report. Coalitions of organizations may submit a ten-page report. Using these reports, the Office of the High Commissioner for Human Rights compiles a 10-page civil society report.

Second Report: The second report, totaling 10 pages, is based on international treaties the United States has ratified, as well as reviews gathered by special UN bodies—special rapporteurs or issue-specific experts, UN agencies in each member country, etc.

Third Report: The government under review submits information that comprises the 20 page “national report.” Non-governmental organizations may influence this report by holding consultations with U.S. policymakers and government officials to discuss and raise awareness about human rights

Unlike the treaty reviews, the UPR process is conducted by representatives of governments, e.g., diplomatic representatives. On the other hand, the treaty reviews are conducted by independent human rights experts from different countries who are not representatives for their governments. This means that the UPR is also an opportunity for the rest of the world (not only U.S.-based social justice and human rights groups) to question the U.S. Government on its human rights obligations.

Whereas the treaty reviews are limited to the specific issues the U.S. has formally accepted as law (e.g., adherence to eliminating racism under CERD), the UPR looks at the U.S.'s overall human rights record, including all the treaties it has formally accepted as law, as well as the Universal Declaration of Human Rights (UDHR). As a result, the UPR offers an opportunity to advance issues of economic, social, and cultural rights, such as the rights to education, housing, health, social security, water, etc which are all recognized in the UDHR.

How does the Universal Periodic Review process work?

The UPR Process lasts 2 years and can be broken down into five phases.

1. **Preparation:** First, the government under review, NGOs, and other human rights institutions collect information to be included in a stakeholder or civil society report. These reports outline the human rights situation of the government under review using facts, surveys, first-hand accounts, and other objective measures. Each NGO is permitted to submit only one individually-authored stakeholder report of not more than 5 pages, but may contribute to any number of joint reports, which can be up to 10 pages. Organizations are encouraged to transform their reports into 1-2-page lobbying documents that succinctly (a) summarize the core issue, (b) pose specific questions, and (c) make recommendations to improve current conditions.
2. **Interaction:** The interaction phase is characterized by organizing, coordinating, and networking with other NGOs, the Government (through consultations), and other UN member governments. The main purpose of this phase is the education of UN member government representatives who will take part in the UPR. This includes direct lobbying with representatives and unofficial UN side events to educate these representatives, other NGOs, and other interested persons. An effective strategy has been to coordinate with other members of civil society to target specific member governments on specific issues.
3. **Consideration:** The review itself is conducted by the UPR Working Group, which consists of the 47 members of the UN Human Rights Council. Member governments are reviewed individually during a UPR Working Group meeting. The review consists of an interactive discussion between the government under review and other UN member governments. During the discussion any UN member government can pose questions, comments, and/or make recommendations to the government under review about its human rights situation. Non-governmental organizations and individuals cannot participate directly in the conversation. The review will be live webcast, giving organizations and human rights activists a chance to see government officials address their issues and questioned on their policies. Groups can also host viewing parties to publicize the proceedings.

4. **Adoption:** Forty-eight hours after the interactive dialogue, the UPR Working Group adopts a report of the proceedings, which summarizes the comments and recommendations put forth during the discussion. At this point, the government under review can choose to accept, note, and/or take under advisement the recommendations it receives. The official adoption of the recommendations takes place a few months later at the following Human Rights Council session. NGOs and individuals also have the opportunity to address government officials directly for one hour during this session. Each speaker is permitted two minutes to make a statement. At the conclusion of this hour, a final Outcome Report is adopted.

5. **Implementation:** The government under review is then responsible for implementing these recommendations and improving its human rights situation. This is one of the most crucial steps in demanding and ensuring human rights at home. It depends heavily on NGOs and other activists publicizing the recommendations, integrating them into their work and demands, and putting pressure on the government to build and shape new practices and policies. NGOs have strong leverage in holding their government accountable, as governments are under significant international pressure to take these comments and recommendations seriously.

UPR Engagement Timeline

U.S. Government Consultations	Stakeholder Report Submission	U.S. Government Report Due
April 2014 – January 2015	Sept 15, 2014: Reports due to <u>UN</u>	Jan. 19, 2015 (Tentative)
UPR-Info Pre-session	Lobbying UN Member Governments	In-person Dialogue
April 2015 (unofficial Geneva event)	Sept 2014 - May 2015	May 4-15, 2015
U.S. Government Responds to Recommendations	Adoption of Final Outcome Report	Implementation of Recommendations
May 2015, within 48 hrs of dialogue	Sept 2015 during HRC plenary	Ongoing

Why is it important that social justice groups and other NGOs participate in the UPR?

The participation of social justice groups and other NGOs is *essential* to the success and implementation of the UPR in the United States. Any non-governmental organization or individual, national institution, human rights defender, local association, grassroots organization, trade union, and Indigenous Peoples can submit information to the Office of the High Commissioner for Human Rights (OHCHR). The UPR provides NGOs and other human

rights activists and institutions with an opportunity to report human rights violations in a meaningful and powerful forum where their voices will be heard.

The Human Rights Council explicitly encourages and solicits reports from social justice groups. Participation accomplishes the following:

- Provides counter-narratives to the U.S. Government's report;
- Holds the U.S. accountable;
- Becomes an organizing tool;
- Builds capacity;
- Supports advocacy;
- Expands the scope of human rights issues in the U.S. particularly around economic, social and cultural rights; and,
- Provides another opportunity to promote awareness about human rights.

As a result of the last UPR, human rights groups were able to push for improved structures to include and coordinate the federal agencies that would be responsible for implementation of human rights obligations, and for coordination with state and local government representatives. The Equality Working Group, which comprises the main federal agencies as well as the State Department, was an outgrowth of this pressure.

How do I get involved in the review process?

The US Human Rights Network has created a task force to coordinate social justice groups' participation in the UPR for the United States and the post-review implementation work. Our UPR Taskforce is an all-volunteer team of activists well-versed in a range of human rights issues and the UPR process. They are eager to assist groups, and have been working hard to provide all the resources needed to participate in the review process.

Write a Report/Join a USHRN Working Group: If are interested in writing or contributing to a UPR report or leading a joint report, we strongly encourage you to join one or any number of the UPR Working Groups. See the current list and sign-up for a working group [here: http://www.ushrnetwork.org/upr-working-groups](http://www.ushrnetwork.org/upr-working-groups).

You may also email upr@ushrnetwork.org with the following information:

1. Whether your organization is planning to or interested in submitting a report;
2. The specific issue areas and/or UPR articles your report will address;
3. Whether your organization is interested in leading a coordinated report;
4. Your preferred contact information (email, phone, and fax); and,
5. Whether your information can be shared publicly for the purpose of coordinating shadow reports.

Contribute to the USHRN Summary Report: The USHRN is preparing to submit a 10-page summary stakeholder report to the UN and is asking anyone who plans to submit a report to the UN to submit a final or draft copy for inclusion by September 5th. If you plan to submit a draft, we have a [designated template](http://www.ushrnetwork.org/sites/ushrnetwork.org/files/template_for_upr_report_summary.pdf) for submission: http://www.ushrnetwork.org/sites/ushrnetwork.org/files/template_for_upr_report_summary.pdf. All reports or drafts should be emailed to upr@ushrnetwork.org.

Submit your Report to the UN: Reports to the UN are due September 15 by 5:59 EST. These reports must be submitted directly to the UN as the Network cannot make these submissions on your behalf. Visit the [UN Portal](https://uprdoc.ohchr.org/Account/Login.aspx?ReturnUrl=%2f) to upload your report: <https://uprdoc.ohchr.org/Account/Login.aspx?ReturnUrl=%2f>. Report Templates and guidelines are available on the USHRN UPR page: <http://www.ushrnetwork.org/our-work/project/upr-universal-periodic-review>.

Attend or View the Live Review: Organizations can also advocate for their questions to be posed during the review by providing advanced written questions or an oral statement. Although only governments may participate in the interactive dialogue, NGOs may attend the UPR dialogue in Geneva or watch the UN live webcast of the event. Between the official review and adoption of the Outcome Report, NGOs can lobby the government to change its position and accept more recommendations given during the review

Support the Human Rights at Home Campaign: Once the Outcome Report is adopted, NGOs can help ensure that the human rights situation in their country is improving by monitoring and calling for the implementation of the recommendations that were accepted. The USHRN has been working through the [Human Rights at Home \(HuRAH\) Campaign](#) to put in place domestic structures to better implement the UPR and treaty recommendations at the local, state, and federal levels. This work includes demanding better coordination between government agencies, better communication and coordination between the federal and state and local government actors, the establishment of an independent national human rights institution, and the adoption of a National Plan of Action (NPA) for Racial Justice. HuRAH welcomes participation in this campaign from everyone, whether or not you have contributed a formal report.

Learn More

The current timeline of the UPR review process: <http://www.upr-info.org/en/review/United-States>.

The role of NGOs in the UPR review process: <http://www.upr-info.org/en/how-to/role-ngos>

Facts on the UPR: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/BasicFacts.aspx>

The US Human Rights Network: www.ushrnetwork.org