Good Practices for UPR Mid-term Reporting

Tuesday, 11th May 2021
(12:00-13:30 CEST)

Register on our website:
www.upr-info.org
1. Introduction
2. Mid-term reports
3. Rules for Submissions
4. Good Practices
Introduction
UPR Follow-up at the National level

The State bears the primary responsibility for implementing received UPR recommendations.

NHRIs key role in coordinating different actors to monitor and contribute in the implementation of Recs.

CSOs should go beyond their traditional watchdog role, share their expertise, and become an implementing partner.

Parliamentarians' action to implement recs.

Recommending States, UN Agencies, media, and other stakeholders should participate in the follow-up phase.
Mid-term Reports
Why to submit a mid-term report?

- To take stock of progress halfway between reviews;
- How many recommendations are fully implemented, partially implemented, not implemented;
- Facilitates Consultations among different actors;
- No official UN follow-up mechanism;
- Reinvigorating national UPR momentum;
- Recommending States receive information of recommendations made.
Who can submit a mid-term report?

- State under Review
- UN agencies (UNCT)
- CSOs
- NHRIs
- Groups of academics
Multi-stakeholder consultations

**Broad-based**: Include CSOs working on diverse rights. Consultations should go beyond the capital to engage rural and grassroots organisations, representing the full diversity of the population.

**Representative**: Input should be gathered from a cross-section of society, including testimonies from at-risk and marginalized groups. Consultations should address how human rights issues affect women and girls, as well as implications in urban and rural areas.

**Meaningful**: Consultations should not be a box-ticking exercise but done with the intent of including the information obtained in the final mid-term report.
No official submission deadline

UPR Info’s suggested deadline for CSO/UNCT 2’5 years after UPR WG

Timeline for UPR engagement in the current cycle
Where to submit reports

**OHCHR**

State mid-term reports: uprstates@ohchr.org

Other stakeholder mid-term reports: uprsubmissions@ohchr.org

**UPR Info**

info@upr-info.org
Rules of Submission
Format

- **Word-limit:** No word limit!
- **Content:** Prioritise first-hand views, conclusions and findings
- **No Official Template!**
1. Introduction (2§)

2. Methodology (2-3§)

3. Assessment of recommendations: (matrix)

4. Way Forward: (2-3 pages)
1. Introduction: (2§)

• The date of the review and adoption

• How many recommendations were supported and noted by the State;

• What ministries/national actors were identified to support implementation;

• What type of implementation framework was adopted e.g. UPR-specific implementation plan or mainstreaming UPR recommendations into the national human rights action plan;

• For CSO mid-term reports, it is important to include a presentation of the organisations behind the submission.
Coalition description
Logos of submitting organisations

Don’t forget to include contact information!!
This report was prepared through a collaborative effort of various Civil Society Organizations and stakeholders under the guidance of the Steering Committee of the Kenya CSO Coalition on the UPR.

<table>
<thead>
<tr>
<th>Summary Analysis of Level of Implementation</th>
</tr>
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<tbody>
<tr>
<td>Total Recommendations received by Kenya</td>
</tr>
<tr>
<td>Number of Accepted Recommendations</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Level of Implementation per Thematic Cluster</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal and Institutional Reform</td>
</tr>
<tr>
<td>Number of Indicators</td>
</tr>
<tr>
<td>Fully Implemented</td>
</tr>
<tr>
<td>Ongoing or Partially Implemented</td>
</tr>
<tr>
<td>Not Implemented</td>
</tr>
<tr>
<td>No Information</td>
</tr>
<tr>
<td>Total Indicators</td>
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</tbody>
</table>
2. Methodology (2-3§)

- Consultations carried out (Naming the different stakeholders contacted, Who organized the consultations)

- How data was collected and assessed (interviews, testimonies, Desk review, field research)

- Where any indicators developed?

**Adds legitimacy and credibility!**

Good practice: State

The **United Kingdom**’s second cycle mid-term report identifies the different levels of consultations and how the information on implementation was gathered. This includes meetings across England, Wales, Scotland, and Northern Ireland, as well as input via an online submission platform.
3. Assessment of recommendations: (matrix)

- Include Noted recommendations
- Prioritize first-hand views, data, conclusions and findings.
- Use technical language and concrete examples.
- Focus on assessments of implementation of recommendations and comment on their impact thereon.
- Highlight challenges, but also mention improvements and good practices if any
- Include the OHCHR matrix of recommendations, and use the traffic-light system
<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Position</th>
<th>Full list of themes</th>
<th>Assessment/comments on level of implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Theme: E23 Right to adequate housing</strong></td>
<td></td>
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</tr>
<tr>
<td>109.190 Increase access to electricity, basic sanitation and running water (Maldives).</td>
<td>Supported</td>
<td>E23 Right to adequate housing&lt;br&gt;E26 Human Rights &amp; drinking water and sanitation&lt;br&gt;Affected persons: general</td>
<td></td>
</tr>
<tr>
<td><strong>Source of position:</strong> A/HRC/34/5/Add.1</td>
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<tr>
<td><strong>Theme: E51 Right to education - General</strong></td>
<td></td>
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<tr>
<td>109.193 Provide access to education to children (Pakistan).</td>
<td>Supported</td>
<td>E51 Right to education - General&lt;br&gt;Affected persons: children</td>
<td></td>
</tr>
<tr>
<td><strong>Source of position:</strong> A/HRC/34/5/Add.1</td>
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<tr>
<td>109.194 Take effective steps to address the educational needs of all children, even in those difficult conditions (Singapore).</td>
<td>Supported</td>
<td>E51 Right to education - General&lt;br&gt;Affected persons: children</td>
<td></td>
</tr>
<tr>
<td><strong>Source of position:</strong> A/HRC/34/5/Add.1</td>
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<tr>
<td>109.195 Step up efforts for the protection of schools with a view to ensuring that education may continue (Argentina).</td>
<td>Supported</td>
<td>E51 Right to education - General&lt;br&gt;Affected persons: children</td>
<td></td>
</tr>
<tr>
<td><strong>Source of position:</strong> A/HRC/34/5/Add.1</td>
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<tr>
<td>109.191 Continue efforts to provide full access to basic medical services and education and to protect children from the worst forms of child labour (Holy See).</td>
<td>Supported</td>
<td>E51 Right to education - General&lt;br&gt;F31 Children: definition; general principles; protection&lt;br&gt;F33 Children: protection against exploitation&lt;br&gt;Affected persons: children</td>
<td></td>
</tr>
<tr>
<td><strong>Source of position:</strong> A/HRC/34/5/Add.1</td>
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<tr>
<td>109.192 Ensure equal access to education for all vulnerable people, including women, children and persons with disabilities (Lao People’s Democratic Republic).</td>
<td>Supported</td>
<td>E51 Right to education - General&lt;br&gt;F4 Persons with disabilities&lt;br&gt;Affected persons: women, children, persons with disabilities</td>
<td></td>
</tr>
<tr>
<td><strong>Source of position:</strong> A/HRC/34/5/Add.1</td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>Theme: F12 Discrimination against women</strong></td>
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<td></td>
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<tr>
<td>109.88 Continue and strengthen efforts in the fight for gender equality (Nicaragua).</td>
<td>Supported</td>
<td>F12 Discrimination against women&lt;br&gt;Affected persons: women</td>
<td></td>
</tr>
<tr>
<td><strong>Source of position:</strong> A/HRC/34/5/Add.1</td>
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</table>
Traffic Light System

➢ Present implementation in a clear manner: Don’t overburden report with text.

➢ Traffic Light System, in the form of a grid, presents implementation levels of all recommendations at a glance.
### An example from Kenya

#### III. THEMATIC MID-TERM ASSESSMENT REPORTS

#### A. LEGAL AND INSTITUTIONAL REFORMS

1. Ratification of international instruments

   1.1 **Recommendation:** Ratify international human rights instruments to which the State is not yet a party. *Recommendation Nos. 142.1; 142.2; ESCR Rec 16; CRC Rec 77*

   **Specific Action by Government:** Enhance institutional and legal framework to ensure timely ratification of international instruments.

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Status of Implementation by Government</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establishment of a fully functional Office of the Registrar of Treaties.</td>
<td><em>The office though established is not fully functional.</em>&lt;br&gt;&lt;br&gt;<em>There is established an Office of the Registrar of Treaties, which is operational and under the Ministry of Foreign Affairs.</em>&lt;br&gt;&lt;br&gt;<em>However, there is need for the Office of the Registrar of Treaties to be resourced and further, for the office to reach out to other stakeholders.</em>&lt;br&gt;&lt;br&gt;<em>The office is yet to undertake its functions such as monitoring implementation of treaties and informing state departments on their obligations.</em>&lt;br&gt;&lt;br&gt;<em>The office is yet to establish a national reporting mechanism which is to reach out to stakeholders for purposes of reporting and follow up on implementation of treaty obligations.</em></td>
</tr>
</tbody>
</table>

- **Fully Implemented Ratification of Treaties Act.**
  - *Whereas the MoFA launched a Treaties database in June, 2017 under the Office of the Registrar of Treaties, there is failure on the part of the Registrar of Treaties to maintain records, monitor implementation of treaties, inform State Departments to observe and uphold obligations.*
  - *There is need for greater co-ordination between the Office of the Registrar of Treaties, the Ministry of Foreign Affairs, and the Office of the Attorney General and Department of Justice and other relevant State Departments.*
  - *There is currently a proposed amendment to the Treaty Making and Ratification Act, 2012 vide the Treaty Making and Ratification Amendment Bill, 2018 to align its provisions to the current constitution. Key proposals include the inclusion of Senate in the ratification process.*

- **Ratify Optional Protocol (No. 2) of the UNCRC.**
  - *Kenya signed the Optional Protocol (No. 2) of the UNCRC in 2000 but has not yet ratified it. There is no legitimate reason why Kenya has still not ratified the same.*

- **Withdrawal of reservation on paragraph 2 of Article 10 of the ICESCR.**
  - *The reservation on paragraph 2 of Article 10 of the ICESCR which requires the State to make provision for paid maternity leave has not been withdrawn.*
  - *However, the State has made significant legislative and administrative progress as provided under Section 29(1) of the Employment Act that provides for 3 months paid maternity leave for female employees.*
  - *In addition, the State has also made provision for 2 weeks paid paternity leave under Section 29(8) of the same Act.*
Database of Recommendations

https://upr-info-database.uwazi.io/fr/
4. Way Forward: (2-3 pages)

- Include suggested solutions to implementation gaps

- Identify ways that UPR stakeholders can support implementation:
  - National level
  - International level
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Q/A?
Good Practices
## Explore by Population Group

<table>
<thead>
<tr>
<th>POPULATION GROUP</th>
<th>GOVERNMENT ACTIONS</th>
<th>UPR RECOMMENDATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Māori</td>
<td>32</td>
<td>28</td>
</tr>
<tr>
<td>Children</td>
<td>18</td>
<td>18</td>
</tr>
<tr>
<td>People with disabilities</td>
<td>17</td>
<td>6</td>
</tr>
<tr>
<td>Women</td>
<td>14</td>
<td>33</td>
</tr>
<tr>
<td>Pacific peoples</td>
<td>12</td>
<td>3</td>
</tr>
<tr>
<td>People of Canterbury</td>
<td>11</td>
<td>3</td>
</tr>
</tbody>
</table>
Apply a Gender Analysis

• Ask how the implementation design mainstreams gender
• Evaluate how the implementation of policies related to UPR recommendations affect women and men / girls and boys differently and its effects
• Propose constructive solutions to bridge the gap on gender mainstreaming and the obstacles observed
Efforts should be made to link reporting on the implementation of obligations and accepted recommendations from the UPR, TBs and SPs, with national reporting on the SDGs.
Impact of the Pandemic on human rights

In your analysis of the progress made, refer to how the Covid-19 pandemic has had an effect.
What happens Next?
➢ Share copies with all actors involved in consultations, including Government, National Human Rights Commissions, media, UN agencies, Embassies etc.

➢ Launching event: Identify venue/host (UN, EU), invitation to donor/diplomatic community and national stakeholders.

➢ Press conference: To optimise the momentum around the report, hold a separate media event where to report is introduced.

➢ Mid-term factsheet: Visualise findings through statistics and infographics is a good way of making the report more accessible and user-friendly.
**WOMEN’S RIGHTS IN THE ISLAMIC REPUBLIC OF IRAN**

**Gender-Based Discrimination in Law**
- Women’s rights
- Children’s rights
- Death Penalty
- International instruments
- National and ethnic minorities
- Torture and other ill-treatment
- Special procedures
- Freedom of Association and Assembly
- Administration of Justice

**Gender-Based Violence**
- Domestic violence
- Violence in public places
- Sexual harassment
- Sexual assault
- Rape
- Female genital mutilation
- Child marriage

**Persistent Barriers to Political and Economic Advancement of Women**
- Political participation
- Access to economic opportunities
- Education
- Health

**UPR Breakdown**
- Chart showing percentage of recommendations accepted, partially accepted, and not accepted.

**Examples of Recommendations**

<table>
<thead>
<tr>
<th>Recommendations</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accepted</td>
<td>100%</td>
</tr>
<tr>
<td>Partially Accepted</td>
<td>50%</td>
</tr>
<tr>
<td>Not Accepted</td>
<td>0%</td>
</tr>
</tbody>
</table>

**Cases of Note**
- Recent example of women facing challenges.

**Fact-Sheets**
Contact:
Stakeholders Programme
stakeholders@upr-info.org
www.upr-info.org