Human Rights Council Panel Discussion
Sharing of best practices and promoting technical cooperation:
paving the way towards the second cycle of the universal periodic
review

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Madame President, Excellencies and Colleagues,

It is with great honor that I represent UNDP in this very important and first ever panel discussion dedicated to the UPR process, and would also like to take this opportunity to thank this august body, and in particular the Permanent Mission of Thailand to the UN and Other International Organizations in Geneva, for the initiative and the invitation to UNDP to join the distinguished panel members and share its experiences. We believe such a diverse discussion in the Council is very timely for paving a coherent path towards the second cycle of the UPR as we witness a multitude of escalating challenges in different parts of the world.

Despite the existence of a very strong normative framework for human rights, we are expected to think differently about development. This discussion is also opportune as it has the potential to form the bedrock foundation in view of the upcoming events of Rio +20 and more importantly the Post 2015 agenda for the mutual reinforcement of the human rights architecture and the development discourse.

Excellencies and Colleagues

As we always state, UNDP has neither a normative nor monitoring mandate on human rights, as decided by its governing body. The legitimacy of the UN is derived from international treaties and conventions and as such we are obligated to promote human rights through all our work. The UPR process falls within UNDP’s work on “Greater Engagement with the Human Rights Machineries". UNDP’s human rights policy advice, technical support and capacity development to national partners expands to over 100 countries with a strong emphasis on national ownership.

Within the UN, the most important partnership for UNDP is the Office of the High Commissioner for Human Rights (OHCHR), and we, as the development organization, look to OHCHR for its technical expertise on human rights, and whenever needed, draw on them to enhance our programming support to partner countries.
Excellencies and Colleagues,

Since the beginning of the UPR process, UNDP has individually and in partnership with OHCHR, and others actively supported several regional and national UPR processes.

The three UNDP/OHCHR regional meetings on UPR follow-up, gathered over 120 of senior government officials including Ministers, the UN, NHRI Commissions and CSOs. Convened in South Africa for Southern and Eastern Africa, Senegal – for West Africa and Moldova – for Europe and the Commonwealth of Independent States these meetings provided information, guidance and comparative experiences for States and other relevant stakeholders to engage with the UPR process. With the fourth in our series planned for the Arab States, we hope to build on the experiences of the three regional meetings as well as learn from the outcomes of today's meeting.

It is within this context that we have reviewed our support to the UPR and from which the following observations and lessons have emerged. We have also noted those areas that we believe need further support and additional investment.

The meetings demonstrated that providing a space for constructive dialogue and debate on experiences and solutions that have been applied by relevant stakeholders informed the efforts for implementing UPR recommendations. Spirited as the engagement sometimes was, it did serve as a major opportunity for engagement between States as well as civil society and other non-state actors. Interestingly the rejections also formed the basis for long-term advocacy at the country level and as well as a roadmap for further engagement.

The design of the UPR process, especially the peer-to-peer component, translated into informal peer-to-peer support for governments as they engaged on institutional and technical infrastructure and support as well as political and strategic management of the UPR process and its follow up. If not for UPR, they may not have otherwise met collectively on this issue.

Again the peer support has been unprecedented and as you may know, NHRI engagement with UPR will be discussed tomorrow at the ICC-NHRIs meeting that is currently in session. In partnership with OHCHR, UNDP and the International Coordinating Committee for National Human Rights Institutions, UNDP has scaled up its support to National Human Rights Institutions (NHRI Commissions) in part influenced by the recent Human Rights Council resolution affirming NHRI standing at the HRC. As a bridge between civil society and the governments, NHRI Commissions are key in conducting dialogue on the effective implementation of the UPR recommendations.
Within civil society, peer support was different in that CSOs formed coalitions. We noticed that the quality of the process was enhanced where civil society members formed coalitions as well as initiated national consultations amongst themselves to establish priorities. They exchanged experiences within the countries and across regions, strengthened their capacity to advocate on key human rights issues and concerns, and for the implementation of the recommendations and address rejections. More importantly it enhanced engagement at the national level for civil society which we believe should be encouraged as these coalitions enable more expansive engagement and follow up.

Another major factor to successful UPR processes was political will and leadership of Governments. This ensured more sustainable outcomes especially when incorporated with government structures and programme of work at an inter-Ministerial Level and which usually commenced with the high level Ministerial delegations in attendance at the UPR presentations. This also meant integration of UPR recommendations into national planning processes and possibly the commensurate budgetary allocations. We did however note limited engagement of other branches of the state especially parliaments and the judiciary with the process whether directly or indirectly. This is certainly an aspect worth further investment.

The UPR was viewed as a key opportunity for joint programming even though during this first cycle UN Country Teams’s (UNCTs) engagement was rather ad hoc. It is noteworthy mentioning that 59% of UN Resident Coordinators surveyed by the UNDG Human Rights Mainstreaming Mechanism view the UPR as a major opportunity for joint programming. UNCTs are now integrating the UPR process and sometimes recommendations in the UNDAF/CCA processes.

In need of further discussion was that we observed that the UPR is perceived as primarily a human rights process and somewhat disconnected to other UN processes in spite of its complementarity. The comprehensive country submissions, as an example, to the 2010 Millennium Summit did not always correlate reports nor were they seen as advancing human rights in spite of the spirit of the Millennium Declaration. Similarly, UPR recommendations made limited references to the Millennium Development Goals and related socio-economic rights. Whilst different processes, complementarity between these processes can ensure more effective and coherent outcomes that would serve to connect and strengthen the linkages between human rights and development processes, for to keep them separate, will inevitably polarise issues depending on which issue is better resourced or politically supported.
Excellences and Colleagues,

The outcomes of the UPR process encompass diverse human rights issues: from accessibility of public services to human trafficking. Following up on these requires a holistic approach to development orientated programming and investment in the capacity of all branches of the State and other relevant stakeholders – CSOs, NHRIs, and the private sector. Ultimately, the UPR encourages and enables joint planning, programming, and reaching across disciplines, which will be necessary when States engage on their commitments towards more sustainable development and the poverty reduction frameworks beyond the deadline of 2015.

The UPR can be and in many instances have proven to be a mechanism for change. The fact that other intergovernmental processes – such as the sustainable development goals agenda are looking at the peer-review mechanism as an example – shows that the UN and its Member States together have made a difference in the global development discourse. With those remarks, I thank you again for this panel session and look forward to the discussions.

Thank you