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**Government of Pakistan  
Ministry of Human Rights**

**PAKISTAN'S INTERNATIONAL  
HUMAN RIGHTS REPORTING OBLIGATIONS**

## **TRAINING PACKAGE**

# **MODULE**

# **5**

**Understanding Pakistan's Reporting to the UPR  
and its implementation at the national level**

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# 1. INTRODUCTION TO THE MODULE

## **About:**

This Training Module provides sequentially presented instructional units designed to support participants' absorption of substantive and procedural information on the Universal Periodic Review (UPR) as well as Pakistan's engagement with the UPR and its implementation at the national level. The module provides information, concepts and reference to the Pakistani context that enables target trainees and instructors to emerge from the training with not just information but a keen appreciation for its application within both Pakistan and the international human rights system.

## **Scope and usage:**

The training module has been designed to facilitate participant-trainees during training workshops conducted by the EU-funded Promotion of Human Rights in Pakistan Program (Huqooq-e-Pakistan). A digital copy of the training module will also be provided to the training participants. The training module covers each topic area extensively, enabling participant-trainees to go beyond the training sessions, and educate themselves about the topic areas extensively. Each section of the training module is followed by a small exercise so that learners can test their own knowledge retention. The modules have been specifically tailored with respect to the Pakistani context. Extensive referencing and pointers for additional reading ensure that the training modules can serve as definitive reference materials on the topic areas that they cover.

## **Beneficiaries:**

The primary beneficiaries of the training modules are the participant trainees of the H-e-P Training & Capacity Development Program, which include officials from the Federal Ministry of Human Rights, Provincial Human Rights Departments and Treaty Implementation Cells. These modules can also be used by National Human Rights Institutions (NHRIs), Civil Society Organisations (CSOs), UN Agencies, donor-funded technical assistance initiatives and educational institutions in Pakistan to deliver trainings on the subject-area as and when required. Any individual, whether or not s(he) has a role to play in the reporting process, can benefit from these training modules as they are standalone documents which are designed to be self-explanatory for individual learning.

## 2. OVERVIEW OF THE UNIVERSAL PERIODIC REVIEW

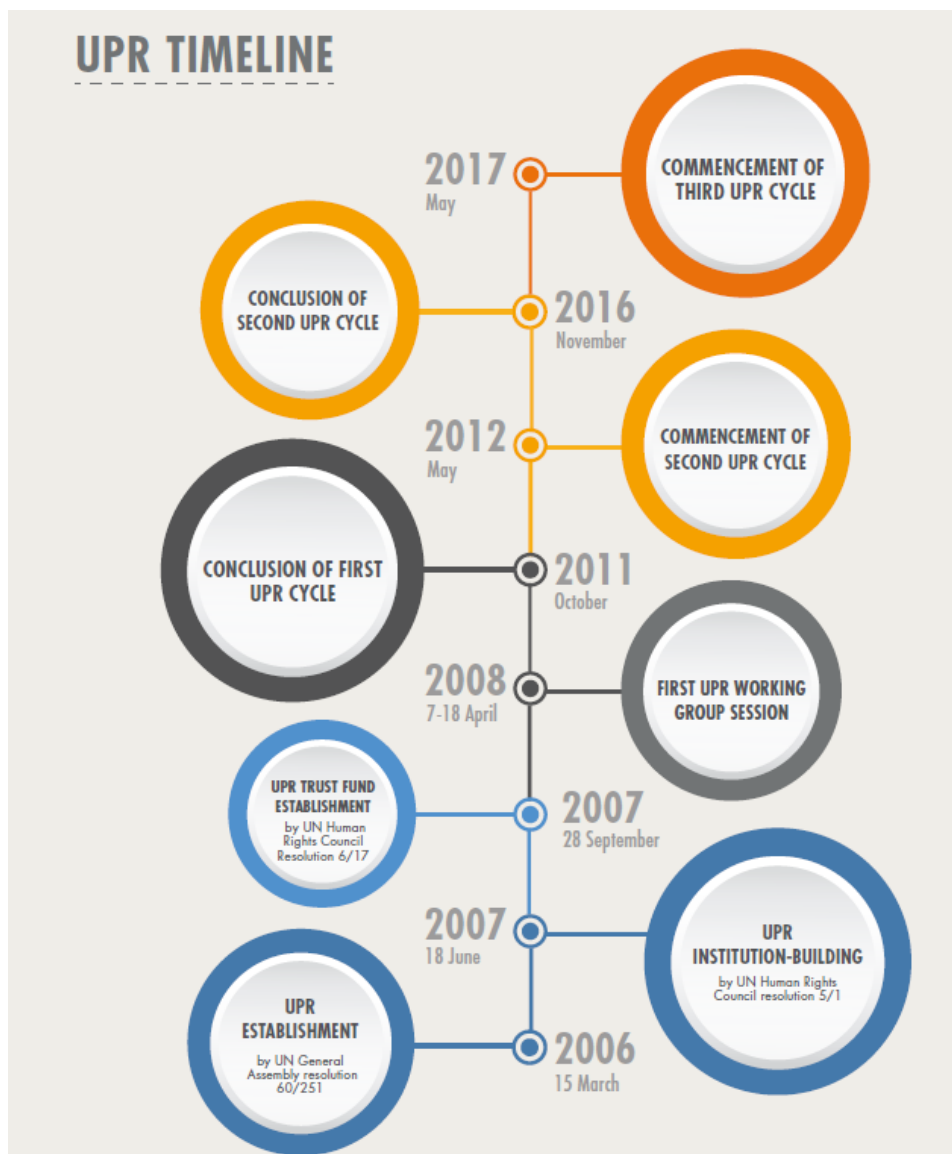
As explained in Module 4, the Universal Periodic Review (UPR) is a United Nations review mechanism of the overall human rights situation of all UN Member States, by all UN Member States. The UPR examination takes place during a 3½ hour ‘review’ conducted by the UPR Working Group – which is open to any UN Member State – in the form of an interactive dialogue.

For each review, three HRC Member States, known as the **troika**<sup>1</sup>, are selected at random. They transmit the written questions to the State under review and help the Secretariat draft the Report of the Working Group. The table below covers the salient features of the UPR process:

Table 1: Timeline of the Universal Periodic Review

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<sup>1</sup> *The Troika is the name given to the three rapporteurs that are assigned to facilitate the review process. Troika members are selected randomly and represent countries that are part of the Human Rights Council; however they are also regionally balanced. Countries under review have the right to veto one of the troika members, and to request that one member of the troika is from its region. A country can be excused from participating as a troika member for a specific review.*



### 3. PREPARATION FOR THE UNIVERSAL PERIODIC REVIEW

Prior to each country's review, Member States are provided with the following documents:

1. **Report prepared by the country under review:**

The country under review provides a 20-page report with detailed information on how it has fulfilled its human rights obligations and commitments including information on achievements, best practices, challenges, and limitations. Countries are encouraged to meet with civil society to gather information for the report. In Pakistan, the Ministry of Foreign Affairs (MoFA) and the Ministry of Human Rights (MoHR) are responsible for leading this task.

2. **A compilation of information from UN mechanisms prepared by the OHCHR:**

This is a 10-page report with relevant information from treaty bodies, independent experts or special rapporteurs, UN agencies, and other relevant documents from the UN, compiled by the OHCHR.

3. **Summary of Stakeholder/NGO submissions prepared by the OHCHR:**

This is a 10-page summary of credible and reliable information provided by national stakeholders, NGOs, grassroots organisations, and other relevant groups. NGOs submissions are crucial to the UPR because they provide a direct and grassroots assessment of the human rights situation.

### ***GENERAL GUIDELINES FOR THE PREPARATION OF INFORMATION UNDER THE UNIVERSAL PERIODIC REVIEW <sup>2</sup>***

The Human Rights Council has developed these General Guidelines for the preparation of the documents for countries, stakeholders, and for the OHCHR in the preparation of documents under its responsibility. All documentation should include:

Sections:

- A. Description of the methodology and broad consultation process.
- B. Background and framework for promotion and protection of human rights, (constitution, legislation, policy measures, national jurisprudence, human rights infrastructure, and the international obligations identified in the basis of review).
- C. Promotion and protection of human rights on the ground, including the progress on implementation of the international human rights obligations.
- D. Identification of achievements, best practices, challenges, and limitations.
- E. Key national priorities, initiatives, and commitments.
- F. Expectations for the country in terms of capacity building, and if requested technical assistance.
- G. Presentation by the country concerned of the follow-up to the previous review.

For more details, [CLICK HERE](#).

## **4. WHAT HAPPENS DURING THE REVIEW AT HRC?**

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<sup>2</sup> UNHRC Decision 6/102. Available Online at:  
[https://ap.ohchr.org/documents/E/HRC/decisions/A\\_HRC\\_DEC\\_6\\_102.pdf](https://ap.ohchr.org/documents/E/HRC/decisions/A_HRC_DEC_6_102.pdf)

## 4.1. Interactive dialogue between the country under review and other UN countries

The actual review consists of three hours of interactive dialogue between the country under review and UN Member States. During this session, the country under review has one hour to introduce its report, respond to questions or recommendations, and to make concluding comments at the end of the review. Other states can ask questions and suggest recommendations to the country under review for about 2 hours.

[CLICK HERE](#) to watch the webcast video of any UPR Working Group session.

3-HOUR INTERACTIVE DIALOGUE AT THE UPR WORKING GROUP		
<b>Country under review</b>  <b>Total: 1 Hrs.</b>	<u>Introduction of the country's report</u>  20-40 mins	<i>Estimated<sup>3</sup> time that the country under review uses to introduce its national report. Usually a high-level representative of the country under review presents the report.</i>
	<u>Time to respond to questions and recommendations</u>  30-25 mins	<i>Estimated time that the country under review takes to respond to questions and recommendations raised during the interactive dialogue by other countries. The country under review responds after approximately 15 to 30 comments made by countries. Usually the country under review responds three times during its review.</i>
	Final remarks  5-10 mins	<i>At the end of the review, the country under review has only few minutes to make final comments. Estimated time is 5 to 10 minutes.</i>
<b>UN countries</b>  <b>TOTAL: 2 Hrs.</b>	<u>Countries ask questions and make recommendations</u>  120 mins	<i>A total of two hours is allotted for countries to ask questions and make comments or recommendations to the country under review. Countries that are part of the Human Rights Council can speak for 3 minutes and observer countries 2 minutes. However, some countries use 1 minute of their allotted time to make comments or recommendations. Approximately 20 to 40 oral recommendations are made per review. The number of recommendations generally</i>

<sup>3</sup> Estimates come from HRP research on past reviews.

		<i>depends on the level of interest, preparation, and engagement of other UN countries and NGOs with respect to the country under review.</i>
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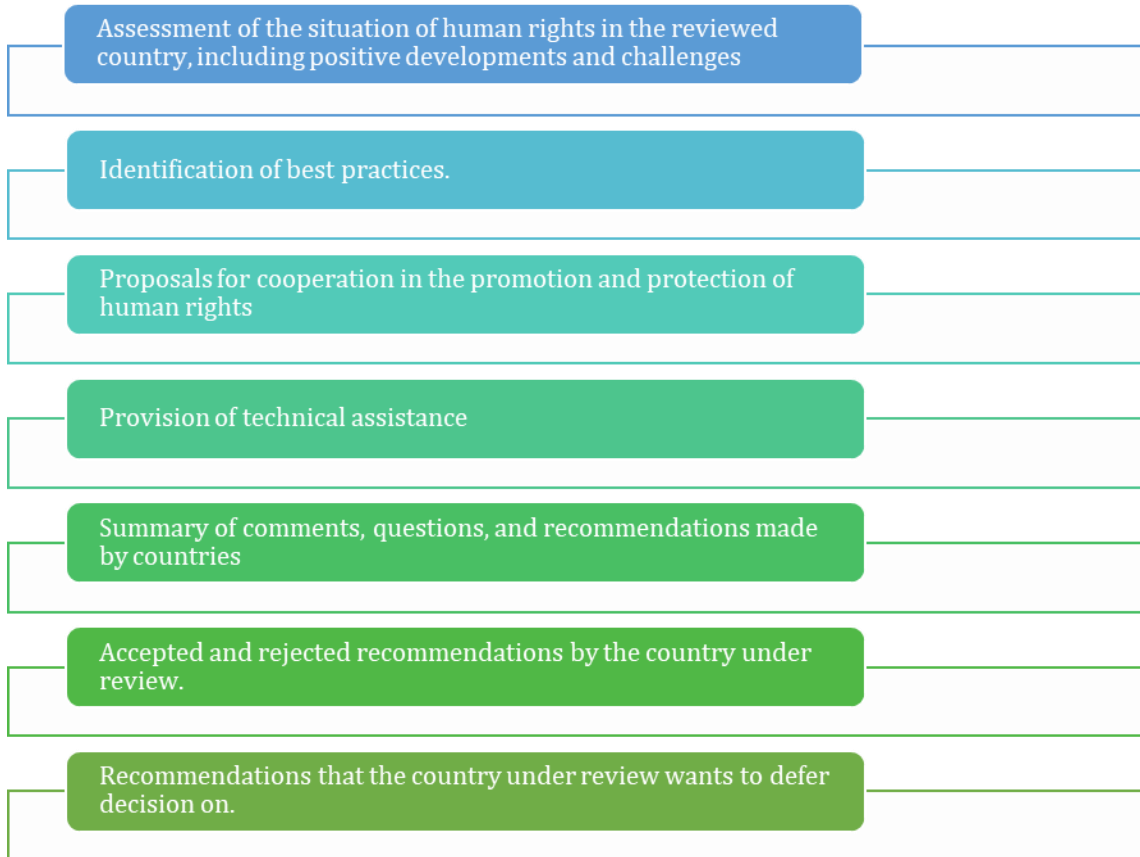
#### **4.2. Informal adoption of the ‘Outcome Document’**

After the dialogue, the UPR Working Group writes a report – generally within 48 hours of the conclusion of the session – summarising the list of questions and recommendations raised during the review, as well as any voluntary commitments made by the country under review. The troika is responsible for preparing the report with the involvement of the country under review and assistance from the OHCHR.

Two business days after the review, the report is presented to the Human Rights Council to be informally adopted. Thirty minutes are allocated for the informal adoption of the report or outcome document. The outcome document presented at this point may include recommendations that the country under review accepted, rejected, or those pending a response. However, since many countries reserve judgment on which recommendations to accept or reject until the final adoption, their outcome documents may list all recommendations with no indication of which have been accepted or rejected. Both refused and accepted recommendations are included in the outcome document that will be officially adopted in the next Human Rights Council session.

Modifications, which may include accepting pending recommendations, or making other voluntary commitments, can be made to the report by the country under review within the following two weeks. Following are the contents of informal document.





## 5. WHAT FOLLOWS THE REVIEW?

### 5.1. Official adoption of outcome document

The outcome document is officially adopted by the Human Rights Council at its next regular session (around four months after the review).

During the plenary session of the Human Rights Council, the country under review can answer questions and issues that still need to be addressed and respond to recommendations that were raised by other countries during the review. Countries may express their comments on the outcome of the review, and NGOs and other stakeholders from civil society are permitted to make general comments. One hour of the plenary session is allocated to the adoption.

OFFICIAL ADOPTION OF THE OUTCOME DOCUMENT		
	20 minutes	Country under review makes a formal statement and replies to questions and recommendations.
<b>60 minutes</b>	20 minutes	Countries express their opinion on the outcome document. Human Rights Council member States have 4 minutes for each intervention and observer countries 3 minutes.
	20 minutes	NGOs can make —general comment. Each speaker has only 2 minutes for intervention. NGOs should coordinate before speaking at the session.

*All comments made during this session by countries and stakeholders are compiled in a separate document (not included on the outcome), called Summary of Views and General Comments*

### 5.2. Follow-up and implementation of recommendations

This is the final step in the UPR process. State officials and elected representatives have a key role to play in ensuring that the recommendations accepted by the government in the ‘Outcome Document’ are implemented at the national level.

During a country’s second or follow-up review, it must provide information on steps it has taken to implement the recommendations accepted during the first review or previous review (four years earlier).

## MECHANISMS TO MONITOR AND ENSURE IMPLEMENTATION

<b>At the international level</b>	<p>Monitoring implementation according to the Human Rights Council resolution 5/1</p> <ol style="list-style-type: none"><li>Outcome documents should be implemented by governments, with the involvement of stakeholders.</li><li>The next review should focus on implementation of previous outcomes.</li><li>Capacity building and technical assistance are available for countries to use during the implementation part of the UPR process.</li><li>The Human Rights Council can also view cases in which countries are not cooperating. If a country does not show cooperation with the UPR, the Human Rights Council may decide what measures it will take in response to that country.</li></ol>
<b>At the domestic level</b>	<p>UPR outcome document as a human right tool</p> <ol style="list-style-type: none"><li>UPR outcome document provides new paths for local organisations to be involved in the implementation and work with the government.</li><li>NGOs can monitor the government's implementation of recommendations in the outcome document.</li><li>Outcome documents can be a useful tool to push policies that address key human rights issues.</li><li>Outcome documents can also be part of shadow report to treaty bodies</li></ol>

## 6. PAKISTAN AND THE UNIVERSAL PERIODIC REVIEW

Till date, Pakistan has participated in 3 cycles of the UPR. The 1<sup>st</sup> cycle took place in May 2008, the 2<sup>nd</sup> cycle took place in October 2012, and the 3<sup>rd</sup> cycle took place in November 2017. The 4<sup>th</sup>, and final UPR cycle is scheduled to take place in November 2022.

### 6.1. First Cycle

Submitted in accordance with Paragraph 15(A) of Human Rights Council Resolution 5/14<sup>4</sup>, the report submitted by Pakistan was compiled after extensive inter-Ministerial consultations at federal and provincial levels. The then Minister for Human Rights held

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<sup>4</sup> Provide details of resolution

consultations on the draft with noted national NGOs including Save the Children, SEHER, CARITAS, Global Welfare Trust, Research Society of International Law (RSIL) and Ansar Burney Trust.<sup>5</sup>

The report contained an overview of Pakistan's constitutional commitments to ensure and protect human rights of its citizen. Further, the report contained the steps the State had taken with respect to ensuring civil political rights, socio-economic rights, rights of women as well as rights of children. It also included the steps taken by the State to ensure compliance with international human rights instruments.

Pakistan was also given a list of advance questions submitted by various State Parties. The State was required to address these questions during the presentation of the report.

At the end of the process, the working group on the UPR issued a report which detailed the summary of the proceedings of the review process, along with its conclusions and/or recommendations. The recommendations are meant to be adopted by the State in order to improve the overall human rights conditions of the State.

## 6.2. Second Cycle

The second State National Report was submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21.<sup>6</sup> The second report highlighted the progress made in human rights since 2008 and gave an update on implementation of recommendations accepted by Pakistan during its first UPR. To get a complete picture, this report may be read together with the first UPR Report.<sup>7</sup>

The process adopted by the State was: following the completion of its first Universal Periodic Review, Pakistan initiated a process of consultation and dissemination of information. Recommendations of the Human Rights Council were shared with the relevant government departments for follow-up. The process of preparation of the second UPR Report started in November 2011, with a national level consultative process. This process included federal and provincial ministries and departments, representatives of civil society, media, research and academic institutions, human rights entities, and relevant international organisations in Pakistan. Particular effort was made to ensure maximum participation of women and departments and organisations representing their interests.

To ensure complete participation of all stakeholders, the State initiated a process of consultations in provincial capitals with the below stakeholders:

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<sup>5</sup> UN Human Rights Council, *National report submitted in accordance with Paragraph 15(A) of the Annex to HRC Resolution 5/1: Pakistan, 14 April 2008, A/HRC/WG.6/2/PAK/1*

<sup>6</sup> Insert details of HRC resolution 16/21

<sup>7</sup> UN Human Rights Council, *National report submitted in accordance with Paragraph 5 of the Annex to HRC Resolution 16/21: Pakistan, 6 August 2012, A/HRC/WG.6/14/PAK/1*

## **Peshawar**

20 March 2012 Consultations with Civil Society Organisations from KPK and FATA

21 March 2012 Consultations with Government Departments of KPK and FATA

## **Quetta**

28 March 2012 Consultations with Government Departments of Balochistan

29 March 2012 Consultations with Civil Society Organisations from Balochistan

## **Lahore**

03 April 2012 Consultations with Government Departments of Punjab

04 April 2012 Consultations with Civil Society Organisations from Punjab

## **Karachi**

10 April 2012 Consultations with Government Departments of Sindh

11 April 2012 Consultations with Civil Society Organisations from Sindh

The report submitted by Pakistan demonstrated the implementation of recommendations made by State Parties and showcased them through a series of legislations and initiatives adopted by the government. These were as follow:

- i. National Commission on Human Rights Act, 2012
- ii. National Commission on the Status of Women, 2012
- iii. The Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010
- iv. Amendment to the Representation of the Peoples Act 1976, 2011
- v. Prevention and Control of Human Trafficking Ordinance
- vi. Employees Old Age Benefit Act and Amendments
- vii. The Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011
- viii. Acid Control and Acid Crime Prevention Act
- ix. The Criminal Law Amendment Act 2012
- x. Prevention and Control of Human Trafficking Ordinance (PACHTO) 2002

Further, the report detailed the areas of improvement and further initiatives taken by the state based on recommendation it received after the first UPR process.

During the 2<sup>nd</sup> Cycle, in addition to the State Report, “other relevant stakeholders,” including NGOs and NHRIs, were invited to submit information to be compiled into a “shadow report,” which was considered by the Human Rights Council. This gives NGOs a chance to highlight specific areas of concern to the Human Rights Council. If a State has not ratified all the human rights treaties or has failed to report regularly, the UPR provides a forum for NGOs to voice their concerns to the Human Rights Council. However, NGOs might bear in mind that the UPR is a less intense scrutiny than treaty reviews, so focus on a very short list of issues is crucial.

Pakistan was also given a list of advance questions submitted by various State Parties. The State was required to address these questions during the presentation of the report.

At the end of the process, the Human Rights Council adopted the outcome of the universal periodic review on Pakistan together with the views of Pakistan concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

### **6.3. Third Cycle**

The third State National Report was submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21. The third report was prepared in accordance with the general guidelines for the preparation of information under the universal periodic review, decision 17/119. The report was prepared by the Ministry of Foreign Affairs together with the Ministry of Human Rights.<sup>8</sup>

The report was the outcome of a broad-based, inclusive, and participatory consultation process in which all stakeholders were involved. The Ministry of Human Rights disseminated the recommendations received amongst all relevant federal and provincial stakeholders including Civil Society Organisations (CSOs) and mass media. A systematic and institutionalised process was followed in soliciting information. Matrices were designed and circulated among key line federal ministries and provincial departments as well as Treaty Implementation Cells (TICs) for implementation. National and provincial consultative meetings were also arranged in Islamabad and provincial headquarters with the participation of the government officials and CSOs for seeking their input, and finalisation of responses.

The 3<sup>rd</sup> report covered a wide-range of legal, policy and institutional developments which took place during the period 2012 to 2017, details of which were given in response to accepted recommendations from the 2<sup>nd</sup> Cycle. The list is as follows:

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<sup>8</sup> UN Human Rights Council, *National report submitted in accordance with Paragraph 5 of the Annex to HRC Resolution 16/21: Pakistan, 4 September 2017, A/HRC/WG.6/28/PAK/1*

## **Federal**

1. National Plan of Action for Human Rights (NPAHR) 2016
2. Right to Free and Compulsory Education Act, 2012
3. The Investigation for Fair Trial Act, 2013
4. Criminal Law (Second Amendment) Act, 2016
5. Anti-Rape Law, 2016
6. Anti-Honour killing Law, 2016
7. Hindu Marriage Act, 2017
8. Climate Change Act, 2017

## **Punjab**

1. Punjab Land Revenue (Amendment) Act and Rules, and the Punjab Partition of Immovable Property (Amendment) Act, 2012
2. Punjab Protection against Harassment of Women at the Workplace Act, 2012.
3. Punjab Commission on the Status of Women Act 2014
4. Punjab Free and Compulsory Education Act, 2014
5. The Punjab Fair Representation of Women Act 2014
6. Punjab Marriage Restraint (Amendment) Act of 2015
7. Punjab Sound System (Regulation) Act, 2015
8. Punjab Muslim Family Laws (Amendment) Act, 2015
9. Punjab Family Courts (Amendment) Act, 2015
10. The Punjab Protection of Women Against Violence Act, 2016
11. Punjab Restriction on Employment of Children Ordinance, 2016
12. Punjab Prohibition of Child Labor at Brick Kilns Act, 2016
13. Punjab Protection Authority Act, 2017

## **Sindh**

1. Sindh Child Marriage Restraint, Act, 2013
2. Sindh Human Rights Commission, 2013

3. Sindh Domestic Violence (Prevention and Protection) Act, 2013.
4. Sindh Rights of Children to Free and Compulsory Education Act, 2013
5. The Sindh Child Marriage Restraint Act, 2013
6. Sindh Bonded Labour System (Abolition) Act, 2015
7. Sindh Hindu Marriage Act, 2016
8. The Sindh Prohibition of Corporal Punishment Act, 2016

### **Khyber Pakhtunkhwa**

1. Youth Policy, 2016
2. Khyber Pakhtunkhwa Enforcement of Women Ownership Act, 2012
3. Khyber Pakhtunkhwa Payment of Wages Act, 2013
4. Right to Information Act, 2013, Khyber Pakhtunkhwa
5. Khyber Pakhtunkhwa Workers Compensation Act, 2013
6. Khyber Pakhtunkhwa Industrial & Commercial Employment (Standing Order), 2013
7. Khyber Pakhtunkhwa Minimum Wages Act, 2013
8. Khyber Pakhtunkhwa Elimination of Custom of Ghag Act, 2013
9. Khyber Pakhtunkhwa Maternity Benefit Act, 2013
10. Khyber Pakhtunkhwa Deserving Widows and Special Persons Foundation Act, 2014
11. KP Right to Free and Compulsory Education Act, 2014
12. Khyber Pakhtunkhwa Senior Citizen Act, 2014
13. The Khyber Pakhtunkhwa prohibition of employment of children act, 2015
14. Lissaaile-Wal Mahroom Foundation Act, 2015
15. Khyber Pakhtunkhwa Bonded Labour System Abolition act, 2015
16. Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015
17. Khyber Pakhtunkhwa Shops and Establishment Act, 2015
18. Khyber Pakhtunkhwa Provincial Commission on the Status of Women Act, 2016

### **Balochistan**

1. The Balochistan Domestic Violence (Prevention and Protection) Act 2014



2. Balochistan Protection and Promotion of Breast- Feeding and Child Nutrition Act 2014
3. The Balochistan Compulsory Education Act, 2014
4. Balochistan Food Authority Act, 2014.
5. Balochistan Harassment of Women at Work Place Act, 2014
6. Child Protection Act, 2016
7. Senior Citizen Act, 2017
8. Person with Disability Act, 2017

At the end of the process, the Human Rights Council adopted the outcome of the universal periodic review on Pakistan together with the views of Pakistan concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

## TEST YOUR KNOWLEDGE



1) How many UPR cycles has Pakistan participated in?

- a) 1
- b) 2
- c) 5
- d) 3

2) Pakistan engages with CSOs while preparing the UPR reports.

- a) True
- b) False

3) Pakistan, in subsequent reports, does not address recommendations presented by the HRC

- a) True
- b) False

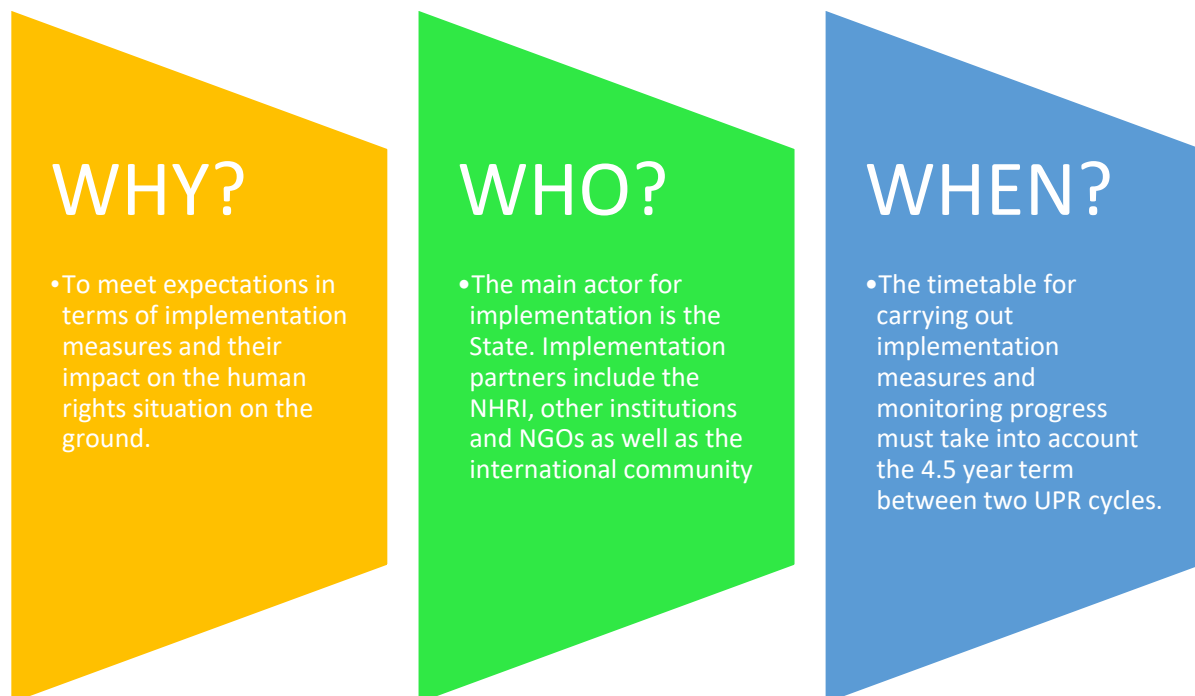
4) Pakistan addresses the list of advanced questions submitted by various state parties

- a) True
- b) False

## 7. UPR FOLLOW-UP & IMPLEMENTATION PLANNING

The implementation plan for UPR recommendations and pledges that is outlined here serves as the main tool for defining case specific goals and taking the necessary steps to achieve them.

It is a roadmap which allows the planning and the fulfilment of national obligations in the field of human rights in the context of UPR. Each one of the suggested steps will also answer frequent questions as to “why,” “who,” and “when,” in the UPR follow-up.



The following ten stages proposed here serve as a model for drawing up an implementation plan of UPR recommendations and pledges.

### 7.1. Stage 1: Gather Relevant Information

The first step in successful implementation of the UPR Recommendations and pledges is to consolidate the following:

- list of recommendations.
- the State’s views on all recommendations.
- the list of voluntary pledges is the first stage of UPR follow-up and implementation planning.

The practices described below are proven to be useful for the development of a rigorous implementation plan in terms of methodology and for enabling effective follow-up between two reviews:

- A) Obtain the list of recommendations and identify and clarify the State’s reply.
- B) Use numbering and official wording for each recommendation in all documents on the follow-up and implementation process.
- C) Integrate “noted” recommendations into the implementation plan.
- D) Integrate voluntary pledges into the implementation plan.
- E) Integrate capacity-building and technical assistance expectations into the Implementation Plan.

The following table outlines key sources of information on Recommendations, Government’s Responses to Recommendations, Voluntary Pledges, Capacity-Building and Technical Assistance expectations:

<b>Recommendations</b>	<ul style="list-style-type: none"> <li>• <a href="#">UPR Working Group Report</a></li> </ul>
<b>Government’s Responses to Recommendations</b>	<ul style="list-style-type: none"> <li>• <a href="#">UPR Working Group Report</a></li> <li>• <a href="#">Addendum to the UPR Working Group Report</a></li> <li>• <a href="#">Report on the Human Rights Council ordinary session during which the Outcome Report was adopted</a></li> </ul>
<b>Voluntary Pledges</b>	<ul style="list-style-type: none"> <li>• <a href="#">Advocacy during the submission by the State of its candidature for election to the Human Rights Council</a></li> <li>• <a href="#">National report presented during the preceding review: Section on priorities, initiatives and pledges</a></li> <li>• <a href="#">Initial and concluding statements made by the State under review during the interactive dialogue and during the plenary session on the adoption of the Outcome Report</a></li> </ul>
<b>Capacity Building and Technical Assistance Initiatives</b>	<ul style="list-style-type: none"> <li>• <a href="#">National report: Section on capacity-building and technical assistance expectations</a></li> </ul>

## 7.2. Stage II: Cluster Recommendations and Pledges into themes

Each State under review receives recommendations that are identical, similar, or complementary recommendations. These recommendations can be clustered thematically. Clustering recommendations and voluntary pledges thematically is a key stage of UPR follow-up and implementation planning, and can serve the following purposes:

- Identify overlaps and complementarity.
- Provide an overview of sectors for which actions are required.
- Draw up the table of contents for the implementation plan.
- Set up working groups for the development and validation of the implementation plan.
- Assign responsibilities and identify implementation partners at the national and international level.

The proposed method for thematic clustering is composed of 5 stages, as follows:

- A. Draw up a reference list of human rights themes.
- B. Draw up a list of general categories of government action and cluster human rights themes under these categories.
- C. Use these clusters to draw up a table of contents of the implementation plan.
- D. Use these clusters to determine the major theme, the secondary theme(s), and the general category of government action, for each of the recommendations and pledges.
- E. Insert recommendations and pledges into the implementation plan table under general categories of government action and relevant themes

## 7.3. Stage III: Identify expected actions and results as formulated in Recommendations

The UPR is an action-oriented mechanism. At the end of the review, expectations for follow-up and implementation arise on two levels.

**In the short term:** Expectations on the implementation of each recommendation and each pledge in terms of action (measures to be adopted).

**In the short, medium, and long term:** Expectations in terms of action results: the impact of measures selected for the implementation of recommendations and pledges on improving the human rights situation on the ground. These actions and this impact should be measured with the support of indicators at the stage of the evaluation of implementation, as outlined in Stage 10.

The method requires each element to be identified from the precise wording of the recommendation to ensure that a detailed response, in terms of action, will be given to each aspect underlined by the State which made the recommendation. In other words, all “requirements” included in the recommendation or pledge should be taken into account in the development of the implementation plan.

#### **7.4. Stage IV: Identify Implementation Measures**

At the stage of identifying implementation measures, the following main questions should be asked:

- The relevance criterion: Which measure is most likely to meet the action required by the recommendation? Law, a policy, a programme, an awareness-raising campaign, etc.?
- The accuracy criterion: The measure selected for the implementation of one of several recommendations or pledges must be precise in order to designate responsible and relevant partners as well as the scope of their respective responsibilities for implementation. The specificity of the measure will also affect the budget which must be both realistic and detailed, in particular for presentation to Parliament and for technical assistance requests.

#### **7.5. Stage V: Adopt and Integrated Approach**

The objective of the integrated approach is to increase the efficiency and coherence of all national human rights actions. It involves the transversal consideration of the following elements in the development and fulfilment of the implementation plan: recommendations made by other UN and regional human rights mechanisms and the needs of vulnerable or marginalised groups according to prohibited grounds of discrimination.

#### **7.6. Stage VI: Assign Responsibilities**

The following State bodies are responsible for contribute to the implementation of the UPR recommendations:

##### **A) The Executive**

The Executive is among the bodies with primary responsibility for the State’s commitments during the UPR process and the implementation of these commitments. The political will expressed in Geneva to cooperate with the UPR mechanism, must be affirmed and translated into concrete and sustained actions during the national implementation phase.

##### **B) The Legislative:**

Parliament has an important role to play at all stages of the UPR process, especially regarding follow-up and implementation of recommendations and pledges. At the end of the 1st UPR cycle, it was noted that particular effort is required to ensure that parliaments are more closely involved in this process.

C) The Judiciary:

It is important to inform and involve representatives of the relevant bodies of the judiciary in the process of development and fulfilment of the implementation plan. Prosecutors, judges and magistrates are directly concerned by many of the recommendations, pledges and requests for technical assistance.

### 7.7. Stage VII: Identify Implementation Partners at the national level

Although the State under review has primary responsibility for the implementation of UPR recommendations and pledges, other relevant stakeholders, such as NHRIs and civil society organisations can, as appropriate, contribute to implementation<sup>9</sup>. Furthermore, it is useful to recall that as of the 2nd UPR cycle, the HRC encourages States to conduct “broad consultations with all relevant stakeholders” at this stage of the process.<sup>10</sup> Thus, NHRIs, other national institutions and civil society organisations should be encouraged to participate in and contribute to the follow-up and implementation process of UPR recommendations and pledges.

### 7.8. Stage VIII: Set a timeframe for Implementation

The main stages of the UPR Cycle	
Year 0	Preceding Review
Year 0 + 2	Mid-term Report
Year 0 + 4.5	Subsequent Review
Follow-up to the Implementation Plan	
Every 3 or 4 months	Meeting to update on the status of implementation

<sup>9</sup> UNHRC Resolution 5/1, annex, § 33

<sup>10</sup> UNHRC Resolution 16/21, annex, § 17

## **7.9. Stage IX: Identify Capacity Building and Technical Assistance Needs and Implementation Partners at the national level**

The international community is expected to support the implementation measures which require capacity building and technical assistance. In 2007 the UNHRC established a [Voluntary Fund for Financial and Technical Assistance](#) for UPR implementation to help developing countries.

According to the HRC's instructions on the preparation of information for review, a section of the national report should be devoted to setting out the State's expectations in this area, in order to overcome the challenges and constraints that may be confronted in the implementation of obligations and commitments. Furthermore, States are invited, during the subsequent cycle, to express new expectations and to provide feedback on support received for the implementation of recommendations and pledges during the preceding cycle. For this reason, it is suggested that expectations expressed in the national report should be integrated in the implementation plan.

## **7.10. Stage X: Develop a follow-up and evaluation strategy for the implementation**

The aim of developing a strategy for the evaluation of implementation is to measure: the extent to which actions required by UPR recommendations and pledges have been achieved; and results in terms of the impact of implementation measures on the human rights situation on the ground. To this end, the following practices are suggested:

- Identify the challenges and constraints to the implementation of recommendations and pledges.
- Identify the measures most likely to enable challenges and constraints to be overcome.
- Develop indicators of implementation for each of the recommendations and pledges (on the basis of the expected actions identified at Stage 3).
- Develop indicators of impact of the implementation of recommendations on the human rights situation on the ground (on the basis of the expected results identified at Stage 3).
- Establish a timetable for updating the status of fulfilment of the implementation plan.



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