



International Conference on Responding to the Recommendations of the Universal Periodic Review: Challenges, Innovation and Leadership

Organized by the United Nations Development Programme's Bratislava Regional Centre (UNDP BRC), the Government of the Republic of Moldova, UNDP Moldova, and the Office of the High Commissioner for Human Rights (OHCHR)

Conference Report

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1

Introduction

The Universal Periodic Review (UPR) is a unique mechanism that the United Nations began using in April 2008 which consists of the review of the human rights practices of all UN Member States once every four years. However, the follow-up of the UPR Recommendations is the most critical and important phase of the whole UPR process. This phase leads to the realization of the UPR objective – the “improvement of the human rights situation on the ground”. The success of the follow-up phase will ascertain the efficiency and credibility of the mechanism and demonstrates to what level States are engaged in the promotion and strengthening of human rights.

In considering strategic programming opportunities, assisting with the implementation of UPR Recommendations has re-emerged as a potential entry point for UNDP Country Offices across the region. UNDP’s Bratislava Regional Centre (UNDP BRC) has been observing the efforts aimed at implementing the Universal Periodic Review Recommendations at the country level since early 2011.¹

The objective of the International Conference was to raise awareness among national governments and UN agencies regarding the modalities and challenges of implementing the UPR Recommendations agreed by national governments. The main aims were to:

- Strengthen the understanding and capacity of national governments, UNDP and OHCHR technical staff and senior managers, and other critical partners (i.e., NHRIs, CSOs) in an effort to support the implementation of the UPR Recommendations at the country level.
- Discuss good practices and lessons learned from the implementation modalities used at the national level.
- Stress the importance of ensuring broad and open participation (mainly from NHRIs and CSOs) during the UPR follow-up phase.
- Identify each agency’s role during the implementation phase of the UPR Recommendations.
- Provide a starting point for the 2012 UNDP BRC study on good practices, lessons learned, and models for replication, to support the follow-up phase of the UPR Recommendations.

Previously, UPR Recommendations had been made to States but no detailed guidelines had been given to key stakeholders (national government agencies, NHRIs, CSOs and others) regarding implementation modalities at the national, sub-national and local levels. As a consequence, different national processes, levels of commitment, modalities, mechanisms, and timeframes for responding to Recommendations currently exist. The Conference therefore discussed these issues in an attempt to better equip the institutions involved to address them, as well as to try to preempt their re-occurrence in subsequent UPR cycles.

¹ On the role and the work of UNDP BRC on the UPR process visit <http://europeandcis.undp.org/our-work/governance/show/82FEB281-F203-1EE9-B32783BA7CCF63B1>.

2

Overview of the First Cycle of the Universal Periodic Review

2.1. The Purpose of the UPR²

In reviewing each Member State's human rights obligations and commitments, the UPR must:

- Review all human rights obligations and commitments;
- Apply to all UN Member States' human rights records;
- Be the same for all States;
- Fully involve the State under review;
- Take into account the level of development and specificities of States;
- Be conducted in an objective, transparent, non-selective, constructive, non-confrontational and non-politicised manner;
- Fully integrate a gender perspective;
- Complement and not duplicate other international human rights mechanisms;
- Use a cooperative mechanism based on dialogue, participation, and cooperation.

2.2. First Cycle: Recommendations

All 193 UN Member States participated in the first UPR cycle (2008-11). The process produced 21,211 Recommendations, of which:

- 70% were accepted;
- 50% concerned the signature, ratification and implementation of international instruments and the protection of the rights of special groups (other issues often raised included torture, justice, gender, and issues related to national human rights systems);
- 32% required specific action, 40% general action, and 15% continuing action;
- 10% required considerable action and 3% required minimal action.

2.3. Positives from the First UPR Cycle

Encouraging aspects of the first cycle of the UPR review included:

- The active participation of civil society actors throughout the process.
- The cooperative spirit of the UPR, which has created new opportunities for dialogue and collaboration at all levels.
- Increased awareness about the importance attached to human rights.
- Strengthened belief of the universality of human rights.

- UNRC/UNCT engagement.
- Deployment of HRAs and consultants with UNDP support.
- Strengthened regional knowledge platform.
- Creation of new opportunities and entry points for UNRCs/UNCTs.

2.4. Challenges from the First UPR Cycle

Several observations and recommendations were made:

- Some States received over 200 Recommendations with the average receiving between 60-80 Recommendations.
- Recommendations are often vague and difficult to implement.
- States are sometimes vague about their position concerning certain Recommendations.
- Rejected Recommendations often reflect serious human rights issues.
- Reprisals are taken against people participating in the UPR process, which conflicts with the UPR spirit.
- Resource implications affect the implementation of Recommendations, during a period of international financial crisis.

The success of the UPR mechanism depends on replicating the encouraging aspects, managing the challenges, and ensuring solid follow-up. This is explored further in Sections 3 to 6 of this report.

3

Normative Framework of UPR Implementation: Overview, Challenges and Opportunities

When consolidating the UPR Recommendations for the region, it emerged that a number of Recommendations are already being captured in the regular UN country-specific planning processes. Others could potentially be included in the UNDAF³ or CPAP⁴ work plans. Some countries, such as Moldova, already have an UNDAF as well as new UPR Recommendations. The challenge is to integrate the Recommendations into the existing framework in such a way that the country benefits from the included Recommendations without having to implement a separate UPR framework.

The Conference focused on two particular approaches for integrating the UPR Recommendations into existing frameworks and action plans: CCA⁵/UNDAF and Treaty Bodies and Special Procedures.

3.1. CCA/UNDAF and UPR Recommendations

Potential was found to exist for integrating the UPR Recommendations into the UNDAF process within each of the five main principles:

Normative

- 1) Human Rights Based Approach
- 2) Gender Equality
- 3) Environmental Sustainability

Enabling

- 4) Results-based Management
- 5) Capacity Development

The following opportunities and challenges were identified and have been reflected in the 'Recommendations' section of this report (see 6.1 Normative Improvement):

3 UNDAF (United Nations Development Assistance Framework) is a document representing a consensus plan between governments and UN agencies, linked to national plans but also articulating the priorities of the UN system.
4 Country Programme Action Plan
5 CCA (Common Country Assessment) is the common instrument of the UN system to analyse the national development situation and identify key development issues.

Opportunities

- Content-wise, the UPR Recommendations can be structured as output, outcomes and indicators; they can provide input for the CCA's and expose existing gaps in the promotion of human rights on the ground.
- Sometimes UN priorities are different from government priorities, therefore the UPR Recommendations, which are State commitments, can serve as an argument at the negotiation table regarding UNDAF content.
- For countries with existing UNDAFs, UPR Recommendations could be integrated into the Framework during the regular bi-annual or quarterly reviews.
- UPR stakeholders may have different visions on how the UPR Recommendations should be implemented. This presents an opportunity for promoting stakeholder dialogue and the resulting conclusions can be captured within the UNDAF.

Challenges

- Regional and inter-country ideas may also differ regarding how UPR Recommendations can be integrated into the UNDAF. Central Asian countries, for example, have no watchdog, such as the EU, and thus it may be more challenging to deliver the UPR message to governments.
- Regional offices often lack the capacity to implement UPR Recommendations and governments frequently lack reporting capacity.
- UN agencies do not always collaborate which results in a duplication of effort and wasted resources.
- The UNDAF is *de facto* about poverty reduction and economic development and does not necessarily have a distinct human rights approach.
- The UNDAF has three indicators per outcome, which may not be sufficient to assess whether an outcome has been achieved.

3.2. Treaty Bodies, Special Procedures and UPR Recommendations

The Human Rights Treaty Bodies are committees of independent experts that monitor the implementation of the core international human rights treaties. When a country ratifies one of these treaties it assumes a legal obligation to implement the rights recognized in that treaty. The country incurs an additional obligation to submit regular reports to the monitoring committee set up under that treaty on how the rights are being implemented. To meet their reporting obligation, States must submit an initial report, usually one year after joining, and then periodically in accordance with the provisions of the treaty (usually every four or five years). In addition to the government report, the treaty bodies may receive information on a country's human rights situation from other sources, including NGOs, UN agencies, other intergovernmental organizations, academic institutions and the press. In light of all the information available, the Treaty Body committees then examine the report together with government representatives. Based on this dialogue, the committees publish their concerns and recommendations, which are referred to as "concluding observations."⁶

6 See, URL: <http://www2.ohchr.org/english/bodies/treaty/index.htm>.

Various activities are undertaken by Special Procedures,⁷ including responding to individual complaints, conducting studies, providing advice on technical cooperation at the country level, and engaging in general promotional activities.

The Conference participants identified the following opportunities, challenges and innovative solutions for integrating UPR Recommendations with the aforementioned human rights review practices. These have been reflected in the 'Recommendations' section of this report (see 6.1 Normative Improvement).

Opportunities

- The UPR mobilizes stakeholders and donors, and is a very powerful tool for improving human rights protection.
- European instruments, Treaty Body recommendations and Special Procedures could be used to facilitate UPR implementation and vice versa.
- The UPR could enhance the work of Parliaments via Special Procedures and Treaty Bodies.
- UPR Recommendations should address Treaty Body recommendations.

Challenges

- Frequently no baseline information exists, as in the case of the Roma, thus important issues are ignored by the human rights review mechanisms.
- Ensuring follow-up and reporting on all the Recommendations associated with the UPR, Treaty Bodies and Special Procedures is a logistical and resource burden for governments.
- No procedures exist within the current UPR framework to advance State-rejected UPR Recommendations.

Innovative Solutions

- UPR Recommendations could be combined with Treaty Body and Special Procedures in a joint follow-up database.
- Treaty Body experts and Special Procedures should be responsible for addressing rejected Recommendations.
- Human rights issues could be grouped into regional focus areas, thus ensuring better coordination between country authorities.
- Issues with trans-border and international dimensions, such as human trafficking, could be coordinated using the UPR Recommendations in conjunction with Treaty Bodies and Special Procedures.
- Creating inter-agency expert groups and steering committees in UN country offices would mainstream human rights activities and facilitate better coordination.
- UPR Recommendations could be included in existing human rights action plans.

⁷ Special procedures' mandates usually call on mandate holders to examine, monitor, advise, and publicly report on human rights situations in specific countries or territories or on major phenomena of human rights violations worldwide.

4

‘Working as One’ with ‘Inclusive Approach’ (Government, NHRIs, CSOs and UN Agencies, other actors): Overview and Challenges

According to HRC Resolution 16/21, while the UPR, as a cooperative mechanism, should be implemented primarily by the State concerned, States are encouraged to conduct broad consultations with all relevant stakeholders in this regard. The aim of the Inclusive Approach is to establish mechanisms that promote consultations between governments and other national and international human rights partners. Besides the more direct and evident interventions of the NHRIs and other national and international agencies, the criticisms and high expectations of the civil society are considered important in pushing governments forward. NHRI expectations must, however, be balanced against country specific realities such as economic factors, resources and existing capacities. Again, establishing an inclusive and participatory approach to the UPR implementation process should ensure the maximum use of available country-specific resources. In developing countries, the UN is therefore positioned to take a leading role in facilitating liaisons between the governments and other human rights empowering actors.

4.1. NHRIs

4.1.1. Roles within the UPR

- Report on national situations, ensuring broad national consultation processes, raising awareness and empowering local stakeholders, advising and assisting the State.
- Recognized role by GA and HRC resolutions and HRC review. Given their status and functions under the Paris Principles, the role of NHRIs is unique and complements the actions of the other human rights enforcement actors.
- Raise awareness about UPR process and engage all stakeholders.
- Organize regular post-UPR consultations with governments and civil society.
- Synchronize NHRI work plans and reporting with UPR Recommendations.
- Monitor and disseminate information on the status of implementation to all stakeholders.

4.1.2. Country Specific Best Practices Examples

Australia, HR Commission: Engaged with Parliament to table UN human rights recommendations in Parliament, conducted parliamentary briefings, produced annual reports, and achieved parliamentary awareness and presence in public debate.

Kenya, HR Commission: Cooperated with civil society, between NHRIs and 90 NGOs. Established Kenya UPR Outcomes Charter with key expectations, indicators, actions, and actors. Established country specific objectives: 1) record understandings; 2) propose a roadmap; 3) identify indicator-driven actions; 4) establish monitoring framework; 5) produce a Joint Progress Report.

Malaysia, HR Commission: Reported on UPR implementation, established mid-term follow-up report; clustered UPR Recommendations into eight broad areas, including vulnerable groups and post-UPR consultation processes; recorded developments and highlighted challenges, priorities and recommendations; discussions with State and NGOs, treaty bodies and special procedures, and Human Rights Council.

4.2. Civil Society Involvement

4.2.1. Role of CSOs

- Participation in consultations and dialogue with government organizations and UNDP.
- Human Rights Coordinators in Ministries to act as first contact point for Non-Governmental Organizations (NGOs).
- Defined role in the implementation of agreed Recommendations.
- Participation in working groups for UPR Follow-up.
- Engagement through social media.

4.2.2. Challenges for CSOs

- Lack of follow-up action plan with milestones and timeframe.
- Lack of clustering and prioritization of Recommendations.
- No indicators of success.
- Absence of working groups responsible for monitoring.
- Lack of interest/resources of CSOs for monitoring.
- Lack of financing for long-term follow-up.

4.2.3. Austrian CSOs – Best Practices

- Established a Steering Committee (easily replicable in other countries);
- Established NGO Coalition “Human Rights Now” of more than 300 Austrian NGOs for joint activities in the UPR and academia;
- Coalition coordinated by the Austrian League for Human Rights
 - Originally formed to produce and submit a joint UPR report and for awareness raising; continued for specific follow-up activities and media work;
 - Financed by small contributions from member NGOs and assisted by pro bono consultants.

5

Implementing the UPR Recommendations at the Country level: Successes, Challenges and Constraints

5.1. Kyrgyzstan

Government officials from more than 120 UN Member States participated in the 2010 UPR in Kyrgyzstan. 172 Recommendations were made on improving the human rights situation in the country, 168 of which were accepted by the Government. The main areas in which these Recommendations were made were:

- women's and children's rights;
- religious freedom;
- free trial and more broad judicial reform;
- minority rights;
- freedom of speech (mainly with respect to the media);
- freedom of association;
- freedom from torture.

The Ministry of Justice subsequently prepared a project for the development of a National Action Plan for implementing the UPR Recommendations, entitled "Development, Safety, Rule of Law, and Human Rights." The project was formulated in consultation with government officials, NGOs and international organizations and the content of the report of the UN High Commissioner on Human Rights was taken into account throughout.

The Government has taken the following measures in response to the UPR Recommendations:

1) Women's Rights

August 2011: The project on the Memorandum for Mutual Understanding and Cooperation between the Ministry of Labour and Migration, the Ministry for Social Protection, the Ministry of Health, the Ministry of Justice, the Ministry of Internal Affairs, and the sub-cluster for the prevention of gender violence in Kyrgyzstan was approved. The parties agreed to develop and expand cooperation in identifying victims, obtaining information, monitoring and improving the existing mechanism in the area of gender violence prevention, in accordance with Kyrgyz law and international agreements.

October 2011: The working group formulating both the National Strategy for Achieving Gender Equality until 2020 and the National Strategy for Achieving Gender Equality in 2012–2014 held its first meeting. An implementation schedule and coordination group were established for both.

2) Human Trafficking

September 2011: The first draft of the National Action Plan on the Prevention of Human Trafficking for 2012–2015 was presented to the Government. The plan was developed with support from the International Organization for Migration, the UN Office for Drugs and Crime in Kyrgyzstan, the OSCE Centre in Bishkek, and the Rule of Law Programme of the American Jurists' Association. The Action Plan is designed to reform the normative framework to reflect the Government's ratification of international agreements and includes the organization of extensive information campaigns.

3) Media Freedom

The section providing for the investigation of journalists for defamatory talk was removed from the Penal Code.

4) Torture Prevention

In September 2011, the Kyrgyz Parliament reviewed the draft law for the creation of a national centre for torture and the prevention of other inhuman practices. The draft law stipulates the creation of an independent coordination council to monitor institutions and other potential areas where these practices may occur. The council will be closely connected with civil society.

5) Judicial Reform

A law guaranteeing legal aid was adopted in January 2011. This law stipulates guaranteed legal aid to citizens who lack the means for protecting their rights and lawful interests.

6) General

In October 2011, a forum on human rights was held at the initiative of the Kyrgyz Ombudsman. The forum⁸ tackled topics such as toleration in inter-ethnic relationships as a foundation for stability and development in a multi-ethnic state; a plan of action to create an independent body to prevent torture; strengthening the role of national human rights protection institutes in defending migrant rights; free mobility issues; and free and transparent elections.

5.2. Armenia

The UPR for Armenia was held in May 2010, and 98% of the Recommendations were accepted. Following the UPR, Armenia launched the development of the National Human Rights Strategy and the National Human Rights Education Action Plan for the School System. Armenia also hosted three visits by Special Rapporteurs (on Human Rights Defenders, on Arbitrary Detention, and on Internally Displaced Persons) whose recommendations are also to be addressed.

8 The forum was held in Issyk-Kul on the topic of human rights being one and inseparable.

In July 2010, the Armenian Foreign Affairs Ministry, supported by UNDP, organized a meeting for representatives of state bodies and civil society to introduce participants to the UPR process and explain the logic of the steps to be taken. After receiving feedback from civil society, steps were outlined for producing the interim report.

In mid-2011 the Prime Minister established an inter-agency Working Group, coordinated by the Ministry of Foreign Affairs and with representation from the Ministry of Justice, the General Prosecutor's Office, the Police, the Ministry of Health, the Ministry of Science and Education, the Ministry of Labour and Social Issues, the State Migration Agency and other agencies involved in the UPR process. The UN, OSCE and EU were invited as observers. To date, the Working Group has only held one meeting. Two substantive meetings will take place in November-December 2011, with the support of the UNDP and OHCHR, to discuss the substance of, and implementation process for the UPR Recommendations.

5.2.1. Issues and Challenges

- Formatting the interim report: a matrix, mapping activities in the human rights sector vis-a-vis recommendations on the steps taken by each and every entity, or a mini replica of the national report.
- Coordinating Working Group activities to prevent duplication and bureaucracy and ensuring the Working Group develops specific assignments, which are comprehensive and feasible.
- Ensuring consistency in agency/stakeholder reporting to obtain a comprehensive report, specifically in regard to figures, statistics and qualitative analysis.
- Inadequate coordination between different actors.
- Inadequate coordination between international organizations and ineffective coordination of donor efforts by Government.

5.2.2. Recommendations

- OHCHR should consider developing a reporting format or guidance note, with periodic updates, to reduce the diversity of reports.
- The active participation of NGOs in the elaboration of the UPR should be ensured through the Working Group and through the shadow/alternate reporting process.
- The Government must be in the driving seat to make the UPR an inclusive and effective process at the national level.

5.3. Morocco

The UPR for Morocco took place in April 2008.

1) Recommendations relating to International Treaties:

- a. To ratify the Convention on the Rights of Persons with Disabilities;
- b. To sign the OPCAT;
- c. To communicate to the United Nations Secretary-General the withdrawal of its reservations to CEDAW.

2) General recommendations in terms of scope and duration but specific to certain fields:

Human rights education and training:

The subject of human rights has been included in the school curricula. Additionally, the NHRI published the global strategy, the “National Platform for Human Rights Culture”. It was recommended that efforts to disseminate and consolidate the human rights culture in the country should be continued.

Programmes are in place to train law enforcement officials on human rights. It was recommended that these training programmes continue.

Prisons and fair trial:

It was recommended that the prison administration should form a high-level delegation, with the mandate of enhancing the situation of prisoners and reporting directly to the Prime Minister.

Addressing the Recommendation of the “Instance Équité et Réconciliation”, reparations to victims’ families and to regions affected have almost been completed. Other Recommendations regarding this Commission were included in the new Constitution.

6 Recommendations

6.1. Normative Improvement

- Analyze Recommendations alongside those from other Treaty Bodies, Special Procedures and others, and produce a matrix of UN human rights recommendations to assist in the formulation of national action plans.
- Cluster UPR Recommendations thematically to facilitate their implementation.
- Use the Human Rights Index database (containing all recommendations from Treaty Bodies, Special Procedures and the UPR).
- Use data from the OHCHR compilation report prepared for the UPR.
- Use other UPR Recommendations databases (UPR Info.org or UPR Watch).
- Combine UPR Recommendations with those of Treaty Bodies and Special Procedures to produce a joint follow-up database.
- Treaty Body experts and Special Procedures should be responsible for addressing rejected Recommendations.
- Human rights issues should be grouped into regional focal areas, thus ensuring better coordination between country authorities.
- Issues with trans-border and international dimensions, such as human trafficking, could be coordinated using the UPR Recommendations in conjunction with Treaty Bodies and Special Procedures.
- Creating inter-agency expert groups and steering committees in UN country offices would mainstream human rights activities and facilitate better coordination.
- UPR Recommendations could be included in existing human rights action plans.
- Content-wise, the UPR Recommendations can be structured as output, outcomes, indicators; they can provide input for the CCA's as well as expose existing gaps in the promotion of human rights on the ground.
- Sometimes UN priorities are different from government priorities, therefore the UPR Recommendations, which are State commitments, can serve as an argument at the negotiation table regarding UNDAF content.
- For countries with existing UNDAFs, UPR Recommendations could be integrated into the Framework during the regular bi-annual or quarterly reviews.
- UPR stakeholders may have different visions on how the UPR recommendations should be implemented. This presents an opportunity for promoting stakeholder dialogue and the resulting conclusions can be captured within the UNDAF.

6.2. Broadening Cooperation

- Broad dissemination of the UPR process and outcome, including its translation into local languages;
- Strengthen existing and/or establish inter-ministerial mechanisms to distribute tasks and to coordinate implementation of Recommendations from the UPR and other UN human rights mechanisms.

- Hold consultations with stakeholders, including independent NHRIs.
- Formulate an action plan, specifying key objectives, concrete actions, clear benchmarks and timeframes, allocated responsibilities at various levels, identified available resources and required assistance and support.
- Monitor the progress of Recommendation implementation using existing mechanisms to collect/analyze data; use defined benchmarks to measure progress.
- Report on progress:
 - Mid-term progress reports (voluntary) as per the Council's invitation.
 - Reporting periodically on progress to the Council.
- Access resources from the Voluntary Fund for Financial and Technical Assistance (established by the Council in 2007 by HRC Resolution 6/17), administered by OHCHR.
- States should be encouraged to seek the assistance of the United Nations, at the national or regional level, and of bilaterals and multilaterals, to assist with the implementation of their Recommendations.
- Use existing (UN and non-UN) resources when identifying priorities, developing action plans, assessing assistance requirements, mobilizing and coordinating requested support, facilitating the exchange of experiences and good practices, and for obtaining technical assistance.

7

Specific Recommendations Stemming from Country Examples and as Expressed by Other Country Representatives at the Conference

7.1. Recommendations for Government Involvement and Cooperation with International Organizations (Kyrgyzstan, Armenia and Morocco)

7.1.1. Kyrgyzstan

- To continue improving the existing mechanism for gender violence prevention, within the project Memorandum for Mutual Understanding and Cooperation.
- To continue with the National Strategy for Achieving Gender Equality.
- To continue with the National Action Plan on the Prevention of Human Trafficking for the next three years.
- To continue to enforce the changes made in the Penal Code regarding the investigation of journalists for defamatory talk.
- To establish the creation of an independent coordination council connected with civil society to monitor human rights violations.
- To enforce the legislation guaranteeing judicial help to citizens who are unable to protect their rights and lawful interests.

7.1.2. Armenia

- OHCHR to develop a reporting format or guidance note, with periodic updates, to reduce the diversity of reports.
- Ensure the active participation of NGOs in the development of the UPR through the Working Group and through the shadow/alternate reporting process.
- The Government must be in the driving seat to make the UPR an inclusive and effective process at the national level.

7.1.3. Morocco

- To continue its efforts to promote and disseminate the human rights culture in the country through education and training.
- To continue training law enforcement officials.
- To continue to ensure fair trials and that prison conditions are in line with international standards.
- To ratify the Convention on the Rights of Persons with Disabilities.
- To sign the OPCAT.
- To communicate to the United Nations Secretary-General the withdrawal of its reservations to CEDAW.

7.2. Recommendations for NHRI Involvement – Australia, Kenya, and Malaysia

Australia

- Australia's HR Commission to continue to increase parliamentary awareness and in turn encourage public debate.

Kenya

- Kenya's HR Commission to continue to implement country specific objectives and maintain cooperation with civil society and NHRI. Additionally, Kenya to take into account the information gathered in the 2011 Joint Progress Report.

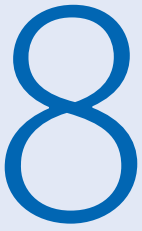
Malaysia

- Malaysia's HR Commission to continue to focus on their work with vulnerable groups within their borders.

7.3. Recommendations for CSO Engagement/Partnership – Austria

Austria

- It is recommended that the Austrian Civil Society continues to work with the Steering Committee in exporting its practices to other countries.



Annex 1: Agenda

DAY 1

08:30 – 09:00	Registration of Participants
09:00 – 09:35	Inauguration and Opening Remarks
09:40 – 10:15	Group Photo and Networking Coffee: Self-Introduction of Participants
10:15 – 11:35	Plenary Session I: Stocktaking of the UPR Recommendations: Where are we today? Regional (Europe and the CIS) and Global Perspectives Open Forum (30 Minutes)
11:35 – 13:00	Plenary Session II: Follow-up on the UPR Outcome: The Challenges of Working as One (Government and UN Agencies) and Being Inclusive (i.e., ensuring participation of NHRIs, CSOs, etc.) Open Forum (30 Minutes)
13:00 – 14:00	Lunch Break – Court Yard Restaurant
14:05 – 16:00	Working Group (WG) Session I: Linking the UPR Outcome with the CCA/UNDAF, Treaty Bodies and Special Procedures Working Group 1: CCA-UNDAF and UPR Recommendations Working Group 2: Treaty Bodies, Special Procedures and the UPR Open Forum: Reporting back to the Plenary (30 Minutes)
16:00 – 16:15	Express Coffee
16:15 – 17:30	Plenary Session III: Implementing the UPR Recommendations at the Country level: Lessons Learned and Good Practices (Challenges, Country Examples, Emerging Models) Open Forum (30 Minutes)

18:00 Departure to Cricova

18:30 Welcome Reception and Dinner in honour of the Conference Participants at Cricova.

DAY 2

08:20 – 08:30	Recap of Day 1 and Day 2 Planning
08:30 – 10:15	<p>Working Group Session II: Implementing the UPR Recommendations at the Country Level: How the UN Country Team can provide better support to national governments</p> <p>WG1: Challenges (i.e., capacity, national information system for compatibility with external reporting, etc.)</p> <p>WG 2: Examples of Solutions, Innovation, and Leadership</p> <p>Open Forum: Reporting back to the Plenary (30 Minutes)</p>
10:15 – 10:30	Express Coffee
10:30 – 11:30	<p>Plenary Session IV: Broadening Partnership and Engagement for the UPR</p> <ul style="list-style-type: none"> • Partnering with Regional Institutions/Actors (UN, EU, CoE and Others) • UPR, Human Rights, and EU Accession • Inclusive Engagement: Identify concrete practical steps to ensure NHRI and civil society engagement in the implementation of the UPR Recommendations. <p>Open Forum (30 Minutes)</p>
11:30 – 12:45	<p>Working Group Session II: Designing a Strategy for 2012 and Beyond</p> <p>WG 1: Country Strategy/Action Plan</p> <p>WG 2: International/Regional/Sub-regional Strategy</p> <p>Open Forum: Reporting back to the Plenary (30 Minutes)</p>
12:45 – 13:15	Closing Session: Recommendations & Concluding Remarks (Plenary)

13:15 – 14:15 Networking Lunch (Courtyard Restaurant)

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Annex 2: Annotated Agenda

DAY 1 : Friday, 4 November 2011

08:30 – 09:00 Registration of Participants

09:00 – 09:35 Inauguration of the Conference: Leadership for the Implementation of the UPR Recommendations

Moderator: Kaarina Immonen, UN Resident Coordinator and UNDP Resident Representative in Moldova

09:05 – 09:15 Welcome Address: HE Lurie Leanca, Deputy Prime Minister, Minister of Foreign Affairs and European Integration, Government of the Republic of Moldova

09:16 – 09:35 Keynote Speaker: Navanethem Pillay, UN High Commissioner for Human Rights

09:35 – 10:15 Group Photo and Networking Coffee [Self Introduction of Participants]

10:15 – 11:35 Plenary Session I: Stocktaking of the UPR Recommendations: Where are we today? Global and Regional (Europe and the CIS) Perspectives

Moderator: Annie Demirjian, Democratic Governance Practice Team Leader, Bratislava Regional Centre, UNDP Regional Bureau for Europe and CIS

10:20 – 10:35 Speaker: A H Monjurul Kabir, Human Rights and Justice Adviser and Regional Project Manager, UNDP BRC (Setting the Developmental Context and the Regional-National Synergy for UPR Implementation)

10:35 – 10:50 Speaker: Christophe Peschoux, Chief, Universal Periodic Review Team, OHCHR Geneva (Transitioning from UPR Cycle 1 to Cycle 2: Lessons Learned and Challenges)

10:50 – 11:05 Speaker: Roland Chauville, Director, UPR-INFO, Geneva (an INGO perspective of the UPR recommendations: Implications for the human rights agenda at the national level).

11:05 – 11:30 Open Forum: 'Q&A' and Discussion

11:35 – 12:50 Plenary Session II: Follow-up to the UPR Outcome: The Challenges of Working as 'One' with 'Inclusive Approach' (Government NHRIs, CSOs and UN Agencies, other actors)

Moderator: Olivier Adam, UN Resident Coordinator and UNDP Resident Representative, Ukraine

11:40 – 11:50 Speaker: Vahe Demirtshyan, Director, Department for International Legal Relations, Ministry of Justice in Armenia and Member of the UPR Inter-ministerial Commission

11:50 – 12:00 Speaker: HE Omar Hilale, Ambassador, Permanent Representative of the Kingdom of Morocco to the UN Office in Geneva

12:00 – 12:10 Speaker: Barbara Kussbach, Austrian Coalition for NGOs for UPR

12:10 – 12:20 Speaker: Katharina Rose, Geneva Representative, International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC)

12:20 – 12:50 Open Forum: Q&A and Discussion

12:50 – 14:00 Lunch Break at Courtyard Restaurant

14:05 – 15:30 Working Group (WG) Session I: Linking the UPR Outcome/Recommendations with the CCA-UNDAF, Treaty Bodies and Special Procedures

Working Group 1: CCA-UNDAF & UPR Recommendations

Working Group 2: Treaty Bodies, Special Procedures & UPR Recommendations

15:30 – 16:00 Open Forum: Reporting back to the Plenary

Moderator: Shireen Said, Policy Adviser, Human Rights, Bureau for Development Policy, UNDP New York

Facilitators: Working Group 1 – Patrick Gremillet, Management Practice Team Leader, UNDP BRC; Nargiza Juraboeva, Regional UNDAF Expert, UNICEF-Geneva; and Peter Hosking, Human Rights Expert and Consultant, UNDP BRC

Working Group 2 – Zanofer Ismalebbe, Human Rights Adviser, UNDP Geneva and Claude Cahn, Human Rights Adviser, UN Moldova

16:00 – 16:15 Express Coffee

16:15 – 17:30 Plenary Session III: Implementing the UPR Recommendations at the Country Level: Lessons Learned and Good Practices (Challenges, Country Examples, Emerging Models)

Moderator: Antonius Broek, UN Resident Coordinator and UNDP Resident Representative in Belarus

16:20 – 16:30 Speaker: Deirdre Duffy, NGO Coalition for the UPR Process in Ireland

16:30 – 16:45 Speaker: Shireen Said, Policy Adviser, Human Rights, Bureau for Development Policy, UNDP New York

16:45 – 16:55 Speaker: Seidalieva Maripa, Head, Directorate on Human Rights and Bar, Ministry of Justice, Government of Kyrgyzstan

16:55 – 17:30 Open Forum: Q&A and Discussion

18:00 Departure to Cricova Winery

18:30 – 21:00 Welcome Reception hosted jointly by the Government of the Republic of Moldova and the United Nations in honour of the Conference Participants.

DAY 2: Saturday, 5 November 2011

08:30 – 09:45 Working Group Session II: Implementing the UPR Recommendations at the Country Level: How the UN Country Team can provide better support to national governments.

Working Group 1: Challenges and Constraints (i.e., capacity, lack of cohesion among stakeholders, national information system for compatibility with external reporting, capacity and resources, etc.)

Working Group 2: Exploring Examples of Solutions, Innovation, and Leadership (Confronting challenges using innovation, providing leadership, catalytic and sectoral examples)

09:45 – 10:15 Open Forum: Reporting back to the Plenary and Discussion

Moderator: Freddy Austli, Deputy Country Director, UNDP Albania

Facilitators: Working Group 1: Lilia Zaharieva, Human Rights Adviser, UN Tajikistan and Zanofer Ismalebbe, Human Rights Adviser, UNDP Geneva

Working Group-2: Peter Hosking, Human Rights Expert and Consultant, UNDP BRC and Andrei Brighidin, Portfolio Manager, UNDP Moldova

Working Group 1: Government Officials, NHRIs, UN-UNDP-OHCHR staff

Working Group 2: Government Officials, CSOs/NGOs representatives, UN-UNDP-OHCHR staff

10:15 – 10:30 Express Coffee

10:30 – 11:30 Plenary Session IV: Broadening Partnership and Engagement for the UPR [Partnering with Global and Regional Institutions for the implementation of UPR Recommendations; Human Rights, UPR and EU Accession; Inclusive Engagement with stakeholders/actors, i.e., NHRIs, CSOs, etc.]

Moderator: Louisa Vinton, UN Resident Coordinator and UNDP Resident Representative, Croatia

10:30 – 10:40 Speaker: Ambassador Mario Nobilo, State Secretary for Political Affairs, Ministry of Foreign Affairs and European Integration, Government of the Republic of Croatia.

10:40 – 10:50 Speaker: Petru Dumitriu, Head of the Council of Europe Office in Geneva.

10:50 – 11:00 Speaker: Artur Lazebeu, Head of Cabinet, Peoples' Advocate Institution (Albanian Ombudsman), Albania.

11:00 – 11:30 Open Forum: 'Q&A' and Brief Discussion

11:30 – 13:00 Working Group Session III: Designing an Implementation Strategy for 2012 and Beyond (Main Recommendations from the Working Groups)

11:30 – 12:30 Working Group Session

Working Group 1: Country Strategy/Action Plan

Working Group 2: International/Regional and/or Sub-regional Strategy/Action Plan

12:30 – 12:45 Reporting back to Plenary

Moderator: Annie Demirjian, DG Practice Team Leader, UNDP BRC

Working Group 1: Facilitator: Corina Călugăru, Head, Council of Europe & Human Rights Division, MoFA & EI, Republic of Moldova and Aliya Duganova, UNDP Kazakhstan/UNDP BRC

Working Group 2: Facilitator: Christopher Decker, Programme Coordinator, UNDP Kosovo and Rustam Pulatov, Policy Analyst, UNDP BRC

Working Group 1: Government Officials, NHRIs, CSOs, scholars/experts

Working Group 2: UNDP, OHCHR, other regional organisation/agency staff and resource persons

12:45 – 13:15 Closing Session: Recommendations and Concluding Remarks (Plenary)

Moderator: HE Oleg Efrim, Minister, Ministry of Justice, Government of the Republic of Moldova

12:50 – 13:00 Key Recommendations of the Conference and Follow-up: A H Monjurul Kabir, Human Rights and Justice Adviser and Regional Project Manager, UNDP BRC

13:00 – 13:05 Closing Remarks: Christophe Peschoux, Chief, Universal Periodic Review Team, OHCHR Geneva

13:05 – 13:10 Kaarina Immonen, UN Resident Coordinator and UNDP Resident Representative in Moldova

13:15 – 14:15 Networking Lunch

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Annex 3: List of Participants

ALBANIA		
Mr. Freddy Austli	Deputy Country Director	UNDP
Mr. Artur Lazebeu	Head of Cabinet	Peoples' Advocate Institution
ARMENIA		
Mr. Vahe Demirtshyan	Director, Department for International Legal Relations, member of the UPR Inter-Ministerial Commission	Ministry of Justice
Ms. Alla Bakunts	Democratic Governance Portfolio Analyst	UNDP
BELARUS		
Mr. Antonius Broek	UN Resident Coordinator, UNDP Resident Representative	UN
Ms. Oksana Melnikovich	First Secretary, Department for Humanitarian Cooperation and Human Rights	Ministry of Foreign Affairs
Ms. Alesia Vidruk	Human Rights Consultant	UN
CROATIA		
Ms. Louisa Vinton	UN Resident Coordinator, UNDP Resident Representative	UN
Mr. Mario Nobilo	State Secretary for Political Affairs	Ministry of Foreign Affairs and European Integration
KAZAKHSTAN		
Ms. Maral Kasenova	Senior Expert	Ministry of Justice

KOSOVO		
Mr. Christopher Decker	Programme Coordinator Justice and Security Programme	UNDP
Ms. Emily Patterson	Chief, Human Rights Section	OSCE Mission
KYRGYZSTAN		
Ms. Seidalieva Maripa	Head of Directorate on Human Rights and Bar	Ministry of Justice
Ms. Ilima Bokoshova	Programme Associate/Human Rights and Justice Focal Point	UNDP
FYR MACEDONIA		
Ms. Tanja Dinevska	Head, Human Rights Department	Ministry of Foreign Affairs
Ms. Silva Pesic	Human Rights Adviser	OHCHR
MOLDOVA		
Mr. Iurie Leanca	Deputy Prime Minister, Minister of For- eign Affairs and European Integration	Government of the Re- public of Moldova, Min- istry of Foreign Affairs and European Integration
Ms. Kaarina Immonen	UN Resident Coordinator, UNDP Resi- dent Representative	UN
Mr. Oleg Efrim	Minister of Justice	Ministry of Justice
Ms. Carolina Bagrin	Senior Consultant, Department of Treaties and European Integration	Ministry of Justice
Ms. Irina Mihalachi	Head of Operational Management Di- vision	Ministry of Internal Affairs
Ms. Inga Furtuna	Prosecutor, Anti-Torture Department	Minister of Justice
Ms. Irina Cuciuc	General Prosecutor's Office – represen- tative	General Prosecutor's Office
Ms. Eugenia Berzan	Chief of Foreign Relations and Euro- pean Integration Department	Ministry of Health

Mr. Petru Moscaliuc	Consultant, Management and medical personnel department	Ministry of Health
Mr. Victor Lutenco	Counselor of the Prime Minister	State Chancellery
Ms. Elena Beleacova	General Director	Bureau for Interethnic Relations
Ms. Anna Lungu	Head of Directorate	Bureau for Interethnic Relations
Ms. Elena Varta	First Secretary, OSCE and International Security Division, General Directorate for Multilateral Cooperation	Ministry of Foreign Affairs and European Integration
Mr. Eduard Serbenco	National Consultant on Human Rights. UNDP Moldova Project "Building the Institutional Capacity of the Ministry of Foreign Affairs and European Integration"	Ministry of Foreign Affairs and European Integration/ UNDP Moldova
Mr. Sergiu Mihov	Head, United Nations and specialized agencies Division, General Directorate for Multilateral Cooperation	Ministry of Foreign Affairs and European Integration
Mr. Anatolie Munteanu	Ombudsman, Director	Centre for Human Rights of Moldova/Ombudsman
Ms. Sorina Susanu	Ombudsman 's Adviser	Centre for Human Rights of Moldova/Ombudsman
Mr. Victor Munteanu	Director, Law Programme	Soros Foundation, Moldova
Mr. Ion Guzun	Programme Coordinator, member of the Consultative Council for the Prevention of Torture.	Legal Resources Centre
Ms. Corina Calugaru	Counselor, Council of Europe and Human Rights Division, General Directorate for Multilateral Cooperation	Ministry of Foreign Affairs and European Integration

Ms. Olga Bogdan	Attaché, Council of Europe and Human Rights Division, General Directorate for Multilateral Cooperation	Ministry of Foreign Affairs and European Integration
Ms. Natalia Mardari	Programme Coordinator	Moldovan Institute for Human Rights
Ms. Nadejda Hriptievschi	Lawyer Researcher, Legal Resources Centre Consultant, Public Defender Office	Legal Resources Centre
Mr. Sergiu Rusanovschi	Programme Officer	Center for Independent Journalism
Mr. Arcadie Astrahan	Consultant	UNDP
Mr. Sergiu Ostaf	Director	CReDO
Mr. Radu Danii	Programme Officer	Soros Foundation, Moldova
Mr. Claude Cahn	Human Rights Adviser	OHCHR
Mr. Andrei Brighidin	Programme Officer/Portfolio Manager	UNDP
MONTENEGRO		
Mr. Pavle Karanikic	Representative of the Directorate for UN and Other International Organizations	Ministry of Foreign Affairs
Mr. Jason Hepps	Protection Officer	UNHCR
SERBIA		
Ms. Gordana Mohorovic	Senior Adviser, Human Rights Directorate	Ministry of Human Rights, Public Administration and Local Self-Governance
Ms. Marija Raus	Human Rights Adviser	OHCHR

TAJIKISTAN		
Mr. Muzaffar Ashurov	Head of the Department on Constitutional Guarantees of Citizens Rights	Presidential Administration
Mr. Bakhodur Abdulaev	Assistant to the Ombudsman	Human Rights Ombudsman Office
Ms. Lilia Zaharieva	Human Rights Adviser	OHCHR
TURKMENISTAN		
Mr. Koen Marquering	Human Rights Specialist, EU/UNDP/OHCHR project “Strengthening the National Capacity of Turkmenistan to Promote and Protect Human Rights”	EU/UNDP/OHCHR
UKRAINE		
Mr. Olivier Adam	UN Resident Coordinator, UNDP Resident Representative	UNDP
Ms. Svitlana Kolyshko	Head of Division for Cooperation with International Organizations	Ministry of Justice
Ms. Yulia Svavolya	Coordination Analyst	UN
Ms. Yuliya Shcherbinina	Governance Programme Manager	UNDP
UZBEKISTAN		
Mr. Akmal Bazarov	Governance Programme Coordinator	UNDP
SPECIAL GUESTS		
H.E. Mr. Omar Hilale	Ambassador, Permanent Representative of the Kingdom of Morocco to the UN Office in Geneva (in his capacity as well as the main negotiator of the UPR)	Permanent Mission of the Kingdom of Morocco to the UN Office in Geneva
Ms. Deirdre Duffy	Research and Policy Officer	Irish Council for Civil Liberties

INTERNATIONAL ORGANIZATIONS AND NONGOVERNMENTAL ORGANIZATIONS

Mr. Petru Dumitriu	Head of the Council of Europe Office, Permanent Observer to the United Nations Office in Geneva	Council of Europe
Ms. Jacqueline Carpenter	Senior Human Rights Adviser	OSCE Mission to Moldova
Ms. Daniela David-Cimpoies	National Legal Officer	OSCE Mission to Moldova
H.E. Mr. Dirk Schuebel	Ambassador, Head of the European Union Delegation to Moldova	European Union Delegation to Moldova
Ms. Katharina Rose	Geneva Representative	International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC)
Mr. Dirk Lorenz	Political officer	European Union Delegation to Moldova
Mrs. Tatiana Cojocaru	Project Manager, Justice and Home Affairs	European Union Delegation to Moldova
UNDP BRC		
Ms. Annie Demirjian	Democratic Governance Practice Leader	UNDP Bratislava Regional Centre
Ms. Barbara Kussbach	Human Rights Consultant, member of Austrian Steering Committee on UPR (Government, NGOs)	UNDP Bratislava Regional Centre
Mr. Roland Chauville	Director, UPR Information	UNDP Bratislava Regional Centre
Mr. Peter Hosking	Independent Expert on Human Rights	UNDP Bratislava Regional Centre
Mr. Patrick Gremillet	Management Practice Coordinator	UNDP Bratislava Regional Centre

Mr. A.H. Monjurul Kabir	Policy Adviser, Human Rights and Justice	UNDP Bratislava Regional Centre
Mr. Rustam Pulatov	Policy Analyst	UNDP Bratislava Regional Centre
Ms. Aliya Duganova	Programme Analyst	UNDP Bratislava Regional Centre
OHCHR Geneva		
Ms. Navanethem Pillay	High Commissioner on Human Rights	OHCHR
Mr. Christophe Peschoux	Chief, UPR Team, Field Operations and Technical Cooperation Division	OHCHR
Mr. Vrej Atabekian	Human Rights Officer, Europe and Central Asia Section, Field Operations and Technical Cooperation Division	OHCHR
Ms. Youla Haddadin	Adviser on Trafficking	OHCHR
Mr Gianni Magazenni	Chief of the Americas, Europe and Central Asia Branch	OHCHR
Mr. Bernard Vansilette	Audio visual communications	OHCHR
Ms. Christine Wambaa	Public Information Officer, Audio visual communications	OHCHR
UNICEF Geneva		
Ms. Nargiza Juraboeva	Consultant, UNDAF Peer Support Group for Europe and CIS	UNICEF
UNDP Geneva		
Mr. Zanofer Ismalebbe	Human Rights Adviser Programme and Team Manager, Global Human Rights Strengthening Programme, Democratic Governance Group/Bureau for Development Policy	UNDP

UNDP New York, DGG/BDP		
Ms. Shireen Said	Policy Adviser on Human Rights	UNDP, Democratic Governance Group/Bureau for Development Policy
Ms. Jagoda Walorek	Policy Analyst on Human Rights	UNDP, Democratic Governance Group/Bureau for Development Policy

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Annex 4: UPR Follow-up Facility (UPRF)

Support to the implementation of human rights recommendations (SIHR) emanated from Universal Periodic Review (UPR), Treaty Bodies (TB), and Special Procedures (SP) mechanisms. These are 'a unique contribution to national development agenda through UN Resident Coordination System (UNRCS).'

In line with UNDP's Strategic Plan, such support is for the strengthening of National Human Rights System (NHRS), engagements of governments, national human rights institutions, and civil society organisations with international human rights mechanisms (UPR, TB, SP), and principles (Human Rights Based Approach etc.)

The UPR is a relatively new United Nations mechanism that began in April 2008, by which the Human Rights Council (HRC) would review human rights practices of all Member States once every four years. During the review, States receive recommendations from their peers. Since the "improvement of the human rights situation on the ground" is the primary focus of the exercise, the follow-up of UPR Recommendations is the most critical and important phase of the whole UPR process.

The success of the implementation phase will determine the efficiency and ultimate credibility of the mechanism and demonstrate States' engagement in the promotion and strengthening of human rights. The UPR process also provides a strategic opportunity to connect recommendations from Treaty Bodies and Special Procedures.

The second round of the review has commenced on **13 May 2012** with some changes to the review modality. The second



and sub-sequent cycles will last 4.5 years and will focus on "inter alia, the implementation of the accepted Recommendations and the developments of the human rights situation in the State under Review." The duration of the review in the HRC has been extended and States are now encouraged to provide the Council, on a voluntary basis, with a midterm update on follow-up to accepted Recommendations.

UNDP's Response: The UPR Follow-up Facility (UPRF)

The outcome of the UPR provides the UNDP and entire UN system with an advocacy tool to integrate human rights in development discourse in a holistic and comprehensive manner, an entry point for dialogue with governments, and a renewed basis and framework to develop sectoral, cross-sectoral, and wherever possible, joint programming to support the development and strengthening of national human rights systems. This could be aligned with CCA, UNDAF, and CPAP programming cycle.

UPR Follow-up would essentially be a nationally owned and driven approach backed by a line of action outlined with lessons learned and good practices both from the region and outside. The **UPRF**, a regional product/support mechanism for UNDP country offices designed by the UNDP Bratislava Regional Centre, will enable them to position strategically vis-a-vis capacity and knowledge requirements for their national partners.

Menu of Services:

- Clustering and Alignment of the UPR Recommendations with national development priorities;
- Mapping of UNDP Portfolio, and establishing programming linkages with the accepted UPR Recommendations;
- Formation of a local UNDP UPR Team capable of providing inputs and guidance (in sync with UNCT/UNRCS work);
- Development of a package of services (i.e., technical capacity development projects, cross-practice initiatives, advocacy, communication strategy etc.) based on actual needs/demands;
- Establishing sectoral linkages with UPR and other national recommendations (disabil-

ity, minority, women, vulnerable groups, social protection etc.);

- Advocacy and support (i.e., good practices/lessons learned etc.) for Voluntary Mid-term Report to the Human Rights Council;
- Advocacy and technical support (i.e., good practices/lessons learned) for UPR Reporting (Second Cycle: 2012-16);
- Support nationally owned Monitoring of Progress of Implementation;
- Integration of UPR Recommendations into CCA, UNDAF, CPAP etc., UN planning process;
- Non-agreed recommendations can also be a basis for long-term advocacy for change at the country level.
- Seed funding for innovative and/or catalytic initiative to implement UPR recommendations.

In addition to staff time, UNDP BRC's vetted roster and some of the seasoned UNDP CO staff and human rights advisers/specialists will be part of the broader regional team to support implementing some of the deliverables of the **UPRF** based on actual demands and specific circumstances.



For further information, please contact:

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Lessons Learned Series: Rule of Law, Justice & Human Rights