



## THEMATIC PAPER:

# THE UNIVERSAL PERIODIC REVIEW AND SUSTAINING PEACE

The 2016 resolutions on sustaining peace ([S/RES/2282](#) and [A/RES/70/262](#) (2016)) specifically refer to the Universal Periodic Review (UPR) and encourages Member States participating in the process to consider the human rights dimensions of peacebuilding as appropriate. With its main objective to improve the human rights situation in every country, UPR is intended to be an inclusive, nationally-owned, government-led review process, with the constructive engagement of other national stakeholders, and the support of the international community. These characteristics make the mechanism unique in the UN system; UPR enjoys broad acceptance and is viewed credibly by Member States and a range of stakeholders. To date, all 193 Member States have participated in the three UPR cycles since its establishment in 2007 and 126 have gone through the third cycle as of 1 February 2020.

## 1. UPR: UNIVERSALITY AND INCLUSIVITY

UPR is grounded in the principle of universality – with all States subject to a review of all human rights and obligations in the UN Charter. This is aligned with the understanding that sustaining peace is both a goal and process to build a common vision of a society and should flow through all three UN pillars at all stages of conflict, and in all its dimensions.<sup>1</sup>

It is an inclusive process, which draws on three inputs: a national report, UN compilation report and summary of stakeholder information. Information is received from the State under review, UN entities, regional human rights organizations, civil society and national human rights institutions (NHRIs), which provide a comprehensive picture of a country's human rights situation. The process also provides an opportunity to input at different stages: during the pre-session; the review itself in the working group session; and the adoption of UPR outcomes in the Human Rights Council when NHRIs and civil society actors can make interventions and States can make public commitments to support recommendations.

UPR recommendations - whether they are accepted or noted by the State under review - are the best entry points for engagement, including for technical assistance and capacity-building. Recommendations or areas addressed in the UPR review can be integrated into national action plans, UN or civil society programming, monitoring and follow-up. They offer a space for all stakeholders to discuss measures needed to address human rights challenges or gaps, in support of governments, including those that have a direct bearing on peacebuilding efforts and in realizing the sustainable development goals (SDGs). As such, governments have increasingly strengthened national UPR coordination systems.

## 2. UPR AS A BRIDGE BETWEEN HUMAN RIGHTS, SUSTAINABLE DEVELOPMENT AND SUSTAINING PEACE

UPR considers all human rights holistically in all States and thus has preventive potential: it can be a source of early warning and action – contributing valuable information for peacebuilding analysis, strategy and programming at the country level: identifying and assessing root causes and drivers of conflict and violence, including structural inequalities and discrimination; highlighting gaps to be addressed and proposing responses to mitigate risks. UPR also provides a platform for dialogue and collaboration at the international and national levels – across sectors, and between civil society actors and the States under review.

UPR has previously addressed the human rights dimensions of peacebuilding in a State under review as linked to peace processes and peace agreements, transitional justice processes, security sector reform, demobilization, disarmament and reintegration programmes, rule of law, access to justice and good governance, as well as poverty reduction. UPR has also become a useful space to raise issues once perceived as sensitive, such as environmental rights, the protection of ethnic or linguistic minorities, the rights of LGBTI persons, or other groups in vulnerable systemic or contextual situations. With information from UN bodies and entities, civil society and NHRIs, States can formulate recommendations, which address the root causes and drivers of conflict. A growing number of recommendations focus on the promotion and protection of economic, social and cultural rights and achieving SDGs and targets, including SDG 16 on peaceful and inclusive societies, as key to sustaining peace.<sup>2</sup>

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<sup>1</sup> [S/RES/2282](#) and [A/RES/70/262](#), PP 8

<sup>2</sup> Please also refer to OHCHR's thematic paper on economic, social and cultural rights and the sustainable development goals in peacebuilding and sustaining peace.

### 3. INTEGRATING LANGUAGE AND RECOMMENDATIONS ON SUSTAINING PEACE IN THE CURRENT UPR CYCLE

In the current third UPR cycle,<sup>3</sup> OHCHR has received 317 UN submissions, including 60 joint submissions by UN country teams – 18 of which referred explicitly to preventing conflict and human rights violations. Country teams have also proposed context-specific and tailored recommendations to address the root causes of conflict and persisting human rights violations, such as the adoption of laws on intercultural justice to strengthen dialogue among different parts of the population; the strengthening of conflict resolution mechanisms, such as Regional Peace Councils and Regional Security Councils, or the provision of assistance to those displaced by conflict to ensure the enjoyment of social and economic rights.

Countries affected by violence and conflict have also received numerous recommendations related to accountability, transitional justice, and redress for victims and affected communities, including the ratification of the International Criminal Court's Rome Statute, as well as strengthening national judicial bodies. Recommendations aimed at combating impunity over past or continuing human rights violations also aim to address long-standing grievances that may otherwise compromise peace, security and development. Notably, most recommendations relevant for conflict prevention and sustaining peace were accepted by States.

In 2018, OHCHR and the Quaker United Nations office in Geneva launched a two-year pilot project on the use of the UPR in sustaining peace in accordance with paragraph 11 of the 2016 resolutions.<sup>4</sup> The project supported governments, UN entities and civil society in three pilot countries engaged in the third cycle to include context and conflict-relevant human rights inputs and recommendations in the three documents used for the review and the outcome document. It is hoped that the outcome of the project will demonstrate that systematic engagement in the UPR process can contribute to peacebuilding and sustaining peace efforts at country level, and more broadly, that human rights information and analysis, as well as the recommendations of human rights bodies and mechanisms, should be more systematically used in the UN's policy and operational responses to conflict prevention, peacebuilding and sustaining peace.

### 4. ENTRY POINTS FOR ENGAGEMENT

The human rights issues contained in UPR reports and recommendations often reflect the analysis and recommendations of other human rights mechanisms: treaty bodies and special procedures and regional human rights institutions; as well as of UN country teams and national stakeholders, including NHRIs. UPR recommendations often cover a cross-section of gaps and challenges in human rights implementation to be addressed at country level.

#### **UPR reports and recommendations: engagement of peacebuilders in the UPR process.**

As the third cycle focuses on implementation of human rights commitments and accepted recommendations since the previous cycle, UPR reports can provide a holistic assessment of a country context. Accordingly, UN entities, civil society organizations, national and local peacebuilders should be encouraged to engage in the UPR process. The possibility of joint reporting by peacebuilding and human rights actors can be a catalyst for dialogue within civil society and across disciplines at the national level. National consultations in the development of a State's national report should more systematically include peacebuilding organizations for both input and design of solutions. To increase UPR's effectiveness as a mechanism in the collective toolbox for building and

<sup>3</sup> Each UPR cycle lasts for 4.5 years. The third cycle is from 2017 to 2021.

<sup>4</sup> The project is a follow-up to a first phase conducted by QUNO in 2017, which concluded that UPR offered entry points for collaboration with and among government, civil society and the UN in addressing human rights to prevent conflict. The project demonstrated that UPR recommendations had value for peacebuilding analysis, strategy and programming at country level and could promote communication and collaboration between peacebuilding and human rights civil society organisations throughout the UPR cycle, from report production to implementation and evaluation. However, it also highlighted that few UPR recommendations specifically addressed "sustaining peace issues", as linkages with human rights were not explicitly made, and that peacebuilding actors do not systematically engage in the UPR process. UPR.[https://quno.org/sites/default/files/resources/QUNO%20Integrating%20Human%20Rights%20and%20Sustaining%20Peace\\_FOR%20WEB.pdf](https://quno.org/sites/default/files/resources/QUNO%20Integrating%20Human%20Rights%20and%20Sustaining%20Peace_FOR%20WEB.pdf).

sustaining peace, recommending States and States under review should be encouraged to formulate and accept recommendations that are relevant for sustaining peace. Recommending States should follow implementation of their recommendations and commit to providing technical and financial support as necessary.

### UPR pre-session

The pre-session meeting is organized by a Geneva-based organization (UPR-Info) and takes place before formal review. Civil society and NHRIs can share views and information on relevant States and propose specific recommendations to be made.<sup>5</sup> The pre-session meeting allows for grassroots, national and international civil society organisations to contribute and dialogue with Member States on country situations, advocate for specific concerns to be raised, and formulate targeted recommendations on conflict prevention and sustaining peace efforts.

### UPR Working Group

Member States' role in the UPR Working Group is to highlight progress made with respect to a State's human rights obligations, raise human rights concerns, and make targeted recommendations to enhance the human rights situation, prevent conflict and promote sustainable peace. As the review is public and can be watched online, UN country teams are encouraged to organize screenings with relevant national and international stakeholders.

### Implementation of UPR recommendations

Systematic implementation of key recommendations, anchored in human rights obligations and commitments, and fully integrated with efforts to achieve the SDGs, can have a preventive effect: addressing root causes; triggers and drivers of violence; conflict and humanitarian emergencies; and mitigating their impact, such as reducing displacement and migration flows.

**The High Commissioner's letters, annexes, matrixes and infographics:** In the third cycle, the High Commissioner for Human Rights engages formally with the Ministers of Foreign Affairs of States reviewed highlighting 10 to 15 areas which require particular attention, particularly ahead of the next cycle. OHCHR makes publicly available letters by the High Commissioner to the Foreign Minister concerned with relevant annexes on the areas requiring attention. Additional information is also publicly available: a matrix of recommendations (clustered by theme and linked to the SDGs) accepted or noted by States reviewed, and an infographic on trends regarding recommendations between the second and third cycles (also linked to specific SDGs, such as SDG 16 on peaceful and inclusive societies, SDG 10 on reducing inequalities, SDG 8 on decent work and economic growth, SDG 5 on gender equality and SDG 4 on quality education). These documents can be more strategically used by UN country teams as roadmaps for engagement and in developing analysis and planning frameworks, for example the Common Country Analysis and Sustainable Development Cooperation Framework.

**The role of Parliaments:** As more than half of UPR recommendations require or involve parliamentary action, the role of parliaments in furthering human rights and sustaining peace is critical. **The resolution adopted at the 138th Assembly of the Inter-Parliamentary Union on sustaining peace as a vehicle for achieving sustainable development** calls on all parliaments to contribute to sustaining peace and the SDGs. Using the preventive potential of the parliamentary process, parliaments can mitigate and resolve conflict, including through human rights monitoring, ensuring protection, establishing inclusive dialogue processes, and mediation to peacefully address the needs of all segments of society. **The report on the contribution of parliaments to the work of the Human Rights Council and its UPR** (A/HRC/38/25) offers guidelines and principles on the engagement of parliaments in implementing human rights recommendations.

<sup>5</sup> <https://www.upr-info.org/en/upr-process/pre-sessions/frequently-asked-questionsgsm19136.doc.htm>

- **The role of UN country teams:** UN country teams play a key role in facilitating the engagement of national stakeholders with human rights mechanisms. States are also increasingly requesting support from Resident Coordinators and country teams in this regard. UN country teams can more systematically use UPR outcomes in advocacy efforts and for technical cooperation and assistance – integrating accepted UPR recommendations in programming, for example, prioritizing for action and advocacy those that have been accepted but not yet acted upon, or prioritizing those requiring joint action or mediation efforts by the UN. Country teams can also better utilize the resources and support available through the Voluntary Fund for Financial and Technical Assistance in the Implementation of UPR, administered by OHCHR, in partnership with Resident Coordinators and UN entities, the Peacebuilding Support Office or bilateral donors. Currently a UN system-wide guidance for UN country teams and peace operations is being prepared that aims to facilitate the use of UPR as an entry point for human rights engagement at country level.