

Free Webinars

Good Practices for UPR Mid-term Reporting



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



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Introduction

1. Introduction
2. Mid-term reports
3. Rules for Submissions
4. Good Practices



Introduction

UPR Follow-up at the National level

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

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

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

Parliamentarians action to implement recs

Recommending States, UN Agencies, media and other stakeholders should participate in the follow up phase

Mid-term Reports



Why?

No official UN follow-up mechanism

To take stock of progress halfway between reviews;

How many recommendations are fully implemented, partially implemented, not implemented

Why to submit a mid-term report?

Reinvigorating national UPR momentum

Facilitates **Consultations** among different actors

Recommending States receive information of recommendations made

Who can submit a mid-term report?

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



Multi-stakeholder consultations



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

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

Meaningful: Consultations should not be a box-ticking exercise but done with the intent of including the information obtained in the final mid-term report.

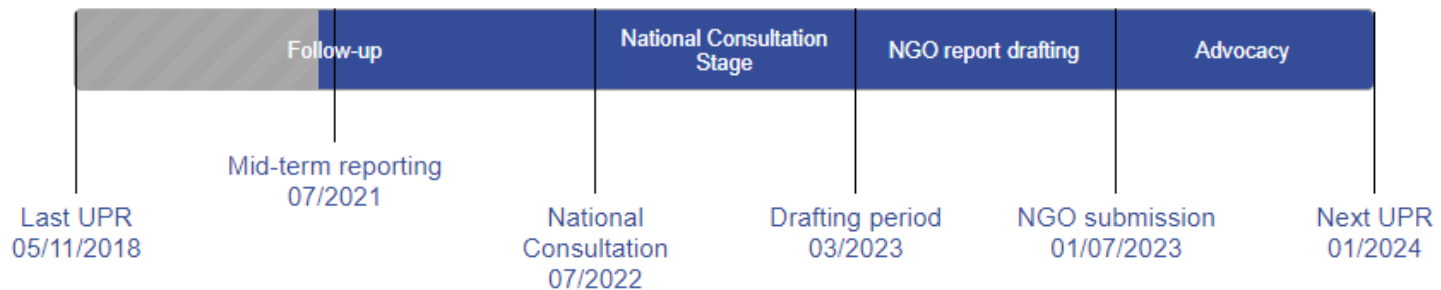


When?

No official submission deadline

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

Timeline for UPR engagement in the current cycle





Where?

Where to submit reports

OHCHR

State mid-term reports: uprstates@ohchr.org

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

UPR Info

info@upr-info.org



Rules of Submission

- ❑ **Word-limit:** No word limit!
- ❑ **Content:** Prioritise first-hand views, conclusions and findings
- ❑ **No Official Template!**

1. Introduction (2§)

2. Methodology (2-3§)

3. Assessment of recommendations: (matrix)

4. Way Forward: (2-3 pages)

1. Introduction: (2§)

- The date of the review and adoption
- How many recommendations were supported and noted by the State;
- What ministries/national actors were identified to support implementation;
- What type of implementation framework was adopted e.g. UPR-specific implementation plan or mainstreaming UPR recommendations into the national human rights action plan;
- For CSO mid-term reports, it is important to include a presentation of the organisations behind the submission.

- ✓ Coalition description
- ✓ Logos of submitting organisations

Don't forget to include contact information!!



UPR THEMATIC GROUP CONVENERS





An Example from Kenya

This report was prepared through a collaborative effort of various Civil Society Organizations and stakeholders under the guidance of the Steering Committee of the Kenya CSO Coalition on the UPR

SUMMARY ANALYSIS OF LEVEL OF IMPLEMENTATION

| | | | | | | | | | | | |
|--|--------------------------------|------------|----------------------------|------------|--------------------------------------|------------|----------------------|------------|----------------------|------------|--|
| Total Recommendations received by Kenya | | | | 253 | | | | | | | |
| Number of Accepted Recommendations | | | | 192 | | | | 76% | | | |
| Level of Implementation per thematic cluster | | | | | | | | | | | |
| | Legal and Institutional Reform | | Civil and Political Rights | | Economic, Social and Cultural Rights | | Group Rights | | Total | | |
| | Number of Indicators | Percentage | Number of Indicators | Percentage | Number of Indicators | Percentage | Number of Indicators | Percentage | Number of Indicators | Percentage | |
| Fully Implemented | 14 | 32% | 09 | 20% | 22 | 22% | 13 | 34% | 58 | 26% | |
| Ongoing or Partially implemented | 15 | 34% | 23 | 52% | 28 | 28% | 06 | 16% | 72 | 32% | |
| Not Implemented | 15 | 34% | 12 | 27% | 28 | 28% | 10 | 26% | 65 | 29% | |
| No Information | 00 | 00% | 00 | 00% | 21 | 21% | 09 | 24% | 30 | 13% | |
| Total indicators | 44 | | 44 | | 99 | | 38 | | 225 | | |

2. Methodology (2-3§)

- Consultations carried out (Naming the different stakeholders contacted, Who organized the consultations)
- How data was collected and assessed (interviews, testimonies, Desk review, field research)
- Where any indicators developed?

Adds legitimacy and credibility!

Good practice: State



The **United Kingdom**'s second cycle mid-term report identifies the different levels of consultations and how the information on implementation was gathered. This includes meetings across England, Wales, Scotland, and Northern Ireland, as well as input via an online submission platform.⁵⁰

3. Assessment of recommendations: (matrix)

- Include Noted recommendations
- Prioritize first-hand views, data, conclusions and findings.
- Use technical language and concrete examples.
- Focus on assessments of implementation of recommendations and comment on their impact thereon.
- Highlight challenges, but also mention improvements and good practices if any
- Include the OHCHR matrix of recommendations, and use the traffic-light system

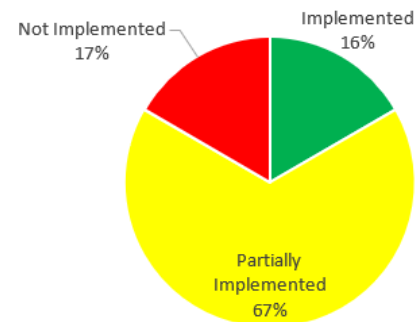
| Recommendation | Position | Full list of themes | Assessment/comments on level of implementation |
|---|-----------|---|--|
| Theme: E23 Right to adequate housing | | | |
| 109.190 Increase access to electricity, basic sanitation and running water (Maldives); Source of position: A/HRC/34/5/Add.1 | Supported | E23 Right to adequate housing E26 Human Rights & drinking water and sanitation Affected persons: - general | |
| Theme: E51 Right to education - General | | | |
| 109.193 Provide access to education to children (Pakistan); Source of position: A/HRC/34/5/Add.1 | Supported | E51 Right to education - General Affected persons: - children | |
| 109.194 Take effective steps to address the educational needs of all children, even in these difficult conditions (Singapore); Source of position: A/HRC/34/5/Add.1 | Supported | E51 Right to education - General Affected persons: - children | |
| 109.195 Step up efforts for the protection of schools with a view to ensuring that education may continue (Argentina); Source of position: A/HRC/34/5/Add.1 | Supported | E51 Right to education - General Affected persons: - children | |
| 109.191 Continue efforts to provide full access to basic medical services and education and to protect children from the worst forms of child labour (Holy See); Source of position: A/HRC/34/5/Add.1 | Supported | E51 Right to education - General F31 Children: definition; general principles; protection F33 Children: protection against exploitation Affected persons: - children | |
| 109.192 Ensure equal access to education for all vulnerable people, including women, children and persons with disabilities (Lao People's Democratic Republic); Source of position: A/HRC/34/5/Add.1 | Supported | E51 Right to education - General F4 Persons with disabilities Affected persons: - women - children - persons with disabilities | |
| Theme: F12 Discrimination against women | | | |
| 109.86 Continue and strengthen efforts in the fight for gender equality (Nicaragua); Source of position: A/HRC/34/5/Add.1 | Supported | F12 Discrimination against women Affected persons: - women | |

Traffic Light System



- Present implementation in a clear manner: Don't overburden report with text.
- Traffic Light System, in the form of a grid, presents implementation levels of all recommendations at a glance.

Recommendations related to Constitution and National Mechanism



III. THEMATIC MID-TERM ASSESSMENT REPORTS

A. LEGAL AND INSTITUTIONAL REFORMS

1. Ratification of international instruments

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

1.1.1 Specific Action by Government: Enhance institutional and legal framework to ensure timely ratification of international Instruments

| Indicator | Status of Implementation by Government | |
|--|--|--|
| Establishment of a fully functional Office of the Registrar of Treaties. | <p>The office though established is not fully functional.</p> <ul style="list-style-type: none"> • There is established an Office of the Registrar of Treaties, which is operational and under the Ministry of Foreign Affairs. • However, there is need for the Office of the Registrar of Treaties to be resourced and further, for the office to reach out to other stakeholders. • The office is yet to undertake its functions such as monitoring implementation of treaties and informing state departments on their obligations. • The office is yet to establish a national reporting mechanism which is to reach out to stakeholders for purposes of reporting and follow up on implementation of treaty obligations. | |
| Fully Implemented Ratification of Treaties Act. | <ul style="list-style-type: none"> • The Treaty Making and Ratification Act, 2012 is now an Act of Parliament. • Whereas the MoFA launched a Treaties database in June, 2017 under the Office of the Registrar of Treaties, there is failure on the part of the Registrar of Treaties to maintain records, monitor implementation of treaties, inform State Departments to observe and uphold obligations. • There is need for greater co-ordination between the Office of the Registrar of Treaties, the Ministry of Foreign Affairs, and the Office of the Attorney General and Department of Justice and other relevant State Departments. • There is currently a proposed amendment to the Treaty Making and Ratification Act, 2012 vide the Treaty Making and Ratification Amendment Bill, 2018 to align its provisions to the current constitution. Key proposals include the inclusion of Senate in the ratification process. | |
| Ratify Optional Protocol (No. 2) of the UNCRC. | <ul style="list-style-type: none"> • Kenya signed the Optional Protocol (No. 2) of the UNCRC in 2000 but has not yet ratified it. There is no legitimate reason why Kenya has still not ratified the same. | |
| Withdrawal of reservation on paragraph 2 of Article 10 of the ICESCR. | <ul style="list-style-type: none"> • The reservation on paragraph 2 of Article 10 of the ICESCR which requires the State to make provision for paid maternity leave has not been withdrawn. • However, the State has made significant legislative and administrative progress as provided under Section 29(1) of the Employment Act that provides for 3 months paid maternity leave for female employees. • In addition, the State has also made provision for 2 weeks paid paternity leave under Section 29(8) of the same Act. | |



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30 shown of 287 documents sorted by: **Date added (Recently)*** [Select all](#) [Search tips](#)

| | | |
|--|--|--|
| <p>N/A</p> <p>Cycle Cycle 2 (2012 - 2016)</p> <p>Session 25 - May 2016</p> <p>State under Review Trinidad and Tobago</p> <p>Recommendation Abolish the death penalty and declare an official moratorium on all executions as a well as repealing all provisions of national legislation that may provide for the death penalty</p> <p>Recommending State Costa Rica</p> <p>Action Category 5 - Specific action</p> <p>Response Noted</p> <p>Issue Death penalty</p> <p>Date added Sep 26, 2019</p> <p>Recommendation View</p> | <p>N/A</p> <p>Cycle Cycle 2 (2012 - 2016)</p> <p>Session 25 - May 2016</p> <p>State under Review Trinidad and Tobago</p> <p>Recommendation Continue with the steps already taken on the right to life, liberty and security of the person and in particular to continue the moratorium on the death penalty and work towards eliminating it</p> <p>Recommending State Spain</p> <p>Action Category 2 - Continuing action</p> <p>Response Noted</p> <p>Issue Death penalty</p> <p>Date added Sep 26, 2019</p> <p>Recommendation View</p> | <p>N/A</p> <p>Cycle Cycle 2 (2012 - 2016)</p> <p>Session 25 - May 2016</p> <p>State under Review Trinidad and Tobago</p> <p>Recommendation Establish a de jure moratorium on the death penalty that could ultimately lead to its suppression from legislation</p> <p>Recommending State Spain</p> <p>Action Category 5 - Specific action</p> <p>Response Noted</p> <p>Issue Death penalty</p> <p>Date added Sep 26, 2019</p> <p>Recommendation View</p> |
|--|--|--|

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State under Review AND OR

trini [✕](#)

Trinidad and Tobago 287

State under Review - Regional Group

GRULAC (Group of Latin American & Caribbean States) 287

Any 287

State under Review - Organisations AND OR

ACS (Association of Caribbean States) 287

Commonwealth 287

OAS (Organisation of American States) 287

Any 287

Recommending State AND OR

Search item [Q](#)

France 12

Spain 12

Ghana 11

Uruguay 11

Canada 9

▼ 58 more

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4. Way Forward: (2-3 pages)

- Include suggested solutions to implementation gaps
- identify ways that UPR stakeholders can support implementation:
 - National level
 - International level

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Q/A?



Good Practices



Analysis by Population Group

From New Zealand: Database of the **Human Rights Commission**

Explore by Population Group

| POPULATION GROUP | GOVERNMENT ACTIONS | UPR RECOMMENDATIONS | Accepted | Not Accepted | |
|--------------------------|--------------------|---------------------|----------|--------------|---|
| Māori | 32 | 28 3 | 28 | 3 | > |
| Children | 18 | 18 3 | 18 | 3 | > |
| People with disabilities | 17 | 6 1 | 6 | 1 | > |
| Women | 14 | 33 3 | 33 | 3 | > |
| Pacific peoples | 12 | 3 0 | 3 | 0 | > |
| People of Canterbury | 11 | 3 0 | 3 | 0 | > |



Apply a Gender Analysis

- Ask how the implementation design mainstreams gender
- Evaluate how the implementation of policies related to UPR recommendations affect women and men / girls and boys differently and its effects
- Propose constructive solutions to bridge the gap on gender mainstreaming and the obstacles observed

Efforts should be made to link reporting on the implementation of obligations and accepted recommendations from the UPR, TBs and SPs, with national reporting on the SDGs





Impact of the Pandemic on human rights

In your analysis of the progress made, refer to how the Covid-19 pandemic has had an effect.



COVID-19 Response



What happens
Next ?



Sharing the findings of Your Mid-term Report

- **Share copies with all actors involved in consultations,** including Government, National Human Rights Commissions, media, UN agencies, Embassies etc.
- **Launching event:** Identify venue/host (UN, EU), invitation to donor/diplomatic community and national stakeholders.
- **Press conference:** To optimise the momentum around the report, hold a separate media event where to report is introduced.
- **Mid-term factsheet:** Visualise findings through statistics and infographics is a good way of making the report more accessible and user-friendly.

WOMEN'S RIGHTS IN THE ISLAMIC REPUBLIC OF IRAN

Midterm assessment of Iran's implementation of recommendations received during the 2014 Universal Periodic Review

IMPACT IRAN UPR IRAN

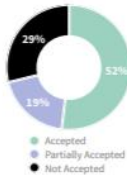
KEY AREAS OF CONCERN RAISED BY STATES

- Gender-Based Discrimination in Law
- Gender-Based Violence
- Persistent Barriers to Political and Economic Advancement of Women



WOMEN'S RIGHTS AT IRAN'S UNIVERSAL PERIODIC REVIEW IN 2014

RESPONSE



UPR BREAKDOWN

- Iran received the highest number of recommendations on issues related to women's rights (59 recommendations) and accepted the majority of them.
- Most of these recommendations addressed issues related to discrimination, barriers to economic and political participation, and gender-based violence.
- Iran has so far failed to implement the majority (15) of the 27 recommendations it accepted in full or in part, and has partially implemented 9 of them as of the mid-term period.*

EXAMPLES OF RECOMMENDATIONS

| RECOMMENDATION | RESPONSE | SCORE* |
|--|--------------------|-----------------------|
| 138.27: Consider introducing specific provisions in the Islamic Penal Code about investigation, prosecution and punishment of perpetrators of domestic violence (Portugal) | ACCEPTED | NOT IMPLEMENTED |
| 138.247: Continue efforts for greater representation of women in the political process and their participation in public life (Malaysia) | ACCEPTED | PARTIALLY IMPLEMENTED |
| 138.198: Strengthen the means and measures to combat violence against women. (Mali) | ACCEPTED | PARTIALLY IMPLEMENTED |
| 138.112: Continue working so that Iranian women have the right to transmit their nationality to their children (Guatemala) | PARTIALLY ACCEPTED | NOT IMPLEMENTED |
| 138.91: Take measures to ensure equal access of women to higher education and professional life, including by repealing the restrictions on female students and by lifting bans on women in certain professions (Germany) | PARTIALLY ACCEPTED | PARTIALLY IMPLEMENTED |
| 138.218: Raise the minimum age of marriage to 18 years old and ensure marriage with the legal requirement of free consent of spouses through amendments to the Civil Code and the Family Protection Law (Poland) | NOT ACCEPTED | NOT IMPLEMENTED |
| 138.189: Amend the Civil Code in order to bring to 18 years old the legal marriage age for both boys and girls, and repeal the amendment to the Law on the Protection of Children and Adolescents with No Guardian, which allows for marriage between adoptive parents and their adopted child (Italy) | NOT ACCEPTED | NOT IMPLEMENTED |

*THIS SCORE IS BASED ON AN IMPLEMENTATION ASSESSMENT CONDUCTED BY IMPACT IRAN AS OF MAY 2017 BUT IS PENDING FINAL REVIEW.

GENDER-BASED DISCRIMINATION IN LAW: Member States issued at least 20 recommendations to Iran to reform its laws to address discrimination against girls and women in law. These recommendations were based on concerns that the law explicitly discriminates against women in areas such as:

THE ADMINISTRATION OF JUSTICE: Pursuant to the Islamic Penal Code, women are entitled to less compensation than men for compensatory damages (i.e. diya or "blood money") resulting from criminal (or tortious) acts that cause bodily harm. Under the code, the age of criminal responsibility for girls is 9 lunar years, while for boys it is 15. A woman's testimony is equal to half the legal weight or value of a man's testimony.

PERSONAL STATUS AND FAMILY LAWS: Under Iran's Civil Code, women do not have equal rights to men in marriage, divorce, child custody or inheritance. For example, husbands have an incontestable right in law to divorce their spouse. Married women cannot obtain a passport or travel without the permission of their husbands. Moreover, a husband can prevent his spouse from pursuing an occupation which he believes to be against family values or harmful to his or her reputation. The legal age of marriage for girls is 13 (while for boys it is 15) and fathers can apply for permission from courts to arrange for their daughters to be married at an even younger age. According to the Global Gender Gap Report of 2015, 21 percent of females in Iran aged 15 to 19 years old were married.

OTHER LAWS: Recently passed legislation further curtails women's access to health and family planning services and employment, or renders women increasingly vulnerable to gender-based violence. For example, the *Plan to Reduce the Working Hours of Women with Special Conditions*, which passed into law on 29 September 2016, reduces the working hours of female employees with certain family obligations—including female-headed households, those with children under the age of seven years, and women with children or spouses with disabilities or incurable and chronic diseases—from 44 hours to 36 hours a week, without reducing their salaries. Though the law is intended to protect these women, it effectively creates barriers to women's participation in the workforce because no comprehensive anti-discrimination protections banning gender discrimination in the workplace exist.

GENDER-BASED VIOLENCE: Member States emphasized concerns over gender-based violence, providing 11 recommendations on the topic. Despite some measures taken by authorities targeted at improving the situation for victims of domestic violence (such as establishing 31 safe houses and 22 social rehabilitation centers for victims of violence), there is no comprehensive and effective law that protects women from such violence. For example, no protections are in place to criminalize or prohibit early or forced marriage, marital rape, or domestic violence. Moreover, current Iranian law allows for punitive loopholes in cases of "honor killings." A domestic violence draft bill has been pending review and a vote in Parliament since 2012.

PERSISTENT BARRIERS TO POLITICAL, ECONOMIC AND SOCIAL ADVANCEMENT OF WOMEN:

Member States issued at least 12 recommendations aimed at improving women's participation in the political and socio-economic life of the country. Policies adopted by various organs of the state that limit women's political, economic and social participation range from population promotion measures intended to increase the number of children per family, to gender-based quotas in university admissions and restrictions on enrollment in certain academic fields considered to be more appropriate for men (i.e. medicine, math and engineering). Additionally, some government offices and municipalities have limited certain types of employment to men only.

While women occupy over half of all university student slots, their participation in the labor force is only 17 percent. The 2015 Global Gender Gap report ranks Iran among the last five countries (141 out of 145) for gender equality, including equality in economic participation. Women's participation in the labor market in Iran is significantly lower than average when compared to other upper-middle income countries, and lower than the average for all women in the Middle East and North Africa (MENA) region (which has very low female participation compared to other regions).

Since President Rouhani's election, authorities have made small efforts to remove some of these barriers, including removing some gender-based quotas connected to access to higher education. On 31 July 2016, the Rouhani administration issued an executive order freezing the civil service exam and all hires of new government employees until measures are in place to guarantee equal opportunities for women. In August 2017 Rouhani appointed three women as part of his cabinet, though no female ministers have been appointed, despite demands raised by 175 MPs. Moreover, the administration has not yet met its goal of increasing the percentage of female managers in the executive branch to 30 percent, in accordance with the country's Sixth Development Plan. Women currently occupy only 5.8% (17 out of 290) of parliamentary seats in the new parliament elected in February 2016, the highest percentage since the 1979 revolution.

World Economic Forum Gender Gap Index in Iran 2016



CASES OF NOTE

ALIEH MOTLABZADEH: In November 2016, Intelligence forces allegedly arrested women's rights activist, Alieh Motlabzadeh, and interrogated at least 20 others, for participating in a workshop in Georgia. Motlabzadeh has been released on bail and was awaiting further court proceedings as of this writing.

On 19 November 2016, the Iranian Wrestling Federation barred three female athletes from participating in a world wrestling competition, for allegedly failing to uphold "Islamic values."



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Seats held by women in Parliament.



Contact:

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