

NGO written submission for the Universal Periodic Review

Information for NGOs

What information can an NGO submission include?

Under the Universal Periodic Review (UPR),¹ any NGO can send a written submission on the human rights situation of any UN Member State.

NGOs can therefore raise issues under each international covenant and convention as well as any relevant issue covered by the UN Charter, the Universal Declaration of Human Rights, other human rights instruments to which a State is Party, voluntary pledges and commitments made by a State, and applicable international humanitarian law.

What are the particularities of an NGO submission for the UPR?

- All UPR submissions are public, be they the State, United Nations or NGO submissions.
- NGO submissions are maximum 2,815 words (about 5 pages) for a submission from an individual NGO and 5,630 words (about 10 pages) for a joint submission.²
- NGO submissions do not have to cover all rights. On the contrary, prioritization of key human rights issues is recommended.
- NGO submissions that respect the technical guidelines of the Office of the High Commissioner for Human Rights (OHCHR)³ will be uploaded on the OHCHR website.

IMPORTANT NOTE

NGO written submissions to the UPR cannot be anonymous or confidential; the name of the NGO submitting the information and the written submission will be available online. Reference to individual cases should therefore only be made if the safety and well-being of the individuals concerned are not at risk.

If there is a fear of reprisal, national NGOs may wish to submit information through an international NGO.

- Extracts of NGOs' submissions may be selected by the OHCHR and included in its **summary of stakeholders' information** (known as the OHCHR summary). This summary is one of three reports⁴ that constitute the basis for the review of a State.
- NGOs have to send their submissions before the State submits its national report. NGOs are therefore not able to respond to State's views, but they have a chance to highlight issues to be discussed.
- NGOs are encouraged to include achievements, best practices, challenges and constraints of their States in their submissions (where possible) and information on the implementation of accepted UPR recommendations since the last review.

¹ To find out more about the UPR, see Factsheet No. 1 entitled "The Universal Periodic Review".

² The cover page, footnotes, endnotes and annexes will not be taken into account in the word limit and will not be included in the summary of stakeholders' information.

³ See <http://www.ohchr.org/Documents/HRBodies/UPR/TechnicalGuideEN.pdf>

⁴ The UPR of a State is based on three reports: the State's national report (about 20 pages); a compilation of UN information on a State (about 10 pages), including concluding observations of treaty bodies; and a summary of other relevant stakeholders' information (about 10 pages) based on written submissions of NGOs, National Human Rights Institutions (NHRIs), human rights defenders, academic institutions, ombudspersons and regional organizations, prepared by the OHCHR.

How to ensure NGO information is included in the OHCHR summary?

Ensure the submission is credible and reliable: The OHCHR does not have the time to check the information provided by NGOs; therefore they need to have confidence in the information they receive. A joint submission increases the credibility and visibility of NGOs' information, therefore increasing the likelihood of its inclusion in the summary. This is especially true for national NGOs which might not be known to the OHCHR.

NGOs should use technical language and examples, as this will indicate that the NGO submission is based on first-hand information.

Provide information in a format that the OHCHR can easily use: Although there is no formal template for NGO submissions to the UPR, the OHCHR has developed a template for its summary. If NGO information is presented according to its headings, it will make it easier for the OHCHR to know under which section the information should be included.

To increase the chances of getting information included in the summary, NGOs should provide the following information on each issue: 1) a general statement defining the issue, 2) supportive examples and 3) recommendation(s).

The OHCHR often uses the general statement and the recommendation(s) in its report. While the examples are rarely included in the summary, they show that NGO information is credible and reliable.

What type of information should NGOs include?

- Highlight the main issues of concern in the State over the past 4½ years, including emerging issues or ones which need international pressure.
- Include information on the implementation of recommendations accepted in previous UPR cycles.
- Refer to human rights instruments, national legal standards, and so on for each issue described.
- The general statement defining the issue should be kept short, and where possible, should include the State's achievements and best practices.
- Make precise, specific, action-oriented (i.e. implementable in the next 4½ years) and easy to monitor recommendations to the State. It is important to carefully word recommendations. The impact is different if the recommendation is 'to ratify' a treaty or 'to consider the ratification of a treaty'.
- Written submissions should not include second-hand information (except when it clearly supports original information). Facts and supporting evidence of the

identified priority issues and recommendations may be annexed to the submission for reference.

- Identify a maximum of 5–10 key issues in the country (ideally 1–2 issues per page).

Should it be a joint or individual submission?

Both types of submission are considered by OHCHR, but they each have their advantages and disadvantages.

A joint NGO submission:

- Increases the visibility and credibility of the NGO submission and the chances of having most of the information included in the OHCHR report.
- Allows NGOs with limited resources to engage in the UPR regardless of their size and capacity.
- Provides the opportunity to strengthen the cooperation with the broader national civil society, which is essential for advocacy and follow-up.
- Is encouraged by the OHCHR as it covers a greater range of human rights issues in a country and reflects the priority areas for a number of NGOs.
- Facilitates advocacy at national level and in Geneva.

Example: the joint submission of the Albanian Coalition All Together Against Child Trafficking and SOS Children's Villages Albania was referred to several times in the OHCHR summary. The NGOs used this to lobby States to make recommendations on Albania.⁵

An individual NGO submission:

- Can be faster to prepare as it does not involve negotiating the text with other NGOs.
- Avoids the need to compromise on key issues that the NGO wants to raise.
- Can focus on one or more specific issues, which makes it easier for OHCHR to see the priorities.
- Is effective if your organisation is known to OHCHR and they have confidence in the information.

Example: Global Initiative to End All Corporal Punishment of Children sends a two-page submission for each country reviewed on the legality of corporal punishment and always gets mentioned in the OHCHR summary.⁶

TIP: NGOs do not have to choose between submitting an individual or joint submission. They can prepare an individual submission and participate in as many joint submissions as they like. It is up to the NGOs to decide which will be the most effective and least time-consuming way to communicate their issues.

⁵ To read their submission, go to: http://lib.ohchr.org/HRBodies/UPR/Documents/Session6/AL/ATACT_ALB_UPR_S06_2009.pdf

⁶ To read one of their submissions, go to: http://lib.ohchr.org/HRBodies/UPR/Documents/Session9/HN/GIEACPC_EndofCorporalPunishmentofChildren.pdf

Technical information⁷

1. Style of the submission

- Avoid language that is subjective or emotional.
- **Do not** include pictures, maps, organizations' annual reports or reports from other organizations as annexes to the submission.
- **Do not** use too many footnotes.

2. Structure of the submission

- Include a cover page which identifies **all submitting stakeholders** (letterhead, name and acronym, logo, website, etc.) and describes the main activities of the organization/coalition, as well as its date of establishment, especially if the NGO is engaging with the UN for the first time.
- Include an introductory executive summary capturing the main points described and/or indicate key words to help the OHCHR understand what the submission is about (e.g. right to education).
- Send the written submission as a **Word document only** (i.e. not as a PDF file).
- Number the paragraphs and pages of the submission.

3. Sending the UPR submission:

- Send the submission to: uprsubmissions@ohchr.org.
- Only refer to one country in the electronic submission and relevant e-mail message.
- In the title of the e-mail message, include the name of the (main) coalition/NGO submitting the contribution, the kind of contribution (individual or joint), the name of the reviewed country, and the month and year of relevant UPR session, e.g., *Child rights coalition – joint UPR submission – Brazil – April 2008*, in the title of the e-mail message.
- In the text of the e-mail message accompanying the submission, indicate the details of the relevant contact person and a paragraph describing the NGO/coalition's main activities and date of establishment, especially if the NGO is engaging with the UN for the first time.

- The OHCHR secretariat will confirm electronically receipt of the NGO's message and submission. To keep a proof that the submission was sent on time, add a 'read receipt' to the email sent to OHCHR and/or keep a copy of the email.
- As a last resort, if there are repeated technical difficulties with e-mail, the submission can be faxed to +41 22 917 90 11.

What happens after sending the NGO submission?⁸

Once the NGO submission is received, the OHCHR will check if it complies with its technical guidelines.⁹ If it does, it will be uploaded on the OHCHR's UPR web page.¹⁰

The OHCHR then selects information from all the submissions it has received from NGOs and other stakeholders to create its **summary of stakeholders' information**.

UN Member States may support some of the issues or recommendations raised in the compilation and incorporate them into their own statements. This is a great opportunity for NGO engagement: through advocacy and lobby activities, NGOs can convince States to make some, if not all, of their recommendations during the review.¹¹ Advocacy and lobbying will also ensure that States understand the full spectrum of human rights issues in the country and not only the most obvious ones.

All the recommendations made by States during the review, whether they are later accepted or rejected, will appear in the Report of the Working Group (also known as the outcome report of the UPR), which summarizes the interactive dialogue with the State under review. Recommendations appearing in NGO submissions could therefore be directly included in the outcome report and have a chance of being accepted by the State.

⁷ This information is based on the OHCHR technical guidelines. For the full guidelines, go to: <http://www.ohchr.org/Documents/HRBodies/UPR/TechnicalGuideEN.pdf>

⁸ For a comprehensive view of the full UPR cycle, see the chart in Factsheet No. 1 entitled "The Universal Periodic Review".

⁹ See <http://www.ohchr.org/Documents/HRBodies/UPR/TechnicalGuideEN.pdf>

¹⁰ To see the submissions uploaded, go to <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx> where documentation for each State reviewed can be found by session or by country. NGO submissions that complied with the OHCHR's technical guidelines can be found under the footnote next to Summary of stakeholders' information on country pages.

¹¹ To find out more about how to lobby States, see our Factsheet No. 3 entitled "NGO Advocacy in the UPR".

CHECKLIST

Key elements for a good NGO submission for the UPR

- ✓ A maximum of 2,815 words (about 5 pages) for an individual submission and 5,630 words (about 10 pages) for a joint submission.
- ✓ The submission is focused on key human rights issues.
- ✓ Information on the human rights situation in the last 4½ years organised under the headings used in the OHCHR summary of stakeholders' information.
- ✓ Information on the implementation of accepted recommendations in the State under review.
- ✓ Each human rights issue addressed contains: a general statement defining the issue, examples to show the credibility of the general statement and recommendations.
- ✓ NGO information complements – but does not repeat – UN information. It should not consist of copying and pasting the Committees' concluding observations, as OHCHR already has this information.
- ✓ Issues are illustrated by examples to demonstrate that it is first-hand information, based on the NGOs' experience and not exclusively on media information.
- ✓ NGOs should use professional and technical language to show that they know what they are describing and refer to statistics, data and/or specific cases in footnotes. The OHCHR summary will not refer to individuals mentioned in the submission, except if they are emblematic cases.
- ✓ NGO recommendations to the State should be worded in a way that makes it easy to monitor their implementation. Action-oriented and concrete recommendations are easier to lobby for.
- ✓ An NGO submission is sent within the deadline (7 to 8 months prior to the review).¹²
- ✓ The submission is well written in one of the UN languages, preferably in English, French or Spanish to ensure that a maximum number of States can read it.
- ✓ The OHCHR cannot redraft NGO submissions and therefore cannot include information in their summary if the language is not up to professional standards. For those not fluent in a UN language, they may wish to get a professional translation of their submission.

¹² Check <http://www.ohchr.org/EN/HRBodies/UPR/Pages/NewDeadlines.aspx> for the exact deadlines.

UPR INFO

14 avenue du Mail
1205 Geneva, Switzerland
Tel: +41 22 321 77 70
Fax: +41 22 321 77 71
E-mail: info@upr-info.org
www.upr-info.org

NGO GROUP FOR THE CONVENTION ON THE RIGHTS OF THE CHILD

1 rue Varembe
1202 Geneva, Switzerland
Tel: +41 22 740 47 30
Fax: +41 22 740 46 83
E-mail: secretariat@childrightsnet.org
www.childrightsnet.org