



LOCAL AND REGIONAL GOVERNMENTS IN THE UPR



In 2021, a coalition was launched by the Geneva Cities Hub, the Office of the UN High Commissioner for Human Rights (OHCHR), UN Habitat, the Geneva Human Rights Platform, the Friedrich-Ebert-Stiftung Geneva and UPR Info to support the participation of local and regional governments in the Universal Periodic Review.



This publication provides information to local and regional governments that are interested to take part and contribute to this unique human rights mechanism.



ACRONYMS

HRC	Human Rights Council
HLPF	High-Level Political Forum on sustainable development
LRGs	Local and regional governments
NHRIs	National Human Rights Institutions
NMIRF	National Mechanism for Implementation, Reporting and Follow-up
OHCHR	Office of the UN High Commissioner for Human Rights
RHRMs	Regional Human Rights Mechanisms
SDGs	Sustainable Development Goals
SuR	State under review
UN	United Nations
UPR	Universal Periodic Review

WHAT IS THE UNIVERSAL PERIODIC REVIEW?

The [Universal Periodic Review](#) (UPR) mechanism of the [Human Rights Council](#) (HRC) is a unique process established in 2006 that involves a periodic review (every 4 ½ years) of the human rights records of all 193 United Nations (UN) Member States. It is a State-driven process that gives each State an opportunity to declare what actions it has taken to fulfil its human rights obligations and share good practices in this regard. Each State receives recommendations from its peers to improve human rights at national level and then commits to implementing the recommendations it has accepted.

WHAT MAKES THE UPR UNIQUE?

Currently, no other universal mechanism of this kind exists. The UPR is unique because of its:

- **Thematic coverage.** The UPR addresses all human rights issues.
- **Universal geographic coverage.** All UN Member States take part in the process and have been reviewed under the UPR three times. It is the only mechanism with a 100% participation rate.
- **Peer-review functioning.** States make UPR recommendations, not experts (who usually carry this responsibility in other UN hu-

man rights mechanisms). the UPR therefore provides a different kind of leverage to strengthen accountability and promote progress on human rights (even though UPR reviews are also based on information provided by different parts of the UN human rights system, by civil society and other stakeholders).

- **Ownership by the State of UPR recommendations.** The State under review (SuR) has the ability to accept or simply “note” recommendations made by its peers. By accepting recommendations, the SuR expresses its political commitment to implement those recommendations.
- **Inclusive dimension.** National stakeholders, including LRGs, can get involved in the UPR process through participating in national consultations, as well as by reporting on and monitoring implementation of UPR recommendations.

WHY SHOULD LOCAL AND REGIONAL GOVERNMENTS GET INVOLVED IN THE UPR?

While the central government bears the primary responsibility for State’s international obligations to promote and protect human rights. For instance, the right to education, the right to adequate housing and the principle of non-discrimination are often enshrined in the State’s Constitution or other national legislation. But these are in fact frequently implemented at subnational level, through the public services that LRGs provide to their residents.

Human rights begin at local level

In her 1958 address to the UN, Eleanor Roosevelt posed what she called “the great question”. *“Where, after all, do universal rights begin? In small places, close to home – so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighbourhood he lives in; the school or college he attends; the factory, farm or office where he works. Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere.”*

Given the role played by LRGs to promote, protect and fulfil human rights, their participation in the UPR mechanism would add much value:

- Obtaining information on how human rights are being effectively implemented at local level would enable States and the UN human rights machinery, in particular the UPR, to get a better sense of the situation of human rights in a given country.
- Participating in the UPR would enable LRGs to obtain a clearer idea of where they stand in relation to the promotion and protection of human rights in their respective territories.
- Engaging in the UPR would enable LRGs and their administrations to enhance dialogue with central government, as well as with local governments in other States.
- Because LRGs already share with central government the responsibility to fulfil accepted recommendations stemming from the UPR, it is only right to include them in the process, and thereby guarantee better adherence and implementation of those recommendations.

HOW DOES THE UPR WORK?

The UPR reviews the situation of all 193 UN Member States worldwide. It has been designed to ensure that all countries are treated equally when their human rights situations are assessed. Every year, 42 States are reviewed. Thus, a State goes under UPR review every 4½ years.

The UPR process takes place at the UN in Geneva, in 3 stages:

1. Before the review, reports are prepared with information from three main sources:

- A national report is prepared by the SuR. It should be the result of a large inclusive national consultation (hopefully including LRGs), whose modalities are decided by each State.
- A UN compilation includes all relevant public UN information (from UN mechanisms and agencies).

- A stakeholders' summary includes contributions from civil society, National Human Rights Institutions (NHRIs), and Regional Human Rights Mechanisms (RHRMs).

2. The review takes place in an interactive dialogue of 3.5 hours between the SuR and other UN Member States, mainly based on the three reports above. During this discussion, the SuR presents its national report; any UN Member State can pose questions and make comments, and, most important, make recommendations to the SuR. A report reflecting the recommendations received by the SuR, and summarizing the discussion, results from the review. The interactive discussion is webcast live on [UNTV](#), so that all who wish can easily follow the review.

3. After the review, the SuR has between 4 to 6 months to take a position on each recommendation received during the UPR, either by accepting or noting them. The SuR then has 4.5 years until the next review to implement recommendations it has accepted. Effective implementation requires the SuR to follow a “whole-of-government” approach and to involve LRGs, given their complementary role in the promotion, protection and fulfilment of human rights. The SuR and other stakeholders (civil society organisations, NHRIs, RHRMs) have the opportunity to present [voluntary mid-term review reports](#) to assess the stage of implementation of UPR recommendations by the SuR.

Examples of UPR recommendations that need to trickle down to the local level

A SuR that receives a UPR recommendation to improve access to primary healthcare or to conduct awareness-raising campaigns on violence against women will need to ensure that the recommendation trickles down to lower tiers of administrations, so that they may be implemented by the relevant LRGs.





THE UPR AND THE SUSTAINABLE DEVELOPMENT GOALS

The Sustainable Development Goals (SDGs) are explicitly grounded in human rights; they seek to realize the human rights of all. In fact, over 90% of the SDGs and their targets correspond to human rights obligations.¹ While the UPR is a human rights mechanism, it also addresses SDGs², given their significant convergence.

The UPR offers an effective way to monitor progress towards SDG implementation. For example, LRGs that have produced [Voluntary Local Reviews on SDG implementation](#) at local level may use that information to contribute to the UPR through the national report. The other way round also works: UPR recommendations provide valuable country-specific information that can be used to monitor and report on SDG implementation.

While there is no direct institutional link between the UPR in Geneva and the [UN High-Level Political Forum on sustainable development](#) (HLPF) in New York, which reviews progress on SDG implementation, both those processes are nonetheless closely connected in terms of the substance they address (the SDGs and human rights). Participating in the HLPF may therefore help LRGs prepare for UPR and vice-versa.

Matrix and Infographics linking human rights to SDGs

For each SuR, the OHCHR has developed a matrix of thematically clustered recommendations stemming from the UPR that links each recommendation to relevant SDGs (see, for example, the [matrix of recommendations for Afghanistan](#)), and an infographic that shows the top five SDGs addressed in recommendations made to the SuR (see, for example, the [infographic for Zimbabwe](#)).

¹ See, for example, [Human rights and the SDGs - two sides of the same coin](#), UNDP blog entry by Sarah Rattray, July 2019.

² See for example, [How the UPR process supports sustainable development](#), a publication by OHCHR, UNDP and the UN Development Coordination Office, February 2022.

RECOMMENDATIONS FOR LRGS WISHING TO PARTICIPATE IN UPR

LRGs wishing to participate/contribute to the UPR can do so, during the three stages of the UPR process. In general, it is important that LRGS liaise with relevant services in the National Ministry of Foreign Affairs and establish a good channel of communication, so that they may be involved in the UPR process both at the national and international level.

1. Before the review, LRGS can:

- Contribute to the UPR national report prepared by the SuR, by sending inputs to the national drafting body, or be part of the [National Mechanism for Implementation, Reporting and Follow-up](#) (NMIRF), where it exists. For that, LRGS need to liaise with relevant services/persons in the Ministry of Foreign Affairs, so that they may be included in the national consultation preceding the review.

2. During the review, LRGS can:

- Follow the review, which is webcast live on [UN TV](#).
- Participate in the review by requesting to be part of the national delegation presenting the UPR national report at the UN in Geneva. (See the calendar of reviews of the 4th UPR cycle, November 2022 to February 2027, [here](#)).
- Assist the national government to take a position on recommendations received, according to realities at local level. This way, LRGS can more fully own their contribution to the development of public policies that seek to implement UPR recommendation accepted by the SuR.

3. After the review, LRGS can:

- Participate in consultations to ensure that important recommendations for LRGS are actually accepted by the SuR. (The consultations often take place within the NMIRF, where it exists.)
- Contribute to the implementation of UPR recommendations accepted by the SuR that are relevant at local/regional level.

- Develop an Action Plan on Human Rights at local/regional level, complementing a National Human Rights Action Plan.
- Refer to the [UPR Practical Guidance](#) (developed by OHCHR) and engage with the UN in-country team, to explore ways to implement accepted UPR recommendations relevant to LRGs.
- Provide input to the [UPR voluntary mid-term report](#). The State can choose to integrate that input directly in its national mid-term review report or include it as an annex. (See, for example, Italy's [2021 mid-term review report](#) and [its annex](#)).

Voluntary Fund for financial and technical assistance in the implementation of the UPR

In 2007, the HRC established a [Fund to provide financial and technical assistance](#) to help countries – in particular least developed countries and small island developing States – implement UPR recommendations. At the end of 2020, the Fund had supported projects in 65 countries, for a total of USD 5.7 million.

The Fund can be used to support LRGs to implement UPR recommendations. In Uruguay, for example, three local governments (Rocha, Paysandú and Canelones) have been supported by the Fund to strengthen their local services, policies and legislation and align them with UPR recommendations and the SDGs.

LRGs can also contribute to this Fund, if they so wish, as part of their development cooperation policies.

RECOMMENDATIONS FOR STATES WISHING TO SUPPORT LRGs' PARTICIPATION IN THE UPR

States can support the involvement of LRGs in the UPR process. For instance, they can:

- Ensure that LRGs are included in the national consultation process that leads to drafting of the UPR national report, for instance by inviting LRGs to be part of the NMIRF, where it exists.
- Include LRGs in their own national delegations to present the UPR national report.
- Make recommendations to other States on the whole-of-government approach to be adopted throughout the UPR process and the need to strengthen institutional dialogue with LRGs on human rights issues.
- Involve LRGs in implementation of the recommendations accepted.
- Support the development of local/regional Human Rights Action Plans, complementing National Human Rights Action Plans, and/or involve LRGs in developing and applying a National Human Rights Action Plan for implementing UPR recommendations.
- Contribute to the [Voluntary Fund for financial and technical assistance in the implementation of the UPR](#) which can help support the implementation of UPR recommendations

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