



**Human Rights Council – 13th session, 19 March 2010
Oral Statement under Item 6 - universal periodic review (UPR)**

Mr President,

The International Service for Human Rights (ISHR) would like to begin by commending the many States that have expressed support for the establishment of an **OHCHR follow-up unit** for implementation of UPR recommendations during their dialogue with the High Commissioner. While this is a very welcome initiative that can strengthen coordination and technical assistance at the international level, the UPR remains, from the outset to implementation, an ongoing *national* process. On this basis, we believe that the current reporting on **national consultation processes** during reviews could improve, as well as the reflection of views of national civil society in national reports. We would therefore encourage members of the UPR Working Group to seek clarification of the scope of national consultations, and to make recommendations to States under review to also hold meaningful **national consultations after the review, with a focus on plans for implementation**. We would also encourage upcoming States-under-review to make pledges and plans to this effect prior to their review.

Concerning the UPR review itself, it has become very apparent that many Working Group members send representatives who are not in position to amend prescribed texts, which are then presented even when the subject matter has already been addressed by the State under review. This constitutes a misuse of very limited time and detracts from the utility of the process. We would therefore encourage Permanent Missions to advise speakers **not to repeat questions already answered** by the State under review. We would also wish to remind certain States of their pledges to engage experts in their delegations, a practice that has not been exercised to the level that we would have expected.

Finally, we wish to raise our concern with the increasing **rejection of recommendations based on international treaty obligations** on the grounds that existing national law or practice prohibits their implementation [[a clear violation of Article 27 of the *Vienna Convention on the Law of Treaties*]]. Beyond recalling States under review's obligations to uphold international law in the consideration of UPR recommendations, we would also encourage members of the Working Group and Human Rights Council to hold States under review to more vigorous account in order that the credibility of the UPR is not irrevocably harmed before the completion of its first cycle.

Thank you Mr President.