



The Universal Periodic Review, children's rights, and the UN Committee on the Rights of the Child

Civil society written submissions

A series of four factsheets have been developed by Child Rights Connect and UPR-info to provide detailed information to civil society about the UPR with a focus on children's rights and linkages to the UN Committee on the Rights of the Child.

- Factsheet 1: Information for civil society
- **Factsheet 2 : Civil society written submissions**
- Factsheet 3 : Civil society advocacy
- Factsheet 4 : Civil society follow-up

These factsheets were originally published in 2014 and have updated in 2020.

Please use these factsheets to support your UPR activities and get in touch with us if you'd like to know more or have any questions! UPR info: info@upr-info.org / Child Rights Connect: secretariat@childrightsconnect.org

What information can a civil society submission include?

Under the Universal Periodic Review (UPR),^[1] civil society, including civil society organisations (CSO), National Human Rights Institutions (NHRIs), human rights defenders including children, academic institutions, ombudspersons, individual experts and regional organizations, can send a written submission on the human rights situation, including child rights, of any UN Member State.

Civil society can raise and reinforce within a submission to the UPR issues under the Convention on the Rights of the Child (CRC), the Optional Protocol on Sale of Children, Child Prostitution and Child Pornography (OPSC), the Optional Protocol on the Involvement of Children in Armed Conflict (OPAC) 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.

There is no requirement for UPR civil society submissions to cover certain human rights themes or to follow specific clusters like when submitting information to the Committee on the Rights of the Child. The prioritization of the key human rights issues is recommended.

Civil society is encouraged to include an assessment of and comments on the state of implementation of past 'accepted' recommendations, as well as developments since the last review and any emerging human rights issues. This can be done by highlighting achievements, best practices, challenges and constraints: for gaps in progress, it may also be relevant to refer to previously 'noted' recommendations.

Civil society is strongly encouraged to empower children to participate in a UPR submission and to support and promote child-led submissions. There is more on this below!

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

What are the particularities of a civil society submission for the UPR?

- All UPR submissions are public, whether they are from the State, United Nations or civil society submissions.
- Civil society submissions are shorter and less detailed than a CRC alternative report: 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]
- Civil society 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.
- Extracts of civil society submissions may be selected by the OHCHR and included in its summary of stakeholders' information (known as the OHCHR summary). See more below! This summary is one of three reports[4] that constitute the basis for the review of a State.
- Civil society have to send their submissions before the State submits its national report. Civil society is therefore not able to respond to State's views, but they have a chance to highlight issues to be discussed.

NOTE

Civil society written submissions to the UPR cannot be anonymous or confidential; the name of the organisation, individual, group or other with their written submission will be available online. Reference to individual cases should therefore only be made if the safety and well-being of all individuals concerned are not at risk of facing reprisals. Child Rights Connect can provide advice on child safeguarding measures and how to ensure children involved in any part of the UPR process including developing/being referenced in a UPR written submission are safe and protected from harm.

If there is a fear of reprisals,[5] civil society may wish to submit information through an international organisation. It is possible for civil society organisations (CSOs) to contact Child Rights Connect to find out which other organizations working in their country might be preparing a UPR submission and how they might collaborate.

How to ensure civil society information is included in the OHCHR summary?

The OHCHR summary includes relevant stakeholder information and is based on written submissions received by civil society. This summary is one of three reports that constitute the basis for the review of a State (alongside the State national report and a compilation of UN information on the State such as previous UN recommendations). Ensuring your information is part of the OHCHR summary can give an additional platform for the issues you are raising and give a greater possibility that they will be included in the UPR of your country.

Ensure the submission is credible and reliable: The OHCHR does not have the time to check the reliability of information provided by civil society; therefore, they need to have confidence in the information they receive. A joint submission increases the credibility and visibility of s' 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.

Civil society should use accessible language and examples, as this will indicate that the 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 civil society 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, civil society should provide the following information on each issue: 1) Information on the implementation status of related recommendations made in previous UPR cycles; 2) Updates on the issue, including progress, regressive actions or best practices; and 3) S.M.A.R.T recommendations to the SuR.

If the issue was not covered in the previous review or it is an emerging issue, the recommended structure is: 1) a general statement defining the issue, 2) supportive examples and 3) S.M.A.R.T. recommendation(s).

[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>. See also the OHCHR guidelines for written submissions for the third UPR cycle, published in 2016: https://www.upr-info.org/sites/default/files/general-document/pdf/upr_technicalguidelines3rdcycle_submissions.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 like the Committee on the Rights of the Child (the Committee); 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 including children, academic institutions, ombudspersons and regional organizations, prepared by the OHCHR.

[5] OHCHR has these emails to report reprisals or intimidation : reprisals@ohchr.org; uprreprisals@ohchr.org



When referring to the implementation of recommendations from previous cycles, it is encouraged to clearly identify each of the recommendation by mentioning the relevant HRC report, cycle, paragraph number, recommendation number and recommending country, including if it is a repeated recommendation from the 1st and 2nd cycles.

What type of information should civil society 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 from previous UPR cycles. Information on recommendations made by UN treaty bodies, such as the Concluding Observations of the Committee on the Rights of the Child, can also be included and will give legitimacy to your report.
- Refer to human rights instruments and national legal standards, for each issue described.
- It's possible to refer to cases which have been reviewed under the third Optional Protocol to the CRC on a communications procedure (or other UN communications procedures such as those in the Special Procedures branch) as a means to follow-up on decisions.
- The general statement defining the issue should be kept short, and where possible, should include the State's achievements and best practices.
- Make "S.M.A.R.T" recommendations, meaning that the recommendations should be specific, measurable, achievable, relevant, and time-bound: [6]. It is important to carefully word recommendations. For instance, the impact is different if the recommendation is 'to ratify a treaty' or 'to consider the ratification of a treaty'. While civil society tends to urge "immediate action" from States, it is important to keep in mind that a balanced approach in how the recommendations are formulated may in certain cases be more effective, to ensure that the ultimate goal is achieved, namely that States accept recommendations which will have a direct impact on children's lives [7].
- 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).

Why do we encourage joint and child-led submissions?

Both joint and individual types of submission are considered by OHCHR and below we highlight the main benefits of working in a collaborative way across civil society when developing UPR reports. CSOs can submit individual reports whilst contributing towards a joint submission: It is for civil society to determine what is the most effective and strategic way to present and advocate their priority issues.

We also list the opportunities regarding empowering children to submit child-led UPR reports.

[6] See Factsheet No.3, entitled "NGO Advocacy in the Universal Periodic Review", and for more information, see UPR Info, *The Civil Society Compendium : A Comprehensive Guide for Civil Society Organisations engaging in the Universal Periodic Review* (2017) at: https://www.upr-info.org/sites/default/files/general-document/pdf/upr_info_csos_compendium_en.pdf and UPR Info's *Guide for Recommending States* (2015) at: https://www.upr-info.org/sites/default/files/general-document/pdf/upr_info_guide_for_recommending_states_2015.pdf

[7] See Save the Children's Universal Periodic Toolkit : <https://resourcecentre.savethechildren.net/node/6720/pdf/6720.pdf>

A joint civil society submission:

- Increases the visibility and credibility of the submission and the chances of having more of the information included in the OHCHR summary report.
- Allows CSOs with limited resources to engage in the UPR regardless of their size and capacity and therefore, increase the CSOs representativeness
- Provides the opportunity to strengthen the cooperation with other child rights actors or the broader national civil society, which is essential for advocacy, follow-up and keeping updated.
- Is encouraged by the OHCHR as it often covers a greater range of human rights issues in a country and reflects the priority areas for a larger number of CSOs.
- Facilitates advocacy at national level and in Geneva.
- Can often help to combine and share expertise on child participation to ensure that submissions include directly the views, experiences and recommendations from children, which is important for ensuring the respect for the views of the child (Article 12 of the CRC) and a focus on the voices of rights holders.
- The UPR can be a confusing process so working with others, including in coalitions where there is a range of UPR expertise can help raise awareness and understanding of the process and to benefit from previous experiences.

Whilst we encourage submitting joint reports, an individual civil society submission:

- Can be faster to prepare as it does not involve compiling information or negotiating text with others, during a situation where there is an upcoming deadline.
- May be the only way to send information to OHCHR where civil society space is very restricted or very small.
- Can focus on concrete thematic 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.

TIP



CSOs 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 CSOs to decide which will be the most effective and strategic to put their priority issues at the forefront.

Supporting a child-led UPR submission:

It is strongly encouraged for children to be empowered to engage throughout the entire process of the UPR cycle, including in the development of adult-led reports and in producing their own reports.

- A child-led submission can help empower children to understand the broader UPR process and learn more about the UN and their human rights.
- Empowering children to submit information as part of the UPR process can help promote their rights under the CRC, including their right to be heard in decisions affecting them (Article 12), to accessing information (Article 17), to join or create groups or associations (Article 15) and to learning about human rights (Articles 29 and 42).

- The skills children gain in being empowered to develop a child-led submission can be very useful in taking forward child-led activities in the follow-up stage and actions beyond the UPR.
- Children tell us that submitting their own information to the UPR makes them feel respected and important, and value the opportunity for their voices to be heard, as experts on children's rights.
- Child-led reports can show a very clear and accessible message directly from the ground about the challenges children are facing and the ways they can be addressed.
- Child-led reports can also encourage peer-to-peer training among children on the UPR process so that children are empowered as human rights defenders and are less likely to need to rely on adults in order to engage in the process.

Child participation in the UPR

Civil society planning to engage in the UPR are encouraged to establish and put in place - from the very beginning - a plan or strategy on how to ensure the meaningful and safe participation of children, fulfilling the standards and working methods as set out by the Committee on the Rights of the Child [8]. UPR info and Child Rights Connect are working together to ensure that children can be empowered to participate in the UPR as equal rights holders.

To incorporate the voices of children into the reports and to empower children to develop their own reports, CSOs can, for example, arrange workshops and consultations with children online and offline (and support children to arrange such activities) from different backgrounds, situations and contexts to ensure children are able to inform the planning process including how they will participate, be empowered in the activities taken forward and the follow-up stage. You can contact Child Rights Connect at secretariat@childrightsconnect.org for more information on child participation in the UPR, including accessing child-friendly materials, resources and examples, and child safeguarding. Above all, when empowering children the priority must be their safety and you can find support and information on child safeguarding on the Child Rights Connect website [9].

Technical Information

1. Style of the submission

- Avoid language that is subjective.
- **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

- CSOs should follow the [technical guidelines for stakeholders submissions for the 3rd cycle](#) issued by OHCHR, to send written contributions to UPR documentation.
- Include a cover page which identifies **all submitting stakeholders** (name and acronym, logo, website, contact, etc.) For joint submissions, a list of organizations should be added as an Endnote in the cover page or as an annex to the document.
- Include a paragraph describing the main activities of the submitting organization/coalition, as well as its date of establishment, especially if the CSO is engaging with the UN for the first time.
- Send the written submission as a **Word document only** (i.e. not as a PDF file).
- Number the paragraphs and pages of the submission.
- Use the endnotes only as reference information, do not include any substantive information as this will not be taken into account.
- The submission should be done in one of the official languages of the UN and preferably in **English, French or Spanish**.

3. Sending the UPR submission:

- Send the submission through the "On-line UPR submissions registration system" to register contributions for the UPR documentation from UN entities and stakeholders available in the following link: <https://uprdoc.ohchr.org>. Stakeholders should follow the [Guidelines for the Use of the On-Line UPR Submissions Registration System](#) available in the Online system.
- Submissions must be submitted not later than the day of the given deadline (3:00 p.m. Geneva time). Late submissions will not be considered.
- Should CSOs encounter technical problems, they should contact the UPR Submissions Helpdesk through the following email address: uprsubmissions@ohchr.org.

What happens after sending the CSO submissions? [10].

- Once the CSOs submissions are received, the OHCHR will check if the submission complies with its [technical guidelines for stakeholders submissions for the 3rd cycle](#). If they do, they will be **uploaded on the OHCHR's UPR webpage** [11].
- The OHCHR then selects information from all the submissions it has received from NGOs and other civil society stakeholders to create its **summary report 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 civil society engagement: **through advocacy and lobby activities**, civil society can convince States to make some, if not all, of their recommendations during the review [12]. Advocacy and lobbying will also ensure that States understand the full spectrum of human rights and child rights issues in the country and not only the most obvious or known ones.
- All the recommendations made by States during the review, whether they are later accepted or noted, 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 civil society submissions could therefore be directly included in the outcome report and have a chance of being accepted by the State.

[8] <https://www.ohchr.org/en/hrbodies/crc/pages/crcindex.aspx>

[9] www.childrightsconnect.org. You can also read the Child Rights Connect Child Safeguarding Policy and Procedure here: https://www.childrightsconnect.org/wp-content/uploads/2019/11/child_safeguarding_policy_procedure_2019_final.pdf

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

[11] 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.

[12] To find out more about how to lobby States, see our Factsheet No. 3 entitled "CSO Advocacy in the UPR"

CHECKLIST- Key element for a good CSO 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.
- The views of children are clearly included throughout the report.
- Information on the human rights situation in the last 4½ years organised under the headings used in the OHCHR summary of stakeholders' information.
- Each human rights issue addressed contains: Information on the implementation status of related recommendations made in previous UPR cycles; updates on the issue, including progress, regressive actions or best practices; and S.M.A.R.T recommendations.
- Information coming from UN human rights mechanism, such as the UN CRC COBs, should be used to support the CSOs information. There is no need to gather all the relevant recommendations and replicate them, as the OHCHR already has this information.
- Issues are illustrated by examples to demonstrate that it is first-hand information, based on experience and not exclusively on media information.
- Civil society should use accessible language and refer to statistics, data and/or specific cases in footnotes. The OHCHR summary report will not refer to individuals mentioned in the submission, except if they are emblematic cases.
- Civil society recommendations to the State should be worded in a way that makes it easy to monitor their implementation. S.M.A.R.T. recommendations are more effective in lobbying efforts.
- 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 civil society 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.
- And civil society submission is sent within the deadline (7 to 8 months prior to the review)[13].

[13] Check <http://www.ohchr.org/EN/HRBodies/UPR/Pages/NgosNhris.aspx> or the exact deadlines.