

Statement of Egypt on behalf of NAM Member States
Agenda Sub-item 4.1 (Discussion on the IBP-UPR)
1st Meeting of the Open-ended Intergovernmental Working Group
on the Review of the Work and Functioning of the HRC
(Tuesday, 26th of October 2010)

Mr. President,

I have the honor to deliver this statement on behalf of the member states of the NAM.

The NAM believes that the UPR is the most innovative and valuable institutional feature of the HRC. It remains a unique mechanism introduced for the first time within the UN system where there is no similar universal mechanism that systematically and periodically reviews all UN member states on the fulfillment of their obligations and even voluntary commitments.

In this context, It is important to recognize the following positive aspects of the UPR:

- a) The universal, cooperative and non politicized nature of the mechanism and the principle of equal treatment on which it is based.
- b) The active involvement of Member States reviewed and their high level representation in the mechanism.
- c) The UPR proved to be highly effective in conducting an open debate on the human rights situations in all countries in the world on the basis of cooperation and dialogue.
- d) The momentum created both at the national and at international levels for the State under Review for both self-assessment and mutual assessment.
- e) UPR has been a catalyst, not only for improving the performance of independent national human rights mechanisms, particularly that of civil society, but also for bringing about positive changes to governmental approaches to policy making on human rights.
- f) The UPR encouraged the ratification by States of various international human rights instruments, and the establishment of National Human Rights Institutions in conformity with the Paris Principles.

In addition to these positive aspects, it is expected that the outcome of the UPR mechanism will prove in the mid- and long terms to be a valuable tool to assist States in the process of implementing their human rights obligations. In general, the entire added value and overall assessment of the UPR can be fully established and conducted only as of the second cycle onwards. The basis of the review of countries within the UPR, as well as the principles and objectives of the UPR, as agreed in the IB Package, must be preserved. Any changes that would result from the review in regard to the UPR mechanism should only take effect after the end of its first cycle to ensure equal treatment of all countries.

The NAM has the following observations extracted from the experience –to date - of the first cycle of the UPR:

- a) The current duration of the review within the UPR Working Group has not accommodated the increasing number of Member and Observer States wishing to participate in the interactive dialogue.
- b) Many countries require technical and financial assistance for the implementation of the accepted UPR recommendations.
- c) There is a need to develop further guidelines, specific to the second cycle, for the preparation by OHCHR of the two documents (the compilation of information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official UN documents + summary of information provided by other relevant stakeholders) mandated in paragraphs 12 (b) and 12 (c) of the IB package. This would reinforce the transparency, objectivity and fairness of the process.
- d) Not much progress has been achieved in the area of meeting the capacity building and technical assistance needs of the State under review, and hence the review of the Council should result in determining ways to move forward in the area of capacity-building and technical assistance.

Mr. President

The NAM has the honour to submit the following proposals for adoption as elements for the outcome of the review of the UPR framework:

1- Periodicity and duration of the review and consideration of its outcome:

- a) There shall be a session of two weeks convened in September/October to adopt the reports of the UPR Working Group and for general debate under Agenda Item 6.
- b) The UPR cycle shall be extended to 5 years, thus allowing the examination of 13 States per UPR WG session instead of 16. This would give SUR more time to implement the accepted recommendations, and to prepare for the next review, and would also increase the duration of the review, and resolve the problem of list of speakers.
- c) A gap of one year between the end of the first cycle and the beginning of the second cycle would be needed for countries and relevant stakeholders to prepare for the second cycle adequately, for the elaboration and adoption of its modalities as well as guidelines for the preparation of the three documents which will constitute the basis of the UPR in the subsequent cycle.

2- Order of review of states in the UPR:

The order of the first cycle shall be maintained.

3- Preparation of UPR documentation:

Guidelines on the preparation of the documents that constitute the basis of the subsequent UPR cycles (information prepared by the state concerned

+ the compilation of information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official UN documents + summary of information provided by other relevant stakeholders) should be elaborated in a sufficient time prior to the beginning of the second cycle.

4- Technical Assistance/ UPR Voluntary Trust Fund

- a) There is a need to strengthen the resources of the UPR Voluntary Trust Fund to enable it to facilitate the participation of developing countries, particularly the least developed countries, in the UPR mechanism.
- b) The Voluntary Fund for Financial and Technical Assistance should provide a source of financial and technical assistance to help countries implement recommendations emanating from the universal periodic review in consultation with, and with the consent of, the country concerned. Modalities of the functioning of this Fund should be agreed by the Council as a matter of priority, preferably before the beginning of the second UPR cycle, and preferably within the context of the process of the review of the Council. Through such an exercise, the Council would also give guidance on the role expected from the trustees of UPR Voluntary Trust Funds to be appointed would enable their early appointment.

5-Follow-up to the outcome of the UPR:

- a) The subsequent cycle of the UPR should focus mainly on outlining the current developments in the country concerned since the previous review, in addition to the follow up on the implementation of those recommendations made in the preceding cycle which enjoy the support of the SUR, as well as on its voluntary commitments.
- b) Recommendations made by States should be consistent with the basis of the review as stipulated in paragraph 1 of the IB text. In addition, States under review could be encouraged to include national experts in the composition of their delegations, with a view to assist in considering the recommendations made to them in accordance with their international human rights obligations and commitments.
- c) The review of any country should include an assessment of the adequacy of the assistance received from the international community to enable the implementation of the accepted recommendations.

Mr. President

In conclusion, the NAM would like to reaffirm the importance it attaches to preserving the intergovernmental nature of the UPR exercise, and stands ready to work with other partners within the working group towards reaching a consensus on the elements of this important aspect of the review of the work and function of the Council.

I thank you.