SOGIESC UPR

ADVOCACY TOOLKIT

A GUIDE FOR DEFENDERS WORKING ON SEXUAL ORIENTATION, GENDER IDENTITY AND EXPRESSION AND SEX CHARACTERISTICS

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A guide for defenders working on sexual orientation, gender identity and expression and sex characteristics

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About ILGA

ILGA – the International Lesbian, Gay, Bisexual, Trans and Intersex Association-, is the world federation of national and local organisations dedicated to achieving equal rights for lesbian, gay, bisexual, trans and intersex (LGBTI) people.

ILGA is an umbrella organisation of more than 1,200 member organisations in six different regions: ILGA Asia, ILGA-Europe, ILGALAC (Latin America and the Caribbean), ILGA North-America, ILGA Oceania and Pan Africa ILGA. ILGA's secretariat is located in Geneva, Switzerland.

ILGA's UPR Programme, based in Geneva, exists to advise, support and train ILGA members and other LGBTI defenders from around the world as they engage with the United Nations Universal Periodic Review process.

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It was developed together with the following 14 Civil Society Organisations:

- Chouf – Tunisia
- Gender Dynamix – South Africa
- Haus of Khameleon – Fiji
- Humanity First Cameroon – Cameroon
- Human Rights Campaign – US
- National LGBT* Rights Organization LGL – Lithuania
- Manodiversa – Plurinational State of Bolivia
- Mulabi – Costa Rica
- Oogachaga – Singapore
- OII - Europe
- Centro de Promoción y Defensa de los Derechos Sexuales y Reproductivos (PROMSEX)
- Rainbow Action against Sexuality Minority Discrimination – Republic of Korea
- Samoa Fa'afafine Association – Samoa
- Transgender Network Switzerland (TGNS) – Switzerland

It was also developed together with the 6 regions of ILGA:

- ILGA Asia
- ILGA Europe
- ILGA LAC
- ILGA North America
- ILGA Oceania
- Pan Africa ILGA

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FOREWORD

LGBTI defenders from around the world have been using the UPR process for more than eight years. Over the years these defenders, often working with ILGA, have developed insider knowledge, specific tips & tricks, and other unique ways of maximizing the UPR that are useful for other advocates now aiming to use this process. This guide therefore aims to build the capacity of you – LGBTI activists – as you engage with the UPR. It will help you to improve your advocacy skills, in both national and international spaces.

At its core is a series of recommendations and tips on how to use the UPR at each of its different stages. Alongside this is helpful information on how to draft a written submission, ways to organize your time and develop strategies, ideas on how to conduct successful advocacy, and examples of how to follow-up on recommendations made to your country.

This guide is a global community effort. Built upon expertise within ILGA's UPR Programme, it has been developed with input from ILGA member organisations that have worked with ILGA in their respective country's UPR review, and is supported by all six ILGA regions. For a universal process, it really is a universal publication. We hope you will find it useful as you engage in the UPR in the future!

Ruth Baldacchino and Helen Kennedy
International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA)
Co-Secretaries General

ACRONYMS

CSO	CIVIL SOCIETY ORGANISATION
ECOSOC	UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL
HRC	HUMAN RIGHTS COUNCIL
ICCPR	INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS
ICESCR	INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS
ILGA	INTERNATIONAL LESBIAN, GAY, BISEXUAL, TRANS AND INTERSEX ASSOCIATION
LGBTI	LESBIAN, GAY, BISEXUAL, TRANS AND INTERSEX
NHRI	NATIONAL HUMAN RIGHTS INSTITUTION
OHCHR	OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
SOGIESC	SEXUAL ORIENTATION, GENDER IDENTITY AND EXPRESSION AND SEX CHARACTERISTICS
UPR	UNIVERSAL PERIODIC REVIEW
UN	UNITED NATIONS
WGS	WORKING GROUP SESSIONS

GLOSSARY

General Assembly

The General Assembly is the main deliberative and policy-making organ of the United Nations which makes decisions on international issues such as development and peace and security. All 193 Member States are represented and each has one vote.

Human Rights Council

The Human Rights Council, is an inter-governmental body within the United Nations which has the responsibility to promote and protect human rights. It is comprised of 47 Member States each elected to 3-year terms by the 193 Member States of the United Nations.

Item 6 of the Human Rights Council

The Human Rights Council has various items on its agenda in which it discusses particular issues. Item 6 is the agenda item for the Universal Periodic Review. This is when the Human Rights Council discusses the outcomes of the previous Working Group Session of the Universal Periodic Review. It is the final opportunity for the State under Review to highlight its reasons for accepting or noting recommendations, and the only opportunity for civil society to address the Human Rights Council about the Universal Periodic Review. Item 6 may also be referred to as the UPR Outcomes. Under Item 6, there is also a moment called "General Debate" when the UPR more generally may be discussed.

National Report

The National Report is produced by the State under Review in which it outlines its human rights situation. This includes best practices and challenges. This is often, but not always, developed in consultation with civil society.

Office of the High Commissioner for Human Rights

The Office of the High Commissioner for Human Rights is an agency of the United Nations which holds the mandate to promote and protect human rights. It coordinates human rights activity throughout the United Nations, including during the Universal Periodic Review.

Outcome Report

An Outcome Report is produced following each State's review at the Universal Periodic Review. This summarises the interactive dialogue, including interventions, questions and recommendations made by recommending States. This Report is adopted during the Working Group Sessions, 48 hours after the State's review, and is the first moment when the State Under Review can indicate that it either accepts or notes recommendations, or else it can postpone its decision on this until the next session of the Human Rights Council.

S.M.A.R.T.

The S.M.A.R.T. acronym refers to Universal Periodic Review recommendations which are specific, measurable, achievable, relevant and time-bound. A full explanation of the acronym can be found on page 25.

Stakeholder Submission/Report

A stakeholder submission/report is a document prepared and submitted by a non-governmental entity with information about a country's human rights situation ahead of that country's review at the Universal Periodic Review. It can be submitted by a wide range of stakeholders, including civil society organisations, human rights defenders or academic institutions. It typically, though not necessarily, focuses on a particular thematic area, such as sexual orientation, gender identity and expression and sex characteristics. *Note: This guide uses the terms 'submission' and 'report' interchangeably.*

United Nations

The United Nations is an international organisation comprising 193 Member States. It has the mission of maintaining peace and security, protecting human rights, providing humanitarian aid and ensuring economic and social development across the globe. It is a network of many different bodies and agencies, each of which has a particular role and responsibility.

Universal Periodic Review

The Universal Periodic Review is a mechanism of the Human Rights Council which monitors and seeks to improve the human rights record of all 193 United Nations Member States. Every Member State is reviewed and receives recommendations to improve its human rights situation every five years.

Working Group

The Working Group is the name of the body that conducts the Universal Periodic Review and consists of all 193 Member States of the United Nations meeting together. All Member States can engage in the interactive dialogue and make recommendations.

Working Group Sessions

The Working Group convenes 3 times per year in Geneva, Switzerland in what is called a Working Group Session. Fourteen (14) Member States are reviewed during each Working Group Session.

INTRODUCTION

Created through the United Nations (UN) General Assembly on 15 March 2006, the Universal Periodic Review (UPR) is a mechanism of the Human Rights Council (HRC) which monitors and seeks to improve the human rights record of each and every UN Member State. Its unique value lies within the three components of its name – Universal, Periodic and Review.

Universal: The UPR is truly universal, both in a geographical and substantive sense. It stands as the only mechanism which reviews the human rights situation of all 193 Member States.1 It also is comprehensive in scope that it provides a space to critically address all human rights issues, including those relating to sexual orientation, gender identity and expression and sex characteristics (SOGIESC).

Periodic: The UPR is a cyclical process, ensuring regular and systematic scrutiny of human rights. It monitors the state of human rights in each country every five years. 42 Member States are reviewed each year during three sessions of the Working Group, held in Geneva, Switzerland during January/February, May/June and October/November. As of 2016, every Member State has undergone extensive review twice, bringing the **UPR into its Third Cycle for the period 2017 to 2021.** (Cycle 1: 2008 to 2011; Cycle 2: 2012 to 2016; Cycle 3: 2017 to 2021)

Review: The UPR involves a unique process of constructive and interactive State peer-review on human rights issues. The Member State under review first presents a national report on their human rights record. The review is conducted by the UPR Working Group, the 193 Member States of the UN, and questions and recommendations can be made by all the members of the Working Group.2 These discussions culminate in an Outcome Report which details the recommendations the State under review should implement before their next review at the UPR.

Although Member States are the driving force behind this process, civil society organisations (CSOs) play an integral role. CSOs can submit a report describing the situation on the ground and conduct advocacy with other States ahead of their own State's review at the UPR. They can also deliver a statement at the adoption of their State's Outcome Report at the HRC. And of course, they can follow-up with their government to help implement recommendations received. The UPR is concerned with the human rights situation on the ground, so it is not necessary to have strong experience or knowledge of the UN system to engage with the mechanism. **You are already the expert!**

Why should I engage with the UPR process?

SOGIESC issues are often excluded or side-lined during important dialogues at the international level, often due to a politicisation of these issues and a lack of political will from governments to prioritise and promote LGBTI human rights. **The UPR is a forum where there can be vital debate on LGBTI human rights with governments who may otherwise not engage with or even tolerate such discussions.** It may in fact be the only environment in which certain governments are exposed to SOGIESC issues. CSOs can ensure that these conversations are held in an informed and constructive manner, and that SOGIESC issues are mainstreamed into international human rights discussions generally.

In engaging with the UPR, bear in mind that it is a **political mechanism.** It has a wide focus with the objective to improve the overall human rights situation in a country. LGBTI rights is one part of that, but other priorities are also at play. There are other modalities that also play a role during the process, such as political bargaining by States and geopolitical relationships in general. Bear these in mind and adapt strategies accordingly.

The UPR is not just an advocacy opportunity for CSOs. It is also an educational process for States to learn about the situation of LGBTI persons across the globe. It may, in fact, be the first time in which certain government representatives engage on SOGIESC issues. Therefore, be ready to clearly explain basic SOGIESC concepts.

1 There are around 54 countries or territories which are not members of the UN. If your organisation is based in any of these places, you will have a limited ability to engage with the UPR.

2 The Holy See and the State of Palestine, observer States to the UN, are also part of the UPR Working Group.

2017 FACTS

Over **1,375** recommendations to more than **158** countries have been made on SOGIESC issues.

More than **520** submissions on SOGIESC issues have been made by civil society.

Around **2.5%** of all recommendations are on SOGIESC issues. These recommendations have encouraged many improvements on LGBT human rights across the world and have helped bring about tangible legal change, such as:

- The decriminalisation of consensual same-sex relationships in Mozambique, Nauru, Palau, São Tomé and Príncipe and the Seychelles;
- The introduction of legal protections on the basis of sexual orientation and gender identity in Greece and Suriname;
- The amendment of the criminal code to address hate crimes and speech against persons on the grounds of their sexual orientation or gender identity in Honduras, Hungary and the Netherlands;
- The approval of the Gender Identity bill in the Plurinational State of Bolivia.

Based on the research 'SOGIESC issues at the UPR' (ARC, IBAHRI and ILGA)

The UPR is a unique process which involves a periodic review of the human rights records of all 193 UN Member States

Universal:

It applies to each of the 193 Member States of the UN and its scope of coverage addresses all human rights issues, including those related to SOGIESC

Periodic:

It is cyclically periodic, rotating every four to five years for every State

Review:

It offers States an opportunity to review their peers' human rights records and be reviewed by them

HOW WAS IT ESTABLISHED?

THE UPR WAS ESTABLISHED WHEN THE HUMAN RIGHTS COUNCIL WAS CREATED IN MARCH 2006 BY THE UN GENERAL ASSEMBLY IN RESOLUTION 60/251:

"undertake a universal periodic review, based on objective and reliable information on the fulfilment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States"

ITS GOAL?

THE IMPROVEMENT OF THE HUMAN RIGHTS SITUATION IN EVERY COUNTRY WITH SIGNIFICANT CONSEQUENCES FOR PEOPLE AROUND THE GLOBE

WHEN WILL STATES HAVE THEIR HUMAN RIGHTS RECORDS REVIEWED BY THE UPR?

42 STATES REVIEWED PER YEAR

14 STATES PER WORKING GROUP SESSION (3 TIMES A YEAR)

EVERY 5 YEARS

WHO CONDUCTS THE REVIEW?

THE REVIEWS ARE CONDUCTED BY THE UPR WORKING GROUP

WHICH CONSIST OF THE 193 MEMBERS OF THE COUNCIL;

ANY COUNTRY CAN TAKE PART IN THE DISCUSSION AND MAKE RECOMMENDATIONS

WHAT DOCUMENTS IS THE REVIEW BASED ON?

3 DOCUMENTS:

- INFORMATION PROVIDED BY THE STATE UNDER REVIEW: NATIONAL REPORT
- INFORMATION CONTAINED IN THE REPORTS OF THE DIFFERENT UN MECHANISMS AND AGENCIES (SPECIAL PROCEDURES, TREATY BODIES AND OTHER UN ENTITIES) WHICH IS SUMMARIZED BY OHCHR
- INFORMATION FROM OTHER STAKEHOLDERS, INCLUDING NHRIS AND CSOS WHICH IS SUMMARIZED BY OHCHR

HOW ARE THE REVIEWS CONDUCTED?

Through an interactive discussion between the State under Review and other UN member States. This "interactive dialogue" is actually a series of formal statements by governments: the State under Review first presenting the human rights situation in its country, and then other countries making recommendations to that State.

WHAT IS THE STATUS OF THIS OUTCOME REPORT?

During the Working Group sessions, the Outcome Report of each State under review of that session is adopted. The report then also is adopted during a Human Rights Council session (held three times a year) where the State under Review responds to the recommendations and where CSOs with ECOSOC status have the opportunity to talk.

WHAT IS THE OUTCOME OF THE REVIEW?

A summary document called the Outcome Report is prepared. It is a summary of the interactive discussion and records each of the recommendations that were made.

Need information or support?
Contact our UPR Desk upr@ilga.org

OBJECTIVES OF THIS TOOLKIT

This toolkit is designed for advocates working on, or that want to start engaging in, the UPR process. It is a step-by-step guide that will help you and your organisation to build an effective strategy for the process. It includes graphics, key facts and tips from other organisations that have already worked on the UPR. You will also find templates as well as practical information on the overall process.

This toolkit can be read either chronologically or by simply choosing the specific section you need. Further, each situation is specific and not every suggestion in this toolkit will be relevant to every context. Make sure to adapt it to your own context and needs.

Structure:

- **Getting started with the UPR process** will help you think about preparing for the UPR process, either by establishing a roadmap on deadlines, identifying key partners and how to draft your submission (substantial and technical information)
- **Drafting recommendations** will help you understand how to better propose a solution to the issues that you have raised in your submission/report by drafting specific, measurable, achievable, relevant and time-bound recommendations (S.M.A.R.T.)
- **Engaging with governments** presents different options on how to plan in-country and Geneva advocacy and aims to help you ensure that the proposed recommendations will be used by the recommending States
- **UPR Working Group Sessions** focuses on the technicalities of the Working Group Sessions and shares tips on how to engage with this part of the process
- **UPR outcome/Item 6 of the Agenda of the Human Rights Council** addresses the official participation of CSOs on the UPR during the Human Rights Council
- **UPR follow-up and implementation** focuses on the different strategies that CSOs and other stakeholders have implemented in order to follow-up the UPR process
- **Mid-term reports** addresses the rarely explored area of presenting mid-term reports to address the implementation of the UPR recommendations
- **Tools and resources** summarises the SOGIESC UPR strategy in a nutshell and also shares tools such as: webpages, reports, calendars, technical guidelines, databases, examples of SOGIESC UPR submissions, templates etc.

GETTING STARTED WITH THE UPR PROCESS

ROAD MAP ON DEADLINES

IDENTIFYING KEY PARTNERS

DRAFTING A SUBMISSION

Road map on deadlines

The UPR is a cyclical process that repeats every five years, hence the need for CSOs to have a clear road map on the **official key dates of the UPR itself** and also **key dates for their own strategic internal work.** Engaging with the UPR is complementary to a CSO advocacy strategy, including using other parts of the UN system (for example the UN Treaty Bodies or Special Procedures) as well as national and regional mechanisms. It is an investment in **long-term change**, and therefore **requires commitment, time, human resources and sometimes also financial resources.**

Timeline of official key dates of the UPR: *These dates are set by the Office of the High Commissioner and are* ***not flexible.***

1. Identify when was the last UPR of your country;
2. Identify when to present a mid-term report: this should be 2.5 years after your country's UPR;
3. Identify the deadline for you to submit a report;
4. Identify when will your State be reviewed in Geneva (the UPR Working Group Sessions);
5. Identify when your State's UPR Outcome Report will be adopted at the Human Rights Council

An example of official UPR key dates:

Key dates for your internal work as a CSO:

These are suggested key dates for your own work on the UPR. Having key dates for your own work will allow you to plan well in advance. Although you are the expert, sometimes you need information from third parties, and receiving it might take some time.

BEFORE THE REVIEW

6 months - 1 year before: Advocate with your state for National Consultations and participate in the National Consultations. If needed, identify a regional or international civil society organisation that can assist you in all the UPR process e.g. ILGA

6 months before the deadline for presenting a CSO submission: Strategize, identify possible partners, research and start drafting your submission

6 weeks before the deadline for presenting a CSO submission: Make sure you have a complete version of your draft submission and share it with ILGA for inputs!

4 - 6 months before the review: Prepare your advocacy papers and identify LGBTI friendly embassies in your own country or in your own region

3 months before the review: Meet with the identified LGBTI friendly embassies in your country share facts, stories, laws, advocacy papers and your recommendations with them

1-2 months before the review: Consult the available reports on OHCHR's web page (National Report, UN Summary and Stakeholders report), contact Permanent Missions in Geneva and attend the SOGIESC UPR Advocacy week

DURING THE REVIEW

Watch the review of your own country and if safe, use social media to raise awareness on the recommendations recieved

Contact the media and share your press bulletin with them

2 days after: Check ILGA's summary that contains all the relevant SOGIESC mentions during the UPR of your country

AFTER THE REVIEW

As soon as possible contact the States that made SOGIESC recommendations to your country to thank them and express your interest in continuing to work with them, and ask them to talk with your government about implementation

0 - 3 months after the review: Advocate with your State to accept the proposed recommendations. -if they haven't done yet. Advocate with other States to put pressure to your own government and draft your 2 minute Statement for the UPR outcome

3 - 6 months after the review: Follow-up on recommendations and see how you can approach the noted recommendations

2.5 years: Submit a mid-term report

....3.5 - 5 years the cycle starts again!

Identifying key partners:

Potential key partners in this process are:

- LGBTI organisations in your country
- Organisations that you have worked with before on the UPR or other UN mechanisms
- Mainstream organisations that have worked on the UPR and/or LGBTI issues
- Non-LGBTI organisations that work on topics that intersect with LGBTI issues
- ILGA: your ILGA regional office and/or ILGA in Geneva
- Contacts in the government and/or your National Human Rights Institution: **if you don't have any contact in the government, contact the Minister of Foreign Affairs or the Ministry of Justice and ask them who is the person in**

charge of human rights issues, the UPR and/or SOGIESC issues

- LGBTI-friendly embassies in your country and Permanent Missions in Geneva
- In-country UN agencies or offices
- Contacts in the media that would be interested on writing about the UPR

Create a database that includes the contact information of all the relevant key partners and update it when necessary – this will ease your task during the UPR process.

> ! Don't know which organisations participated in the last UPR cycle or which States are LGBTI friendly? Contact our UPR desk: upr@ilga.org

Writing your submission

A key part of the UPR process is drafting and submitting your report. This report is a unique opportunity to set down in writing the human rights situation of LGBTI persons in your country and make this situation known to the world, and is also **an opportunity to report the level of implementation of the previous cycle recommendations.** You may be able to use it in other occasions, e.g. UN Treaty Bodies, Special Procedures, national advocacy strategy and other situations that are not related to UN work.

It is also a time to formulate what you would like your government to do differently, which can then be translated into concrete recommendations that you hope will be made by other States to your government. The proposed recommendations should aim to improve the human rights situation of LGBTI persons. All this information is presented in a report.

In this section, you will find the answers to the following questions:

- **What information should you include in your CSO report?**
- **What are some tips and tricks for writing the report?**
- **Where can you find SOGIESC recommendations from previous cycles?**
- **Can you summarize your information in the UPR report?**
- **Should you do a joint or individual report?**
- **Do you have concerns regards your security?**
- **What are the technical requirements when submitting a report?**
- **Is there something that you should avoid when drafting your report?**
- **Where should you send your report?**

What information should I include in my CSO report?

- Check for the SOGIESC recommendations accepted/supported or noted by your country during the previous review. This involves providing information on any positive developments, inaction or regressive measures taken by your government with regards to their implementation and analysis on the extent to which they have been successfully put into place. This is essential in both tracking any progress and ensuring that governments are held accountable to the promises they made at the UPR.

- A good practice when drafting your report is to **support your claims by referencing international human rights treaties**, such as the International Covenant on Civil and Political Rights (ICCPR) or the International Covenant on Economic, Social and Cultural Rights (ICESCR). If there have been **recommendations from** those **Treaty Bodies** or others, this could also be the chance to include them. **Recommendations of Special Procedures** can also be included in the report. The **Yogyakarta Principles** is a useful tool because it outlines specifically how international human rights law applies to the specific situation of LGBTI persons. Fulfilment with its principles is indicative that your government complies with international law, and vice versa.

- Some States argue that non-traditional or non-binary sexual orientations, gender iden-

tities or expressions are alien to their region. Demonstrating that there are national or regional standards that support LGBTI persons can be a particularly strong argument. For example, **if you have a regional human rights body that has resolutions, reports and/or case law addressing SOGIESC, SOGIE or SOGI issues, make sure you include these references.**

- **Challenges or concerns for LGBTI persons.** Explain what you base your knowledge on and outline what are the de facto situations in your country. If you have numbers, statistics or examples, use them.
-
- **Good practices** that your government may have undertaken for LGBTI persons.
- Provide information that is current and within the time frame of the Cycle. For example, if your country was last reviewed in 2013, provide information from 2013 to 2017. Don't use old or irrelevant information that no longer applies.
- Each issue that you raise should contain: **a general statement, examples of real situations to give life and credibility to the general statement and specific, measurable, achievable, relevant and time-bound recommendations (S.M.A.R.T.)** You will see a section below on how to draft the most effective recommendations.

Cameroon LGBT coalition strategizing on the drafting of their submission

Example on how to address an issue: general statement, example of a real situation, S.M.A.R.T. recommendation

Hypothetical case:

In 2012 the Republic of UPR Land received a recommendation (121.2) from Transylvania 'to continue its efforts to create a law that prevents bullying in schools and make sure that this protects students from being discriminated on the basis of gender, ethnicity, sexual orientation and gender identity'.

In UPR Land, LGBTI youth face bullying in educational settings due to their SOGIESC, including cyberbullying, verbal abuse and physical assaults. In 2016, the UPR Land Parliament passed the Anti-Bullying Law which requires all state schools to have a behaviour policy in place that includes measures to prevent all forms of bullying among students. Whilst this law explicitly requires specific protective measures for various vulnerable groups, it does not include any mention on the basis of SOGIESC.

Equality Now, an organisation which campaigns for LGBTI human rights in UPR Land, recently published a research report on bullying in educational settings. This revealed that 65% of LGBTI youth had faced bullying at some point during high school, with an alarming 30% of those reporting physical attacks. It moreover exposed that 15% of LGBTI students experienced taunts or other negative language from their teachers. These figures for LGBTI students are much higher than for the average student population. The failure to prevent LGBTI youth from bullying in what should be inclusive and safe spaces seriously hinders their full enjoyment of the right to education, amounting to a violation of Article 13 of the International Covenant on Economic, Social and Cultural Rights. Equality Now has therefore launched a campaign highlighting the urgent need for a specific mention of SOGIESC to highlight and address the situation.

In 2016, the Minister of Education of UPR Land, stated that: "We of course fully condemn the discrimination of LGBTI youth in any circumstances, but we are not yet in a position to include what may be regarded as controversial issues in the national curriculum". Equality Now has written publicly to their government, stating that this statement legitimizes and perpetuates the cycle of violence that LGBTI youth face and that the law constitutes de facto discrimination in educational settings. They also pointed out that the recommendation proposed by Transylvania in Cycle 2 has not fully been implemented by UPR Land.

Equality Now is preparing for their country's UPR and proposes this recommendation:
Amend the Anti-Bullying Law to explicitly require schools to take measures to prevent bullying on the basis of sexual orientation, gender identity and expression, and sex characteristics within the next parliamentary year

What are some tips and tricks for writing the report?

- Strategically focus your report on specific issues, don't try to describe the entire situation in your country.
- Give priority to first-hand information. The information provided should be clear, credible and reliable, and provide direct or first-hand evidence about the situation you are describing. Provide statistics, data and case studies to support your general statement.
- Decide if you will address LGBTI issues in a general way or specifically on lesbian, gay, bisexual, transgender and/or intersex issues. For example, your report can be about the general situation of LGBTI persons in your country, or you can write about the specific situations that trans people face in your country. Only include information about a group after consulting with that specific group. Your approach will depend on which groups and issues your organisation represents, as well as your general advocacy strategies and priorities.
- While your report is primarily based on the outcomes of the previous cycle, if there are additional issues not covered there, they can and should be included in your submission.

- If possible, align your proposed recommendations with those your State has received from other UN mechanisms (e.g. Treaty Bodies or Special Procedures) and mention this. This will strengthen your report.
- Include a paragraph on the implementation of the Sustainable Development Goals and its interlinkage with SOGIESC issues. Use the UPR as a way to realise the SDGs and the SDGs as a way to realise human rights.

Where can I find the SOGIESC recommendations of previous cycles?

UPR-Info, an NGO focusing on the UPR process, has a comprehensive database that can be searched by areas such as country, theme, cycle. Check it out here!

ILGA prepares a UPR Summary immediately after each Working Group Session that includes quotes, remarks, recommendations and many others. Check them out here!

I wrote a report for a Treaty Body, can I use it for the UPR?

Yes! Good news: you are already more than half-way with your UPR report.

Though the technicalities of a UPR and a Treaty Body report are different, if you have prepared a "shadow report" for a Treaty Body, you can easily reuse the information for a UPR report. Every time you use a UN mechanism, you will see that it gets easier to participate with them.

Is there a useful way in which I can summarize the information in my UPR report?

One of the improvements of the Third Cycle is that the Office of the High Commissioner (OHCHR) has created a matrix of the previous cycle recommendations. It is clustered into thematic areas and is used by the OHCHR when making their Stakeholders summary report. This matrix works as an annex to your report. Although it is not mandatory, CSOs are encouraged to use it as it is an easy way to summarize the status of implementation of previous recommendations.

In conclusion, once you have your report ready you can access the OHCHR webpage and download the matrix that they have drafted for your own country, look for the SOGIESC recommendations and include the information on the status of implementation of recommendations. If you have the adequate information, this table can be useful for advocacy purposes and also for the OHCHR.

Should I do a joint or individual report?

The UPR process allows CSOs to join as many joint-reports as they want but CSOs can only submit one individual report. You can submit both an individual and joint report(s).

Generally, it is a good idea **to submit a joint report in collaboration with other CSOs** in your country – either LGBTI CSOs or mainstream human rights CSOs. Joint reports have a stronger weight, showing a united voice of civil society on the international arena. Indeed, the UN (OHCHR) itself recommends submitting joint reports. For you, it may also be an opportunity to raise awareness for LGBTI issues amongst other human rights organisations.

The UPR has proved to be a **great space for creating coalitions** and strengthening relationships between organisations. It has also **empowered organisations that are not usually working on international advocacy** but aim to start working on it. Some of these organisations might have less resources (human and financial) so having the chance to make a joint report is another positive way in which they can raise their concerns. Coalitions generally facilitate access to more expertise, information and insight. If you are forming an LGBTI Coalition of CSOs across the different LGBTI identities this might allow your report to be inclusive of the LGBTI spectrum.

However, **in some countries LGBTI defenders are excluded or misunderstood by other CSOs and SOGIESC** content can be lost or misrepresented in the inevitable process of negotiation and compromise with others. Hence, the possibility to present an individual submission or a joint submission with other LGBTI friendly civil society that includes SOGIESC specific content. If you participate in a joint submission, always review the content to ensure that your issues are represented in an adequate way.

Even within LGBTI coalitions, sexual orientation issues frequently receive most attention, with gender identity and expression and sex characteristics losing out in comparison. Similarly, the needs of marginalized groups within the community go unaddressed, including those of women, ethnic and racial minorities, asylum seekers and refugees, indigenous people, rural population, bisexual persons, older persons, among others.

If you are an organisation working on a specific issue or group, such as intersex, women, bisexual, racial minorities or trans issues, **you may consider preparing an individual submission even if you are in a coalition.** This way you can ensure your issues are presented appropriately even as you continue to work in coalition.

If your organisation wishes to address trans or intersex issues, but you are not a trans or intersex led or specific organisation, work in consultation with these groups, recognizing their lead and expertise on these areas. **Don't use the acronyms "LGBTI" or "LGBT" unless you are actually speaking or covering all in the acronyms.**

Do you have concerns regards your security?

It is important to consider security issues before, during and after drafting your report. **All reports must identify the name of the submitting organisation rather than an individual, and cannot be withdrawn. Further, the report itself will also be public so consider carefully what is in it**, especially if there is a real risk of reprisals against civil society in your country. Take all the necessary measures within your capacity to avoid reprisals.

There are various ways to mitigate these risks, such as making a joint-submission in a coalition or asking another organisation to formally submit the report on your behalf, for example your ILGA region. If you need further information on this please contact our UPR desk: upr@ilga.org

If you face reprisals during any stage of this process, please directly contact the OHCHR at: reprisals@ohchr.org

And if you face immediate threats contact the Protect Defenders website at: www.protectdefenders.eu

What are the technical requirements when submitting a report?

- **Format:** the submission (report) must be in word format
- **Length (footnotes are excluded from the word count):**
  - Individual submission: 2,851 words (approx. 5 pages)
  - Joint submission: 5,360 words (approx. 10 pages)
- **Identification:** The submission must include in the cover page:
  - name(s) of the CSO(s)
  - include a brief description of the main activities of your CSO
  - short summary of your submission
- **Language:** The submission should be in one of the six UN official language, but according to the technical guidelines of the OHCHR, written contributions are preferred to be written in: English, French or Spanish
- Number paragraphs and pages

Is there something that I should avoid when drafting my report?

Yes!

1. Avoid using subjective, offensive or emotional language
2. Avoid using secondary sources such as links to news stories. Primary sources such as verified data and interviews with LGBTI persons are always preferred
3. Make sure to use clear terminology as not everyone is an expert on SOGIESC issues. If needed, explain the concepts in a footnote so the reader understands the themes you are addressing
4. Do not include maps or pictures – the UN system does not accept them
5. Avoid including a general description of your country (e.g. demographics etc.) and lists of ratified international instruments. These items are already covered in the National or UN Summary reports

Where should I send my report?

Submit your report through the online UPR submissions registration system (https://uprdoc.ohchr.org). All reports must be submitted no later than on the deadline (at 15:00 Geneva time). **Late submissions will not be considered**. If you encounter any technical problems please contact the UPR Submissions Helpdesk (uprsubmissions@ohchr.org) and copy us (upr@ilga.org). **To prevent any technical issues, please make sure to create your user account on the UPR submissions registration system at least one week before the deadline of submitting the report.**

After submitting your report share it with ILGA (upr@ilga.org) to get further assistance.

Will the OHCHR read my report?

Yes! In fact, they read it very carefully as one of the reports in which the review is based is the *Summary of Stakeholders' submissions*. This report is a summary of the stakeholders' submissions/reports to the UPR, and it is presented in a summarized way due to word-limit constraints, hence the need to carefully read all the reports presented by CSOs.

Will my report(s) become public once I have submitted it?

Yes. Your report will be public and will be uploaded to the ohchr.org webpage. Having your report in the *Summary of stakeholders' submissions* will give visibility to your issues and will allow other stakeholders to access the information that you have prepared. Submissions that respect the previous tips and guidelines will be publicly available on the OHCHR's country webpage with the name of the submitting CSO(s).

What happens if my report is not quoted in the summary of stakeholders' submissions?

The information that you produce should have been included in the summary of stakeholders' submissions. Sometimes this does not happen and unfortunately once the *Summary of the stakeholders' submissions* is out it cannot be amended by OHCHR. If this is the case, you will now need to focus all your efforts on targeted advocacy to ensure that the message that you want to deliver will be raised by the recommending States.

DRAFTING RECOMMENDATIONS

Since the UPR was created more than 1375 recommendations have been made on SOGIESC issues. This represents 2.5% of the UPR recommendations.

In this section, you will find the answer to the following questions:

- **What are the different classifications of recommendations?**
- **What category should my recommendations be?**
- **How do you start drafting the recommendations?**
- **What are S.M.A.R.T. recommendations?**
- **What process do States follow when drafting recommendations?**

Is there any type of classification for recommendations?

The NGO UPR-info classifies the recommendations as follows:

- Minimal action: e.g. Share national best practices and policies on ensuring non-discrimination, including proposals such as to include sexual orientation in the Constitution, with States and relevant international organisations. United Kingdom to Sweden
- Continuing action: e.g. Keep working on awareness measures, including schools, to combat discriminatory attitudes based on sexual orientation. Spain to Chile
- Considering action: e.g. Continue its efforts in the fight against violence and discrimination based on sexual orientation and gender identity. Argentina to South Africa
- General action: e.g. Strengthen the protection of LGBT individuals. Brazil to Guyana
- Specific action: e.g. Develop and carry out a plan for implementation of the Anti-discrimination law, including positive and preventive actions. In particular, address discrimination based on gender identity and sexual orientation. Colombia to Chile

What category should my recommendations be?

Aim for **recommendations that require a specific action**, as these ones have a clear goal when implementing them. One third of SOGIESC recommendations fall under this category.

How do I start drafting the recommendations?

The UPR is a process that allows civil society not only to diagnose the problem, but also to propose a real and possible solution, expressed in recommendations to your State. In fact, each recommendation that you suggest should actually be your proposed solution to the problems that you have identified in your general statements in your report.

When drafting a recommendation one of your first questions should be: if I was the State and received this recommendation, how would the implementation phase be? If it is a recommendation that falls under the category of General Action e.g. *intensify its efforts to reduce discrimination on the basis of sexual orientation*, as a government you will either have a hard time implementing such a recommendation, or else you can simply report small advances and claim you have complied. If it is a recommendation that falls under the category of Specific Action, such as *launch a national dialogue, as well as a campaign through media and in the schools, to tackle all forms of discrimination against lesbian, gay, bisexual and transgender persons*, as a State you will have a clear road map.

Another useful tool is to make a recommendation mapping on SOGIESC issues, e.g. make a map or brainstorm on recent SOGIESC recommendations that have been made in recent UPRs. This will allow you to have an idea of the recent SOGIESC recommendations, the type of recommendations that have been proposed and get some inspiration on wording.

To draft your recommendation, you may **use the following action verbs**: abolish, abrogate, adopt, amend, apply, conduct, draft, develop, design, eliminate, enact, eradicate, establish, formulate, implement, investigate, introduce, ratify, reform, remove, repeal, rescind, undertake, withdraw, among others.

What are S.M.A.R.T. recommendations?

All your proposed recommendations should be specific, measurable, achievable, relevant and time-bound.

What process do States follow when drafting recommendations?

As a general rule States base their recommendations on the three reports produced for the UPR: The National Report, UN summary and summary of stakeholders' submissions. In addition, a State will review inputs from the Embassies that work in the State under Review, inputs from within its own Foreign Ministry, and inputs from its Permanent Mission in Geneva. Usually the Ministry of Foreign Affairs drafts the recommendations and sends them to its Permanent Mission in Geneva. Of course, each State is different and this varies.

SPECIFIC	**A defined action to a specific right or violation example:** To Implement their "Diversity Enriches" programme to promote inclusion, tolerance and integration of people from different backgrounds, nationalities, religions, genders and sexual orientations. UK to Estonia
MEASURABLE	**A recommendation that not only addresses the 'what' to achieve, but also the 'how' to achieve example:** Include sexual orientation and gender identity in the national legislation on discrimination, and establish policies and initiatives to address discrimination against LGBTI persons. Netherlands to Kyrgyzstan
ACHIEVABLE	**Capacity of the State under Review. example:** Increase access to sexual and reproductive health services for vulnerable groups, including sexual minorities, by raising the health budget to 15 per cent in line with the Abuja Declaration on Roll Back Malaria in Africa. Netherlands to Uganda
RELEVANT	**Country-specific recommendations, keeping in mind the reality and background of every country example:** Include in the Charter of Rights Bill, currently before Parliament, a specific prohibition of discrimination on hate grounds of sexual orientation and repeal all legal provisions criminalizing consensual relations between adults of the same-sex, and combat this type of discrimination through awareness-raising campaigns and education programmes in school Spain to Jamaica
TIME-BOUND	**Time frame in which the recommendation should be implemented example:** Repeal all legislative provisions that discriminate against persons on the ground of their sexual orientation, including the Sexual Offences Act, within the next two years. United Kingdom to Barbados

ENGAGING WITH GOVERNMENTS

In- country advocacy

In this section, you will find the answers to the following questions:

- **What steps should be taken after submitting your report?**
- **Should you meet with your State?**
- **Should you share your report more widely?**
- **What should you present to the States during the meetings?**
- **What is a SOGIESC advocacy paper?**

We have submitted our report! Now what?

Now you will work to ensure that your proposed recommendations will be used by the recommending states.

Should I meet with my own State?

If possible, ask your State to hold national consultations on the UPR as it prepares its National Report. This is not required, but the UN encourages States to hold them (resolution 5/1 of the HRC). This is a great opportunity to give input to the National Report and share your concerns with your government.

Practically, this means contacting the government persons in charge of the UPR, human rights and/or SOGIESC issues and asking them for a meeting to share your concerns. You can also directly ask them to share the National Report with you.

Should I share my report more widely?

There are several possibilities here and it will depend on the time and resources that you have. According to your resources, safety concerns and availability, you can implement one or more of the following steps 3 to 4 months before the review of your State:

1. **Send your submission via email to all relevant stakeholders:** LGBTI friendly embassies and Permanent Missions in Geneva, other CSOs and your National Human Rights Institution.
2. **Launch your submission in your country:** Three months before the Working Group Session of your country, organize an event in your own country and invite all the LGBTI friendly Embassies so you can present your report and proposed recommendations to them.
3. **Organize different meetings with Embassies:** Request meetings with different governments. These should be with governments that are committed to the UPR process so that you can have an open dialogue on SOGIESC issues. Seek support from States of different regions and/or groups. Remember that a State may not have an embassy in your country. In this situation, still send your submission via email to the embassy that has responsibility for your country and request a meeting. You may be able to meet with embassy staff when they visit your country, or you may meet them if you can visit the neighbouring country.

In-country advocacy with LGBTI friendly embassies in Vilnus - National LGBT Rights Organization LGL*

! Don't have a place to launch your report or hold a meeting for sharing your submission? Want to know with which Embassies you should meet? Contact our UPR desk and we can advise you on possibilities: upr@ilga.org

When meeting with a State be sure to know:

- If it has made any recommendations to your own country (not only on SOGIESC issues, but other recommendations)
- The status of implementation of those recommendations
- The general human rights situation in your country
- Which are your top three preferred recommendations you would like them to make?

Example of an email requesting a meeting with an Embassy or a Permanent Mission

What should I present to the States during my meetings?

1. Your UPR Report
2. SOGIESC UPR advocacy paper

What is a SOGIESC Advocacy paper?

It is a two-pager that will summarize facts, law, proposed recommendations and advanced questions for recommending States to make to your own State.

Tips for elaborating the SOGIESC advocacy paper:

- Maximum two-pages
- Include cases that can illustrate better the need of the proposed recommendations
- Include your contact information (name and email)
- Have a maximum of 7 recommendations
- Prioritize the messages that you want to deliver
- Include examples of good practices or positive changes that have occurred in the past 5 years with regards to SOGIESC issues
- Mention the SOGIESC recommendations that were made to your country in the last UPR Cycle and explain their level of implementation or not. Include the names of the countries that made them
- Succinctly include relevant legislation, statistics, policies and initiatives on SOGIESC issues
- Use appropriate language and explain terms – this is also a process of education for the State

- Template of Advocacy paper
- Examples of Advocacy papers:
  1. Lithuania
  2. Peru
  3. Singapore

! When asking a Recommending State to make a recommendation be sure to know why you want this specific State to make that recommendation to your country.

Geneva advocacy

In this section, you will find the answers to the following questions:

- **Do you need to come to Geneva?**
- **What are the benefits of going to Geneva?**
- **If you have decided to go to Geneva to conduct UPR advocacy, what's a good way to do this?**
- **If you want to go to Geneva what should you do?**
- **When should you go to Geneva?**
- **What opportunities do international CSOs offer to local CSOs working on the UPR?**

Do I need to go to Geneva?

No. It is not necessary. If you cannot go to Geneva, you could ask CSOs based in or going to Geneva to deliver your advocacy messages. And of course, you can yourself send e-mails to the Permanent Missions in Geneva with your advocacy paper.

Whether to go to Geneva should be decided on a case by case basis. Having the exposure that conducting advocacy in Geneva implies may not be safe or beneficial to your organisation, or perhaps your advocacy strategy does not involve using international diplomacy to bring about change.

What are the benefits of going to Geneva?

If you have access to resources, advocacy in Geneva can be useful and impactful. Advocating in Geneva will give you the chance to meet with different Permanent Missions that might not be in your country as almost all countries have a Permanent representation in Geneva.

Geneva allows advocates to work on international advocacy. It is the chance to not only meet different governments but also with UN staff, special procedures, working groups, other defenders, etc. It will also give you the opportunity to participate and/or attend the Pre-Sessions of the NGO UPR-Info, where you will have the chance to deliver a presentation to 30 to 40 governments that will be listening to you and then delivering your messages back to their own capital. For some CSOs and defenders, meeting with their Permanent Mission in Geneva has been the only chance to talk, exchange views and foster a dialogue on LGBTI issues with their National Government.

Though most of the recommendations are made in capital, some recommendations are made by the Permanent Missions, and having the chance to speak to the person who will be drafting recommendations for your own country is useful.

If I have decided I would like to go to Geneva to conduct UPR advocacy, what's a good way to do this?

ILGA – sometimes in partnership with other CSOs – organizes a SOGIESC UPR Advocacy Week in Geneva in the crucial period in the run-up to the Working Group Session. During these days, LGBTI defenders meet with State representatives in Geneva, sharing in detail the human rights situation on the ground and what recommendations they would like these countries to make to their own governments.

During the Advocacy Week, ILGA's UPR Programme trains defenders on how to conduct international advocacy at the UPR, assists them in the preparation of oral statements and advocacy papers, facilitates meetings with diplomatic missions and gives advice on how to strategically conduct advocacy in Geneva. If defenders are granted a speaking slot at the separately-organized UPR-Info Pre-Session of their country, they will also get the chance to attend this event.

If I want to go to Geneva what should I do?

- If you want to attend the SOGIESC UPR Advocacy week, write to ILGA's UPR desk: upr@ilga.org. These weeks occur three times a year: Spring, Autumn and Winter and are usually one month before the UPR Working Group Sessions of the States under Review.
- If you want to access the UN premises please make sure to get accreditation. If you are not an ECOSOC-accredited CSO, ask an organisation that can perhaps assist you, such as ILGA-Europe in Brussels or ILGA in Geneva. If you want to know what CSOs have ECOSOC status, you can find a list here.
- If you are not attending the SOGIESC UPR Advocacy week, ask for meetings with diplomats well in advance so that you can really take advantage of your time in Geneva
- Have a clear purpose and strategy for your visit to Geneva. What is my objective? Who do I want to meet? How much time do I need?

Autumns SOGIESC UPR Advocacy week (28th UPR working group session). Meeting with diplomats in Geneva

When should I go to Geneva?

One to three months before the UPR Working Group Sessions.

What opportunities do international CSOs offer to local CSOs working on the UPR?

There are several organisations working on SOGIESC issues at the UPR who can provide support with different aspects of the UPR. Reach out to them for further information.

DRAFTING REPORTS	FINANCIAL SUPPORT	ADVOCACY IN GENEVA
COC NEDERLAND	COC NEDERLAND	COC NEDERLAND
ILGA	ILGA	ILGA
ILGA ASIA		
PAN AFRICA ILGA		

UPR WORKING GROUP SESSIONS

Three times a year the Council meets during the Working Group Sessions of the UPR to review 14 States. During the Working Group Sessions, States have a dialogue and evaluate the human rights situations of the various States under Review. This is a political and diplomatic mechanism which focuses on the improvement on the human rights situation in a specific country.

Each review is structured as follows: The State Under Review first has 70 minutes to present its National Report and to address the advanced questions that have been asked by other States. Recommending States then have 140 minutes to collectively deliver statements in which they comment on the human rights situations of the specific State under review as well as to highlight advances, good practices and challenges. Crucially, they also pose recommendations and questions at this time.

During the UPR Working Group Sessions, there is no space for civil society to participate in a formal way. However, this is an important session for CSOs to follow as this is the moment when the State is actually reviewed.

In this section, you will find the answers to the following questions:

- **How do you engage with the UPR Working Group Sessions?**
- **Should you share or communicate the result of the UPR Working Group Sessions?**
- **How should you draft your press release?**
- **What happens next on the review process?**
- **What advocacy strategy should you use after the review of your country?**

How do I engage with the UPR Working Group Sessions?

- Watch them live through the UN Live United Nations Web TV;
- If you decide to go to Geneva for the Working Group Session, make sure you have arranged for accreditation to access the UN premises. Take advantage of your time, either by organizing a side event, or by meeting with diplomats and, if safe, let your government know that you will be in Geneva during their UPR. This is a way for them to know you are watching!
- 2 days after the review (or before, if specifically requested), ILGA's UPR Summary will be available. This summary contains all the SOGIESC information of the Working Group Session for each country: from the national report, stakeholder's summary, UN summary, advanced questions, recommendations made, remarks of the State under Review and a comparison with the State's previous UPR review.

UPR party in Seoul by Rainbow Action South Korea – 28th UPR Working Group sessions

Watching the UPR Working Group Sessions from home?

- Get creative and throw a UPR party with other stakeholders so you can watch closely the review of your own State
- Coordinate with the OHCHR and look for possibilities on organizing an event
- Watch it with your colleagues

Should I share or communicate the result of the UPR Working Group Sessions?

The UPR is an opportunity to raise awareness of the current human rights situation in your country. Usually the press is interested on this process and like to comment on UPR outcomes. Take advantage of this

situation and as soon as the review is over issue a press release with the relevant SOGIESC recommendations received highlighted.

How should I draft my press release?

- Choose a title that is clear and catchy
- Include your organisation's name and logo
- No longer than 3,000 characters (one page)
- Include two or three interesting and important points regarding your State's review at the UPR
- Avoid any technical language and target the press release to a general audience who may be unfamiliar with SOGIESC issues
- Include quotes from the review, especially high-profile people (e.g. the head of the UPR delegation)
- Include quotes from human rights defenders
- Outline the next steps of the UPR process
- End your press release with a 'note to the editor', providing a brief description of the UPR and your organisation, as well as hyperlinks to relevant sources such as your submission. If safe, also add the contact details, best if it is a phone number, of someone of your organisation available for interviews.

You can find an example of a press release here. ILGA's UPR Summary provides accurate information of the UPR Working Group Sessions of your country and will be helpful for including direct quotes from the review as well as for advocacy purposes. If you want to receive the summary, write to our UPR desk: upr@ilga.org.

When you have finished your press release, disseminate it amongst media outlets, upload it to your website and share it on social media. Consider holding a press conference, or giving radio or television interviews. Bear in mind security issues which may arise from such public advocacy.

What happens next on the review process?

A few days after the review, the State under Review has three options for each recommendation received:

1. Accept/support the proposed recommendations
2. Take note of the recommendations
3. Give a reply no later than the next Human Rights Council Session

Some States will very quickly give a response. Others will wait until the next Human Rights Council Session, usually several weeks away. It all will depend on the State's capacity and commitment, and the type of recommendations received.

What advocacy strategy should I use after the review of my country?

Your strategy will depend on the outcome of the review.

1. **If your State accepted/supported all the SOGIESC recommendations:** Write to the Recommending States who made recommendations and thank them for addressing SOGIESC issues. Also advise them to follow-up directly with your country, through the bilateral mechanisms.

   Talk to your State and ask them to draft as soon as possible a road map to implement the recommendations. If you are a CSO working in a coalition make sure to coordinate with them before talking with your State. Use the recommendations of the UPR throughout your advocacy, remembering that **the UPR is part of your advocacy strategy.**

2. **If your State took note of the recommendations:** Write to the States that proposed the recommendations, thank them and let them know that your government took note of their recommendation. The remarks and recommendations made by the Recommending States can be used to continue fostering dialogue with your own country and to use them in other human rights spaces. Try to find entry points to implement the noted recommendations and ask your government why they took note of the recommendations, this could help you understand what are the steps needed before implementing such recommendations. Noted recommendations can also be implemented.

3. **If your State decides to defer the answer replying no later than the next Human Rights Council session:** thank the States that made recommendations to your country, and let them know that you will be talking with your State. Then immediately engage with your government to urge them to accept the recommendations, letting them know why they are important. If you are part of a coalition, remember to always have a coordinated message and strategy.

UPR OUTCOME

Every March, June and September the Human Rights Council has its annual sessions. During these sessions, Item 6 on the agenda of the Council addresses the outcomes of the UPR. This is the last chance for the State under Review to indicate which recommendations are accepted/supported and which are noted. It is also a time to make voluntary commitments/pledges. This is also the only official opportunity that civil society has to address the Council.

In this section, you will find the answers to the following questions:

- **What can CSOs do during the UPR outcome?**
- **What should you include in your two-minute statement?**

What can CSOs do during the UPR outcome?

CSOs have a chance to deliver a **two-minute statement** to address the Human Rights Council and talk about the UPR of the concerned State. This is a unique opportunity, as it is the **only official time that CSOs have to address the Council**. During this space, the State Under Review will reply to questions and issues that were not sufficiently addressed during the review and respond to recommendations that were raised by States during the interactive dialogue.

ILGA delivering a statement on behalf of several CSOs, during the 28th Human Rights Council session. UPR Outcome of Bolivia

However, to address the Council, your CSO must have ECOSOC-accredited status. If you do not have ECOSOC status, contact a CSO that does, such as ILGA-Europe in Brussels or ILGA in Geneva.

Examples of statements:

- Statement for UPR outcome of Iceland
- Statement for the UPR outcome of Samoa
- Statement for the UPR outcome of Mozambique

What should I include in my two-minute intervention?

- References to the National Report. Was there something missing? Was there something inaccurate?
- Reference to the SOGIESC recommendations or remarks made by the Recommending States
- References to quotes and/or answers that your government made during the UPR Working Group Session that you would like to support or object (use ILGA's UPR Summary for this)
- Reference to the responses (accepted/supported or noted) given by your State
- If possible, express your willingness to start or continue working with your government to implement these recommendations

UPR FOLLOW-UP AND IMPLEMENTATION OF THE RECOMMENDATIONS

The UPR system has led to many improvements in the promotion and protection of LGBT human rights. Nonetheless, the UPR currently has no mandatory follow-up mechanism to ensure accountability. There is no formal system to ensure that governments fulfil their commitments and promises to implement recommendations. CSOs play a vital role in closing this implementation gap.

In this section, you will find the answers to the following questions:

- **How should I begin following-up on recommendations?**
- **Who should I meet with after the review?**
- **What else can I do to help follow-up on my government's implementation after the UPR?**
- **How can I use the noted recommendations? They are basically rejected and worthless, right?**

Meeting of Fiji's CSO UPR Coalition, in which Haus of Khamaleon is a member. Mapping of recommendations and steps on follow-up and implementation

How should I begin following-up on recommendations?

Begin by analysing the recommendations received by your country and prepare potential strategies for their implementation. Develop these strategies with partner organisations and other stakeholders by sharing expertise, ideas and information.

Use a matrix to organize your strategy and identify possible partners and responsible of the implementation of the recommendation.

Example of a matrix:

RECOMENDATION	FOLLOW-UP AND MAIN ACTIVITIES	RESPONSIBLE ORGANISATIONS AND RESOURCES	TIME FRAME	INDICATORS	IMPLEMENTATION ACTIONS	LEVEL OF IMPLEMENTATION

*** Level of implementation should be measured as follows: Please indicate: 1. Not implemented, fully implemented or partially implemented. Please indicate how: 1. Substantive action taken. 2. Initial action taken 3. Actions taken do not implement the recommendation 4. Measures taken against the recommendation 5. No action taken*

Perhaps there is already an ongoing process for follow-up and implementation of recommendations. If so: join it!

Some international CSOs like UPR-Info work on follow-up and implementation of recommendations for some countries. Look out for available opportunities!

Should I meet with my State after the UPR outcome?

If possible, meet with your State – perhaps with other CSOs – to encourage them to implement their recommendations. Share with them your strategies for doing so. Urge them to conduct ongoing consultations and to maintain a close working relationship with your organisation and wider civil society throughout the whole implementation phase, not just at the start. Remind your government that you are still committed to recommendations that they may have noted.

Follow-up and implementation meeting in San Jose, Costa Rica with the Ministry of Foreign Affairs and the CSO MULABI.

Should I meet with the Embassies that made recommendations to my State?

Yes. A good advocacy technique, especially if it is challenging to meet with your own government, is to meet with Recommending States. Provide these States with any relevant information, as well as encouraging them to maintain a constructive dialogue with your own government through bilateral meetings. The UPR in general is an opportunity to strengthen your relationship with the international diplomatic community in your country, and it may also present opportunities for financial or other support of projects on LGBTI issues that tie-in with UPR recommendations made.

Anybody else I should meet with?

Yes! OHCHR, UNDP and other UN Agencies are often great allies when it comes to the UPR. Be in contact with them **throughout the entire process of the UPR**. They might help with trainings, capacity building, supporting projects or acting as a facilitator between the government and civil society.

What can I do to help follow-up on my government's implementation after the UPR?

CSOs can also support the UPR follow-up process by closely monitoring the actions of their government in implementing their recommendations. Devise concrete indicators to measure the extent to which your government has met each recommendation.

How to monitor the UPR recommendations?

You need to be able to measure what your government is doing. For example, if your government received a recommendation to lower prejudice and discrimination within the police, one way to measure this could be the number of quality training programmes run for police officers. When monitoring the implementation of recommendations, aim to publicize information of developments, or lack thereof, to ensure continuous accountability.

How can I use the noted recommendations? They are basically rejected and worthless, right?

While it may be discouraging to see recommendations being "noted" that you have worked very hard to get, they are still incredibly useful. **Firstly, remember the simple fact that the recommendations themselves have been made, that they are therefore "on the record" and are an expression of global solidarity for the human rights of LGBTI persons in your country.**

The use of UPR recommendations can be particularly powerful if combined with a similar recommendation received from Regional Mechanisms, Treaty Bodies or Special Procedures.

Hence, do utilize noted (or even accepted but as yet unimplemented) recommendations in your advocacy efforts to highlight areas of concern and demonstrate the degree of your government's record on human rights. You can use them as talking points directly with your government to explore deeper why they felt they couldn't accept them, or ask other States to raise the same in bilateral discussions. You could even launch a campaign about how your government noted them.

And do not lose all hope. Sometimes a recommendation being noted is not actually a de facto "rejection". For example, Palau noted all 6 recommendations on decriminalisation that it received, and yet decriminalized shortly thereafter. Sometimes a government seems to be saying "not yet" or "not like this". Listen to your government and engage with them.

When your State's UPR Cycle is coming to its end, remember to critically reflect on your advocacy techniques and see how you can improve and be ready for the next Cycle!

MID-TERM REPORTS

CSOs can play another vital role in promoting implementation through mid-term reporting. **Member States can submit mid-term reports midway between their reviews which outline any concrete and targeted steps they have taken in implementing their recommendations.** Mid-term reports are useful tools for tracking progress and sharing best practices, but also for highlighting any persisting gaps. During Cycle 1 and Cycle 2 of the UPR, however, only 65 States out of 193 submitted mid-term reports on a voluntary basis.

CSOs can encourage their government to produce a mid-term report. Work closely with your government in providing expertise and information during the drafting of the mid-term report. **These reports can be important tools in building bridges between civil society and the government.**

Where there is no political will from your government to produce a mid-term report, collaborate with civil society in your country to **file your own mid-term report with the UN.** This sends a strong message to your government that civil society is closely monitoring its actions and holding it accountable to its UPR commitments and promises. The writing of mid-term reports goes to show the paramount role CSOs can play in what is arguably the most important phase of the UPR. It is also a useful tool for you as this will allow you to compile information and prepare for the next cycle.

Are there any technical requirements or specific deadlines for submitting a CSOs mid-term report?

There are currently no technical guidelines or deadlines to submit a mid-term report, as this is a voluntary process. However, **it is best to present it 2.5 years after the review of your country, providing accurate information on the status of implementation of the recommendations from that review**. Although there are no formal requirements, use the same approach when you drafted the UPR submission. This report could be specifically focused on SOGIESC issues, or you may wish to prepare it on the status of the implementation of UPR recommendations more generally.

If you want to publicize your report, share it with: upr@ilga.org, info@upr-info.org and uprsubmissions@ohchr.org , informing them that you have prepared such a report and that you would like it to be public.

TOOLS AND RESOURCES

A SOGIESC UPR STRATEGY IN A NUTSHELL

Persuade your State to hold national consultations and participate in them
Check what recommendations your State received in the last review
This information will be useful for:
- Advocacy purposes
- Follow-up and implementation of recommendations
- Valuable input for your submission (remember: all submissions should refer to the recommendations made in the last cycle)

Define what you want to address in your report

Establish whether you want to submit an individual report or a joint report

Draft your report
Make sure you have included specific issues and that you have prioritized them. Link the UPR with previous UPR recommendations and recommendations made by other UN mechanisms such as Treaty Bodies and Special Procedures.

Propose S.M.A.R.T. recommendations

Get the contacts of LGBTI friendly Embassies and their human rights officer as well as the relevant contact of your own State that works on the UPR, SOGIESC issues and/or human rights

When conducting advocacy, choose your three priority messages and your top three recommendations

Prepare your advocacy paper and share it with diplomats and other relevant stakeholders

Meet with your government, with Embassies in your country and with Permanent Missions in Geneva

Follow the UPR of your country on the UN webcast

After the review continue engaging with your State and with Embassies

Prepare your statement for the Human Rights Council session plenary

Follow-up and implement the recommendations

Present a mid-term report

...and the cycle begins again!

General Information on the UPR

Practical Guide for Civil Society. Universal Periodic Review
ILGA webpage
ILGA's UPR Summaries, prepared immediately after each Working Group Session, are here
OHCHR web page
UPR-Info webpage
Research on SOGIESC issues at the UPR

Information for drafting your submission

Calendar of reviews for Cycle 3 (2017 – 2021)
New technical guidelines for CSOs submissions. OHCHR
UPR-Info Database
ILGA's Annual Treaty Body Compilation
ILGA's State Sponsored Homophobia Report
ILGA's Trans Legal Mapping
Examples of SOGIESC UPR submissions

Information for how to advocate with States (Embassies and Permanent Missions)

Template of SOGIESC Advocacy Paper

Examples of SOGIESC Advocacy papers:

1. National LGBT* Rights Organization LGL- Lithuania
2. Oogachaga and Pink Dot - Singapore
3. Centro de Promoción y Defensa de los Derechos Sexuales y Reproductivos (PROMSEX) - Peru

Examples of an email requesting a meeting with an Embassy or a Permanent Mission

Examples of statements delivered during the UPR outcome. Item 6 of the agenda of the Human Rights Council.

- Statement for the UPR outcome of Iceland
- Statement for the UPR outcome of Samoa
- Statement for the UPR outcome of Mozambique

Information on follow-up and implementation of recommendations

A Practical Guide for Civil Society. How to follow-up on United Nations human rights recommendations.

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