



Lessons From the First Cycle of the Universal Periodic Review

# FROM COMMITMENT TO ACTION ON SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS

EQUALITY JUSTICE HUMAN RIGHTS ACCOUNTABILITY  
NON-DISCRIMINATION PARTICIPATION CIVIL SOCIETY SRHR ACT CHANGE IMPLEMENTATION  
OBLIGATIONS DIALOGUE  
STAKEHOLDERS INVESTMENT HUMAN RIGHTS



ACCOUNTABILITY MECHANISMS ATTENTION QUALITY POSITIVE EQUAL  
NHRI RIGHTS WORK SUCCESSFUL REPRODUCTIVE COMMUNITY ADVANCED



Cover photos: © UN Photo/Jean-Marc Ferré

**Table of Contents**

Abbreviations and acronyms ..... 2

Acknowledgements ..... 2

**EXECUTIVE SUMMARY.....3**

**CHAPTER 1: THE UNIVERSAL PERIODIC REVIEW AND SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS.....7**

    What are sexual and reproductive health and rights?..... 8

    What is the UPR and how does it work? ..... 10

    Why is the UPR important for sexual and reproductive health and rights?..... 14

    Why has this assessment report been prepared? ..... 15

**CHAPTER 2: SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS IN THE FIRST CYCLE OF THE UPR .....16**

    State reporting on sexual and reproductive health and rights ..... 17

    Volume of recommendations and voluntary commitments ..... 18

    Quality of recommendations ..... 20

    Responses to recommendations ..... 21

    Thematic analysis of recommendations..... 22

**CHAPTER 3: IMPLEMENTATION OF THE UPR RECOMMENDATIONS..... 31**

    Planning processes ..... 32

    Monitoring mechanisms ..... 32

    Implementation of recommendations ..... 33

    Degree of implementation ..... 34

    Thematic analysis of implementation of recommendations ..... 35

**CHAPTER 4: FINAL CONSIDERATIONS FOR ADVANCING SRHR IN THE UPR .....42**

**APPENDICES.....46**

    Appendix 1: List of United Nations Member States comprising each region ..... 46

    Appendix 2: Implementation of SRHR related recommendations (based on the SRI database)..... 48

**REFERENCES .....50**

**END NOTES..... 51**

**DISCLAIMER:** The designations employed and the presentation of material in maps in this report do not imply the expression of any opinion whatsoever on the part of UNFPA concerning the legal status of any country, territory, city or area or its authorities, or concerning the delimitation of its frontiers or boundaries.

## Abbreviations and Acronyms

<b>AAAQ</b>	Availability, Accessibility, Acceptability, and Quality
<b>CAT</b>	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women
<b>CRC</b>	Convention on the Rights of the Child
<b>CRPD</b>	Convention on the Rights of Persons with Disabilities
<b>CSO</b>	Civil society organization
<b>FGM/C</b>	Female genital mutilation/cutting
<b>HIV/AIDS</b>	Human immunodeficiency virus/acquired immunodeficiency syndrome
<b>HRC</b>	United Nations Human Rights Council
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICERD</b>	International Convention on the Elimination of All Forms of Racial Discrimination
<b>ICESCR</b>	International Covenant on Economic, Social and Cultural Rights
<b>ICPD</b>	International Conference on Population and Development
<b>ICRMW</b>	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
<b>LGBTI</b>	Lesbian, Gay, Bisexual, Transgender and Intersex
<b>NGO</b>	Non-governmental organization
<b>NHRI</b>	National human rights institution
<b>OHCHR</b>	Office of the High Commissioner for Human Rights
<b>PfA</b>	Platform for Action
<b>PoA</b>	Programme of Action
<b>SRHR</b>	Sexual and reproductive health and rights
<b>SRI</b>	Sexual Rights Initiative
<b>STI</b>	Sexually transmitted infection
<b>SuR</b>	State under Review
<b>UN</b>	United Nations
<b>UNAIDS</b>	Joint United Nations Programme on HIV/AIDS
<b>UNCT</b>	United Nations Country Team
<b>UNDP</b>	United Nations Development Programme
<b>UNFPA</b>	United Nations Population Fund
<b>UNICEF</b>	United Nations Children's Fund
<b>UPR</b>	Universal Periodic Review
<b>WHO</b>	World Health Organization

## Acknowledgements

This report has been developed by the United Nations Population Fund (UNFPA) under the direction of Luis Mora, Chief of the Gender, Human Rights and Culture Branch, and the technical guidance of Alfonso Barragues. In particular, UNFPA wishes to acknowledge Action Canada on Population and Development, and especially Neha Sood for her substantive expertise and contribution to the drafting of this document.

A special word of thanks is owed to Bruce Campbell and Mona Kaidbey for their encouragement and strategic leadership, as well as to UNFPA colleagues Alanna Armitage and Lily Talapessy, who devoted their time and commitment to peer-review this report. A particular mention goes to Ida Krogh Mikkelsen for her thorough editorial review of the document.

UNFPA wishes to extend special thanks to the following UNFPA colleagues from country and regional offices who were interviewed about the UPR: Lola Valladares Tayupanta (Ecuador), Dorothy Nyasulu (Malawi), Hind Jalal (Morocco), Debora Nandja (Mozambique), Diana Ismailova (Tajikistan), Manel Stambouli (Tunisia), Magdalena Furtado (Uruguay), Karl Kulesa and Fuad Aliev (Uzbekistan), Enshrah Ahmed (Arab States Regional Office) and Maha Muna (Pacific Sub-Regional Office). Furthermore, a word of appreciation is owed to Janette Amer and Carolin Schleker (UN-Women) and Karin Lucke and Emilie Filmer-Wilson (United Nations Development Operations Coordination Office) for making time in their busy agendas to participate in this series of interviews and for ensuring a coherent and integrated approach to the United Nations engagement with international human rights mechanisms.

# Executive Summary

**The Universal Periodic Review (UPR)** is a unique mechanism established by the United Nations General Assembly in 2006. This mechanism facilitates the review of the fulfilment by each United Nations Member State of its human rights obligations and commitments, with its full involvement, and with the objective of improving the human rights situation on the ground. The outcome of the review is a set of recommendations made to the State under Review (SuR) by reviewing States, the response of the SuR to each recommendation, as well as any voluntary commitments made by it during the review. After the review, the SuR has the primary responsibility to implement the UPR outcome. However, it may do so with the assistance of the United Nations system and participation of civil society, national human rights institutions (NHRIs) and other relevant stakeholders. The UPR is intended to complement and not duplicate or replace the work of other human rights mechanisms such as treaty bodies or special procedures.

The UPR is largely considered a successful mechanism for its ability to bring to the fore human rights concerns in each country to empower civil society, including marginalized and excluded groups, to claim their human rights, and to bring substantial pressure to States to meet their human rights obligations. Due to its comprehensive scope covering the full range of human rights, the UPR provides a valuable opportunity to contribute to the realization of sexual and reproductive health and rights (SRHR).

This publication, *Lessons From the First Cycle of the Universal Periodic Review: From Commitment to Action on Sexual and Reproductive Health and Rights*, aims to explore the potential role the UPR mechanism can play in advancing the realization of SRHR at the global, regional and country levels. It assesses the attention the UPR has given to these

issues during its first cycle and identifies ways to enhance this level of attention through all stages of the UPR process.

The significance of the UPR for the advancement of SRHR is reflected in UNFPA's Strategic Plan 2014-2017. As discussed in Chapter I below, according to the plan, UNFPA aims to achieve the following outcome: "*Advanced gender equality, women's and girls' empowerment, and reproductive rights, including for the most vulnerable and marginalized women, adolescents and youth.*" The indicator for this outcome is the "*Proportion of countries that have taken action on all of the Universal Periodical Review (UPR) accepted recommendations on reproductive rights from the previous reporting cycle.*"

This report assesses the first cycle of the UPR from 2008-2011 from the perspective of

recommendations related to SRHR. It examines the level of attention paid to different aspects of SRHR, the quality of recommendations, positive developments, issues of concern, and regional trends (Chapter II). It also assesses the implementation of UPR outcomes, including national planning processes and monitoring systems (Chapter III). The report concludes with final considerations for various stakeholders (Chapter IV).

In terms of the level of attention to SRHR, an examination of the reporting by SuRs reveals that all 193 States reported on more than one aspect of SRHR. Table 1 lists the five issues most reported on, and the number of States that reported on each.

A total of 21,956 recommendations and voluntary commitments were made during the first cycle, of which 5,720 or 26 per cent pertained to SRHR. Examining the 12 sessions that comprised the first UPR cycle 2008-2011, it is observed that in the first session, this proportion was 20 per cent; by the eleventh session, it had risen to

33 per cent. This shows that SRHR issues received increased attention as the first cycle of the UPR progressed.

Out of the 5,696 SRHR-related recommendations made during the first cycle, 4,396 or 77 per cent were accepted or partially accepted. A significant number, 659 or 12 per cent, received either an unclear response or no response at all; however, this presents ample scope to enter into dialogue with governments about implementing these recommendations. The remaining 11 per cent were rejected by SuRs. In cases where the recommendation is rejected by a government due to lack of capacity or other reasons, the government could be offered support towards the implementation of such recommendations.

A large proportion of the SRHR-related recommendations pertain to human rights instruments, gender equality, gender-based violence and women's human rights. Fewer recommendations have been made on a number of other SRHR issues, including contraception and family planning, early pregnancy, sex work and sexuality education, among others.

As with the UPR in general, recommendations made on SRHR issues have been of a varying level of specificity. They included recommendations that are robust, calling for specific actions and reflecting a human rights-based approach. Such recommendations have called on the SuR to sign or ratify or accede to international human rights instruments; to review, enact and implement specific laws and policies; to ensure participation of rights-holders in decision making; to ensure good quality in the implementation of programs; and to collect and disaggregate data, among other actions. Conversely, some recommendations were very general and some called for States to just "consider" taking actions towards guaranteeing rights. Nevertheless, each recommendation increases potential for dialogue, advocacy and action for change.

The implementation of the UPR outcome is arguably the most important stage of the UPR

TABLE 1

SRHR issues most commonly reported on in national reports

Issue	Number of States reporting on the issue
Gender equality/ Women's rights/ Social and cultural barriers/ Empowerment of women	187
Violence against women/ Gender-based violence	167
HIV/AIDS	107
Sexual harassment/ abuse/exploitation/ slavery	89
Maternal health/ mortality/morbidity	79

process, as this is what can improve the human rights situations within countries through changes in laws and policies and improvements in programme planning, budgeting, implementation, monitoring and evaluation.

According to information provided by 56 states in their review reports for the second UPR cycle, 67 per cent of SRHR-related recommendations (528 out of 721) have been reported partially or fully implemented. In some cases States are implementing recommendations beyond those that were formally accepted. This was the case for six SRHR-related recommendations that had been rejected and 80 that had received unclear or no responses. This demonstrates that relevant stakeholders should engage in policy dialogue and provide support to Governments on SRHR issues.

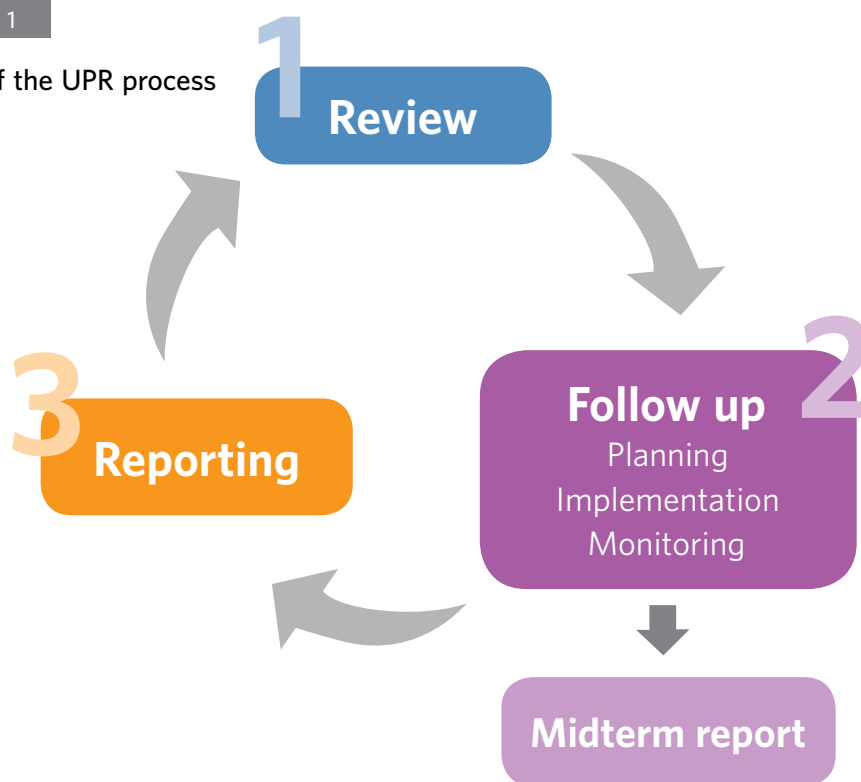
Actions taken to implement recommendations have included inter alia legal and policy reform; the enactment of new laws, policies and strategies; setting up of national machineries, institutions and working groups; training of community workers,

States personnel and community leaders; setting up of community watchdog groups; investing in infrastructure and social services; and public education.

The report observes that there are a number of examples where positive measures have been taken in implementing the first cycle of UPR recommendations, including strong and beneficial collaboration among governments, UN agencies and civil society. Azerbaijan increased the minimum age of marriage to 18 years and criminalized the act of forcing women into marriage. Botswana reported passing the Domestic Violence Act, which provides legal remedies to victims of marital rape, and the Republic of Korea reported prosecuting cases of marital rape. Cuba introduced a sexuality education curriculum throughout the national education system for all levels of education. In Pakistan, a legal amendment criminalized forced marriages, child marriages and other customary practices that are discriminatory towards women and girls. In Turkmenistan, the Government collaborated with

FIGURE 1

Stages of the UPR process



UNFPA to establish two youth centres to familiarize young people with HIV prevention, using a peer-to-peer teaching approach.

The report observes that a specific recommendation rather than a general one, and one that addresses fewer issues rather than several is more effective for tracking implementation and thus holding the SuR accountable. At the same time, the implementation of recommendations formulated in general terms around issues such as health, education, discrimination, violence, gender equality, human rights, *et cetera* can involve specific actions pertaining to SRHR. Concrete information from the United Nations system, NHRIs and civil society on the implementation of UPR outcomes by the SuR, or the lack thereof, is critical for effective tracking.

The national UPR implementation plan should specify key objectives, concrete actions, clear indicators and timeframes, allocated responsibilities at various levels, identified available resources, and required assistance and support. The process of

developing the implementation plan should ensure the full and effective participation of civil society and collaboration with the United Nations system and NHRIs.

The implementation plan should include a monitoring and evaluation component in order to ensure that it is implemented in a timely and effective manner. The monitoring framework should identify what kind of information is relevant for each UPR recommendation, with input from different stakeholders, including affected marginalized populations. It is important to ensure that adequate institutional capacity and appropriate methodologies are present for data collection and analysis. The implementation plan and monitoring framework for the UPR outcome should bring together recommendations from all other human rights mechanisms as well. This would enhance the actions taken to implement the UPR outcome, as well as strengthen implementation, monitoring and reporting of the other recommendations.

Ultimately, governments have the responsibility to implement the recommendations they have willingly accepted. The clustering of SRHR-related recommendations in the context of national planning, coordination and tracking mechanisms will contribute to advancing these rights in a less fragmented and mutually reinforcing way. UNFPA stands ready to support the establishment and strengthening of sustainable, participatory, inclusive and transparent planning, coordination and tracking mechanisms so the UPR can



预览已结束，完整报告链接和二维码如下：

[https://www.yunbaogao.cn/report/index?reportId=5\\_20308](https://www.yunbaogao.cn/report/index?reportId=5_20308)



云报告  
<https://www.yunbaogao.cn>

云报告  
<https://www.yunbaogao.cn>

云报告  
<https://www.yunbaogao.cn>