

# FROM MWANZA TO GENEVA

A guide on how small-scale farmers can  
get their voices heard in the UN.



 WE  
EFFECT

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## FRONT COVER

Nancy Wairimu Kamande is a member of Gikama Agribusiness Cooperative Society in Mwanza, Kenya. Unity among the members of Gikama has improved their bargaining power and livelihoods, satisfying their right to food and economic justice.

## DISCLAIMER

**Title:** From Mwanza to Geneva. A guide on how small-scale farmers can get their voices heard in the UN.

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# WHY JOIN THE UN'S UNIVERSAL PERIODIC REVIEW?

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**We Effect operates in 25 countries across four continents to reduce poverty and injustice. We are a development cooperation organisation applying a long-term, rights based approach in order to effect change. We believe that the best tool to achieve economic and democratic change is for people living in poverty to get organised in cooperative organisations or other democratic associations, where each member has a vote and the organisation's driver is to meet both the economic and the social needs of the members.**

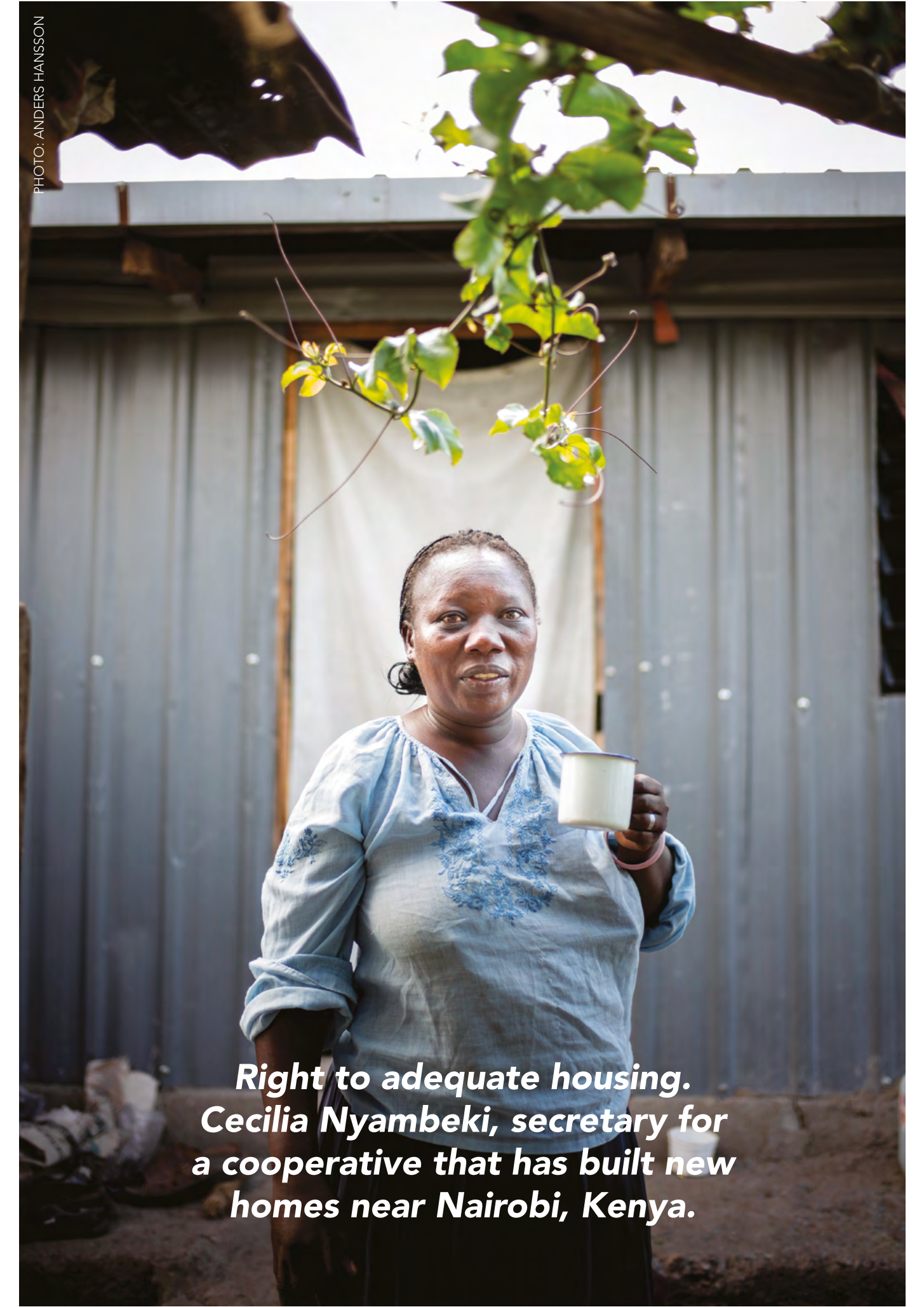
We experience major challenges for rights holders linked to our development work when it comes to the right to food, economic justice, adequate housing, land and women's rights. It is therefore important to tackle not only the symptoms of poverty and injustice, but also the structures that causes them.

The Universal Periodic Review (UPR) is a mechanism of the United Nations Human Rights Council that allows scrutiny of the human rights records of all United Nations (UN) Member States. Since the review is partly based on Non-governmental organisations (NGOs) recommendations on improving human rights, We Effect

has identified the UPR process as a useful advocacy platform for us and our partner organisations around the world. We have compiled useful information on how to use this unique mechanism to bring the human rights issues from small-scale farmers and other groups we work with on the ground to the United Nations Human Rights Council.

This guide is to be used as a manual by We Effect and our partner organisations when participating in the UPR process in any of our program countries. It contains tips and guidance based on the experience gained by We Effect's Regional Office in Eastern Africa during the Human Rights Councils reviews of Uganda and Tanzania in 2015 – 2016.

We thank the We Effect team for the advocacy work made for We Effect during the Uganda and Tanzania reviews with a special thanks to Sara Almström for developing this manual. We also warmly thank our partner organisations in Tanzania and Uganda for the important collaboration during our joint reporting on human rights issues in the UPR process. Without their practical experiences of the rights violated in the everyday life of the people they reach in Tanzania and Uganda, the reporting would not have been possible.



***Right to adequate housing.  
Cecilia Nyambeki, secretary for  
a cooperative that has built new  
homes near Nairobi, Kenya.***

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# WHAT IS THE UPR?

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**The Universal Periodic Review (UPR) is the UN's review mechanism of the overall human rights situation in all UN Member States. Every country is reviewed every 5 years. The review takes place in Geneva in Switzerland at the Human Rights Council (HRC).**

NGOs cannot participate in the actual review session (only States can) but they can use different channels to get their issues raised during the session, giving NGOs great possibilities to influence. The added value of NGOs in the UPR process is that they have first hand information on human rights situations at local level. We Effect together with our partners see the potential in this and are able to raise concerns on situations affecting small-

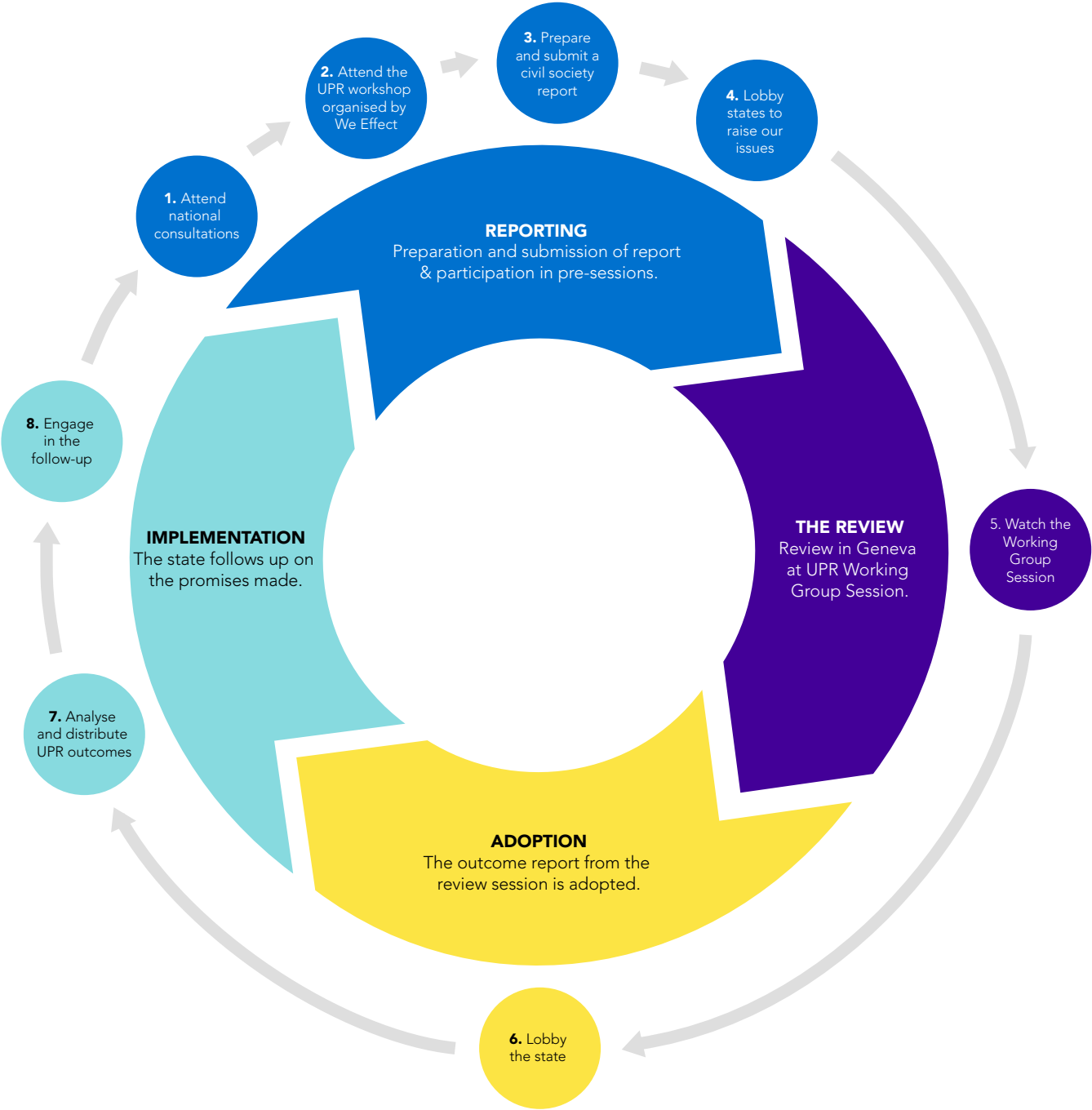
scale farmers, slum dwellers, women, girls and other groups we work with.

A study of UPR's impact over the first UPR cycle shows that 48 percent of the UPR recommendations triggered action by midterm, only 2.5 years after the review.

There is also an independent organisation called the UPR Info that supports all actors during the process. UPR Info is a non-profit, non-governmental organisation based in Geneva, Switzerland that aims at raising awareness on the Universal Periodic Review (UPR) and providing capacity-building tools to the different actors of the process.

# THE REVIEW PROCEDURE

## UPR 5 Years Cycle



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## ***The Review Procedure***

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### **REPORTING:**

There are three different reports that lay the basis for the review of each State; the State's national report, a compilation of UN information on the State and a summary of other relevant stakeholders' information. It is the latter report where our issues are raised. These different reports have different deadlines. The NGO reports that lay the basis for the summary of other relevant stakeholders' information, are due 6 – 8 months before the review in Geneva by the Working Group. This is also the period to participate in the pre-session meetings organised by the body, UPR Info, whose aim is to strengthen collaboration between different actors engaged in the process.

### **THE REVIEW:**

The next big step, after all reports are submitted, is the actual review also known as the Working Group Session in Geneva. It is headed by the UPR Working Group, which consists of the 47 member States of the Human Rights Council. However, any UN member State can take part in the review. Other relevant stakeholders, such as NGOs, national institutions and UN agencies, can attend but they cannot take the floor.

During a 3.5 hour session, the State under review is allotted 70 minutes and the peers have 140 minutes. Each review session starts with the State under review presenting its national report and its responses to the in questions lodged in advance. After the State's presentation an interactive dialogue takes place where representatives from other countries ask

questions and make recommendations on the human rights situation in the country under review. During this interactive dialogue, the State under review takes the floor regularly to answer the questions and to comment on the recommendations. At the end, the State under review presents its concluding remarks.

### **ADOPTION:**

An Outcome Report is prepared after the review session in Geneva. This report provides a summary of the discussion during the review and contains the questions, comments and recommendations made. The report is adopted a few days after the review (mainly procedural) and a few months later a second adoption is done during the 1 hour Human Rights Council Plenary Adoption Session. At this session the State under review replies to questions, other member States express their opinion on the outcome and NGOs with ECOSOC status and National Human Rights Institutions (NHRIs) make general comments.

### **IMPLEMENTATION:**

After the adoption it is time for the State to follow-up on the accepted recommendations. It is the most important phase of the whole UPR process as it leads to the goal of improvement of the human rights situation on the ground. After five years the cycle then starts over again. States are reviewed whether they have succeeded to implement the recommendations or not, and the human rights situation in the country is observed.

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# EIGHT STEPS FOR A SUCCESSFUL UPR ADVOCACY

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**This guide describes the steps to follow during a UPR cycle to make a successful advocacy. As a partner organisation to We Effect it is not necessary to undertake all these activities.**

But if you are part of a joint submission, it is recommended that you at a minimum attend the UPR workshop held by We Effect and share information about the human rights situation in your area of work.

The UPR Info webpage is a useful source: <http://www.upr-info.org/>. It has the necessary materials and instructions. These steps are split into 3 groups:

- a. **What to do before**
- b. **What to do during**
- c. **What to do after**





## WHAT TO DO BEFORE THE REVIEW SESSION

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### **1. Attend national consultations (12 months prior to review):**

Find out the date when your State will have national consultations. Get involved and raise human rights concerns to make those rights included in the State's national report. (If the State is not planning a national consultation, advise them to have one in order for it to be as inclusive as possible. CSOs must also encourage a set of consultations in all regions of the country with a broad array of CSOs).

### **2. Attend the UPR workshop organised by We Effect (12 months prior to review):**

We Effect invites partners to a UPR workshop where we jointly identify key issues and rights that require specific measures from the State (Measures such as policy change, legislative reform, budgetary allocation and implementation on the ground).

### **USEFUL TIPS ON HOW TO CONDUCT A SUCCESSFUL WORKSHOP**

- Sensitise the participants with the UPR process.
- Overview the situation over the previous five years.
- List the human right issues that we have high on our agenda.
- Look what recommendations that were conducted in the previous cycle. Use the UPR Info database as a tool: <http://www.upr-info.org/database/>
- Analyse the fulfilment so far of the country's commitment (since the last review).
- Provide information of the human rights situation, actions to take and make recommendations that correspond.

## WHAT TO DO BEFORE THE REVIEW SESSION

### 3. Prepare and submit a civil society report (6 - 8 months prior to review):

First decide if you are writing as an individual or a coalition. The report shall present the human rights situation, in relation to your work, including follow-up on UPR recommendations from previous cycle. When drafting the report take into consideration that the review is based on:

- The Charter of the United Nations;
- The Universal Declaration of Human Rights;
- Human rights instruments to which a State is party;
- Voluntary pledges and commitments made by States, including those undertaken when presenting their candidatures for election to the Human Rights Council; and
- Applicable international humanitarian law.

A good structure is to first explain the issue/concern and if there was a recommendation regarding it in the previous cycle. If the issue was not raised in the previous cycle, we need to describe why the issue is relevant in this review and collect

information on its relevance. Secondly, describe if there has been implementation of the recommendation. Include achievements, best practices and why a change/policy change is needed. Conclude with one or two recommendations. Focus on solutions and not problems. Find a good balance between local and national issues and back up your statements with first hand data (and statistics). Choose subject areas carefully and focus on two or three issues per theme. Stick to We Effect's and partners' areas:

- Right to food
- Right to economic justice
- Right to land
- Right to adequate housing
- Equal rights for women and men
- Right to a safe healthy environment in ecological balance

The report is submitted through OHCHR's on-line system. On OHCHR's webpage you find the guidelines for the stakeholder submission: Universal Periodic Review: information and guidelines for relevant stakeholders' written submissions. Download and use these guidelines.

### USEFUL TIPS ON WHAT TO REMEMBER WHEN SUBMITTING A REPORT

Check that:

- paragraphs and pages are numbered,
- it is within the word limit, 5630 words for a joint submission and 2815 for an individual,
- the document is submitted as a Word file only (not a pdf file),
- a proper language is used i.e. do not use a manifestly abusive language,
- the submission is written in an UN official language, preferably English, Spanish or French and the submission covers the time period since the last review.

## WHAT TO DO BEFORE THE REVIEW SESSION

### **4. Lobby States to raise our issues (1 - 3 months prior to review):**

There are three kinds of places where you can lobby; embassies in the capital of the State under review, ministries of foreign affairs in recommending States and permanent missions in Geneva.

- Identify countries that are support our core human right issues in your State.
- Contact UPR info and attend any incountry pre session that has been organised. This is a great opportunity to identify which countries to lobby.
- Formulate a short advocacy document (1 - 2 pages) and send to identified embassies in your State. Request for a meeting to discuss your statement.
- Also send the advocacy document to Ministries of Foreign Affairs in capitals of targeted recommending States and to missions in Geneva. If a delegation is sent to Geneva to participate in the pre-session, request for a bilateral meeting (during this visit) with targeted missions. The missions contacts are listed on the United Nations office at Geneva's webpage: <http://www.unog.ch/>.
- Apply to take the floor at UPR Info's pre-session in Geneva. (See dates on: <http://www.upr-info.org/>) Attend the pre-session and present key concerns in a 5 minute oral statement (only one representative per coalition) and meet with permanent missions in Geneva bilaterally.

### **USEFUL TIPS ABOUT THE PRE-SESSION**

- Bring a lot of business cards and staple your business card to the advocacy document that will be distributed during the pre-session.
- Send personal emails requesting bilateral meetings with missions in Geneva, before you go. The missions are usually busy during the pre-session week. When you meet the missions/embassies know what issues they have made recommendations about. Also find out what kind of recommendations they made to the State during previous cycle and if those recommendations are implemented or not.

## WHAT TO DO DURING THE REVIEW SESSION

### 5. Watch the Working Group Session (The Review):

Watch the UN webcast to see what is captured. The UPR Working Group session are webcasted by the UN and UPR Info and can be watched live or later.

Prepare a press release providing your comments on the review, e.g. if some issues were not addressed or if the response given by the State was not satisfactory.

### USEFUL TIPS ON NOTED RECOMMENDATIONS

The UPR mechanism cannot be used to dismiss a human rights issue. States under Review cannot reject UPR recommendations. It can only indicate which recommendations that enjoy support by the State and which ones are noted. By supporting a recommendation, the State makes a political commitment to implement that recommendation before the next review. But the State can always decide to implement noted recommendations. So if any of your recommendations have been noted, it is important to maintain a dialogue with the State about them.



## WHAT TO DO AFTER THE REVIEW SESSION

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### **6. Lobby the State to accept for us relevant pending UPR recommendations:**

The plenary adoption of the UPR Working Group report takes place about three months after the Working Group session. In the period between the review and the adoption you can:

- Attend UPR Info's CSO strategy workshop, in your country.
- Promote and attend national consultations with stakeholders conducted by the State to discuss the pending recommendations of the raised issues.
- Organise meetings with relevant ministries and advocate for acceptance of the pending recommendations of the raised issues.

### **7. Analyse and distribute UPR outcomes:**

- Analyse the UPR outcomes. Check the concerns that were raised in the UPR process and if recommendations have been accepted. Create an A4 (one page) of what happened with the recommendations.
- Translate UPR outcomes of the raised concerns into national languages and publish results to different regions of the country.

### **8. Engage in the follow-up:**

- Integrate the UPR recommendations into your national advocacy plans and activities.
- Engage with the government and meet with relevant ministries to discuss their plans for implementation.
- Monitor the implementation.

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## SUGGESTED REPORT STRUCTURE FOR WE EFFECT REPORTS

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**COVER PAGE:** *Names and/or logos of the organisation/coalition.*

**INTRODUCTION:**

**Executive Summary:** *Short summary of the report, include key recommendations.*

**Background:** *A paragraph describing the main activities of the submitting organization/coalition, as well as date of establishment, especially for those organizations which interrelate for the first time with the UN, would be also welcomed.*

**Methodology:** *Description of the methodology and the broad consultation process followed for the preparation of information provided under the universal periodic review.*

**MAIN ISSUES OF CONCERN/IMPLEMENTATION OF HUMAN**

**RIGHT OBLIGATIONS:** *Highlight main issues of concern and identify possible recommendations and best practices;*

**Topic Issue 1:** Poverty Reduction and Economic Justice

**Topic Issue 2:** Food Security and the Right to Food - The Role of Agriculture

**Topic Issue 3:** Right to Adequate Housing

**Topic Issue 4:** Right to Land and Forceful Evictions

**Topic Issue 5:** Equal Rights for Women and Men

**Topic Issue 6:** Right to a Safe, Healthy Environment in Ecological Balance

**REFERENCES**

**ANNEX:** *Details of contributing organisations.*

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## USEFUL LINKS

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**Video tutorials over the procedure (short):**

<http://www.upr-info.org/en/tutorials>

**Basic information about the UPR:**

<http://www.ohchr.org/>

<http://www.upr-info.org/en>

**Additional handbooks/guidelines:**

<http://www.upr-info.org/en/how-to/documentation-for-ngos/handbooks---toolkits>

**UPR Info's Database (useful for different preparation stages):**

<http://www.upr-info.org/database/>

**UPR Info's Statistics**

<http://www.upr-info.org/database/statistics/>

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## TENTATIVE UPR SCHEDULE FOR WE EFFECT COUNTRIES

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	Submit Report	Working Group Review
<b>Africa</b>		
<b>Eastern</b>		
Kenya	1 Jan 2019	Oct 2019
Tanzania	21 Sep 2015	May 2016
Uganda	24 Mar 2016	Nov 2016
<b>Southern</b>		
Malawi	1 Jun 2019	Jan 2020
Mozambique	1 Feb 2020	Oct 2020
Zambia	1 Sep 2016	Apr 2017
Zimbabwe	24 Mar 2016	Nov 2016
<b>Asia</b>		
Cambodia	1 Feb 2018	Oct 2018
Myanmar (Burma)	1 Sep 2019	Apr 2020
Palestine	N/A	N/A
Philippines	1 Jun 2016	Jan 2017
Sri Lanka	1 Sep 2016	Apr 2017
Vietnam	1 Feb 2018	Oct 2018
<b>Europe</b>		
Albania	1 Jun 2018	Jan 2019
Bosnia and Herzegovina	1 Sep 2018	Apr 2019
Kosovo	N/A	N/A
Macedonia	1 Feb 2018	Oct 2018
Moldova	24 Mar 2016	Nov 2016
<b>Latin America</b>		
Bolivia	1 Sep 2018	Apr 2019
El Salvador	1 Sep 2019	Apr 2020
Guatemala	1 Sep 2016	Apr 2017
Honduras	1 Jun 2016	Jan 2017
Nicaragua	1 Jun 2018	Jan 2019
Paraguay	1 Feb 2020	Oct 2020

