



Human Rights Council, 37th session

26 February 2018

Item 1: High Level panel on the UPR and human rights

Mr President,

Following an in-depth analysis of the role of the UPR in advancing human rights in the administration of justice in general and juvenile justice in particular, as well as the rights of LGBT persons, the International Bar Association's Human Rights Institute, together with the International Lesbian, Gay, Bisexual, Trans and Intersex Association and Lawyers Rights Watch Canada, calls upon States to ensure that during the Third Cycle:

- The role, and the need for protection and relevant training of judges, lawyers and prosecutors receive the heightened attention as primary state stakeholders for the protection of all human rights
- Likewise, representatives of children and LGBTIQ people be involved in the UPR process as a means of guaranteeing impact of the UPR on the ground
- The need for restorative justice and diversion measures be addressed together and in an equal manner with the objectives to establish juvenile justice systems that preclude execution and other inhumane sentencing and restrict detention as a measure of last resort for children
- The need to address persistent inequality, discrimination and violence related to sexual orientation, gender identity and expression and sex characteristics, including suffered by women, trans and intersex people and youth
- UPR recommendations build upon the current international human rights framework and use the language of international human rights instruments, e.g. the UN Basic Principles on the Independence of the Judiciary, the UN Basic Principles on the Role of Lawyers and the UN Guidelines on the Role of Prosecutors for legal professionals, and the Yogyakarta Principles and Yogyakarta Principles +10 on sexual orientation, gender identity and expression and sex characteristics (SOGIESC) issues
- Recommending states address best practices in their recommendations, as per HRC Resolution 5/1 (2007), para 4(d), and that best practices be compiled by the HRC Secretariat to enhance implementation on the ground
- A monitoring system of UPR recommendations, consistent with a comprehensive monitoring of the state's human rights obligations and Sustainable Development Goals be in place.

We stand ready to cooperate further with Member States on these issues.

This statement was delivered by:

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Link to the IBAHRI Reports:

- 'The role of the UPR in advancing human rights in the administration of justice' (2016):

- 'Sexual orientation, gender identity and expression and sex characteristics at the UPR' (2016):

For further information on the IBAHRI reports, please contact: helene.santos@int-bar.org