

## **FAQ on Australia's participation in the United Nation's Universal Periodic Review on human rights**

Australia is scheduled to appear before the United Nations Human Rights Council's Working Group on the Universal Periodic Review (UPR) on 27 January 2011.

The UPR is a unique process which involves regular review of the human rights situation in each country in the world. The UPR provides two major opportunities for Australia:

- It allows the Australian community and Government to take stock of how well we are protecting and promoting the human rights of all people in Australia; and
- It permits the Australian Government to inform the international community of the human rights situation in Australia and to engage with other countries about specified steps it will take to improve the enjoyment of human rights in Australia.

### **What is the United Nations Universal Periodic Review?**

The UPR was introduced in 2006 as part of major reforms of the United Nations human rights system. The UPR Working Group is an important part of the UN Human Rights Council, which is a central human rights body in the UN system.

The UPR aims to improve the human rights situation in all countries, by creating a process where governments are held to account by other countries for their human rights situation. It is intended that every country will be considered under the UPR every four years.

This happens by each country explaining to other governments how it is progressing on protecting human rights at home. Each country has an opportunity to explain actions it has already taken and what actions it plans to take to improve human rights in that country and fulfil its international human rights obligations.

The process also includes an opportunity to share best human rights practices around the globe. Currently, no other mechanism of this kind exists.

The UPR is designed to ensure every country's human rights situation is assessed in an equal way by the Human Rights Council

See the [attachment to this document for more information about the objectives and principles guiding the UPR process.](#)

## **How often will Australia go through the UPR process?**

Currently, every country in the world appears before the UPR every four years.

The UPR is not a one off process. It forms the basis for an ongoing dialogue among countries about human rights. When a country has been considered under the UPR, its government must accept or reject recommendations made by other countries to improve their human rights situation. When the country appears before the UPR on the next occasion, it must explain how it has met the recommendations it accepted at the earlier review as well as any other improvements it has made to human rights protection in the country.

By the end of 2011, every member of the United Nations will have had their human rights record reviewed through the UPR for the first time.

## **What human rights issues may be considered in the UPR?**

The UPR is a review of each country's human rights record. It assesses the extent to which governments respect human rights including their obligations as set out in:

- (a) The Charter of the United Nations;
- (b) The Universal Declaration of Human Rights;
- (c) Human rights instruments to which a country is party (i.e., human rights treaties that have been ratified by the country);
- (d) Voluntary pledges and commitments made by countries (which could include national human rights policies and programmes); and
- (e) International humanitarian law that applies to the country.

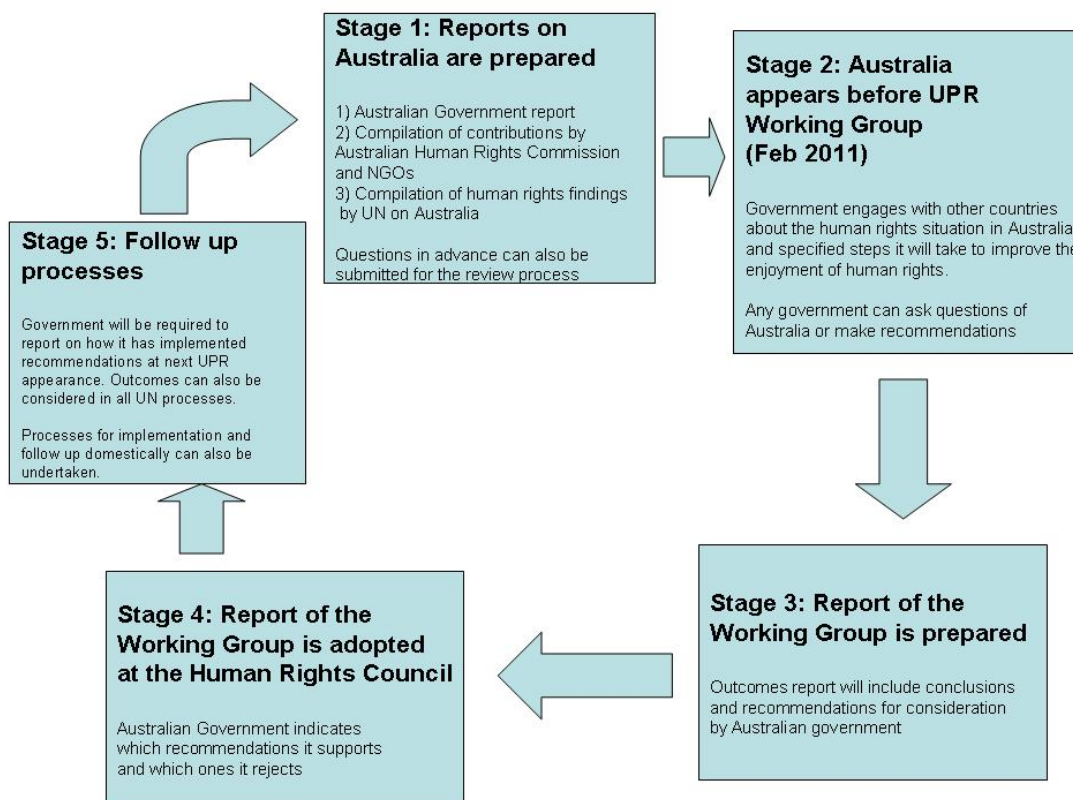
Australia is a party to a number of human rights and humanitarian law treaties. The human rights obligations in the following major treaties could, for example, form part of the UPR assessment of Australia's performance:

- International Covenant on Civil and Political Rights (ICCPR)
- Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- Convention on the Rights of the Child (CRC)

- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
- International Convention on the Elimination of Discrimination Against Women (CEDAW)
- International Convention on the Rights of Persons with Disabilities (CRPD)
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- The Four Geneva Conventions of 1949 and the 1977 Additional Protocols to those Conventions.<sup>1</sup>

## How does the Universal Periodic Review process operate?

There are five stages in the UPR process. These processes, as they apply to Australia, are summarised in the diagram below and more fully described in the following text.



## **Stage 1: Three documents about Australia are prepared in advance**

For every country in the world, the review is based on three documents submitted in advance of the session. As far as Australia is concerned, this means:

1. *National Report - The Australian Government prepares a report on human rights in Australia.* This is a maximum of 20 pages in length.
2. *Compilation of UN Information - The UN Office of the High Commissioner for Human Rights prepares a compilation of UN information.* This reflects consideration of Australia by human rights treaty committees, through complaints procedures and other UN mechanisms (such as Special Rapporteur and Working Group reports). This is a maximum of 10 pages in length.
3. *Summary of stakeholders' information - The UN Office of the High Commissioner for Human Rights prepares a compilation of contributions from Australia's National Human Rights Institution – the Australian Human Rights Commission – and non-government organisations.* It must be a maximum of 10 pages in length, including recommendations for action. The deadline for submission to Office of the High Commissioner for Human Rights for NGOs and national human rights institutions is well in advance of the session (usually about 4-5 months).

## **Stage 2: Australia appears before the UPR Working Group at the UN Human Rights Council**

The actual review takes place in Geneva in the 'UPR Working Group'. The review consists of three hours of questions and answers between the Australian Government and other countries.

In advance of the session, any country can submit any questions that they wish to make about Australia. This gives the Australian Government time to prepare responses in advance.

Advance questions and recommendations are provided to the 'troika' for the country. The troika is made up of three rapporteurs who are assigned to facilitate the review process for a country. Troika members are selected from countries that are members of the Human Rights Council.<sup>2</sup> The troika for Australia's appearance in January 2011 is: Djibouti, France and Slovakia.

During the session, the Australian Government introduces its report and discusses issues including:

- the domestic human rights framework
- measures taken to promote and protect human rights in Australia
- human rights issues of particular national concern and

- steps taken to address and redress violations of human rights.

The Australian Government will also respond to the questions or recommendations that were provided in advance.

A practice has emerged whereby some countries include in their initial presentation before the Working Group voluntary pledges and commitments about actions they intend to take to better protect human rights back home.

Any country in the world can then ask questions and suggest recommendations to the country under review in the remaining time.

The UN provides a webcast of each UPR session, which can be accessed at: <http://www.un.org/webcast/unhrc/index.asp>.

### ***Stage 3: The UPR Outcomes Report on Australia is prepared***

A report, known as the UPR Outcomes Report, is then finalised approximately (but not sooner than) 48 hours after the review has occurred. The report is prepared by the troika of country rapporteurs, in consultation with the Australian Government, and with the assistance of the Office of the High Commissioner for Human Rights.

The Outcomes Report summarises the discussions at the UPR Working Group session and sets out recommendations made during the review, the responses to these by the Australian Government, and any voluntary commitments made by Australia

The Outcomes Report is then formally presented to the UPR Working Group during that session, with half an hour for discussion.

During this session, Australia has the opportunity to make preliminary comments on the recommendations and identify whether it chooses to accept or reject particular recommendations. All recommendations are, however, included in the report.

### ***Stage 4: Australia's UPR Outcomes report is adopted by the UN Human Rights Council***

The UPR Outcomes report on Australia then has to be adopted formally at a plenary session of the Human Rights Council. The adoption of an Outcome Report usually occurs 1-3 months after the UPR Working Group session.

During the Human Rights Council's plenary session, Australia will have an opportunity to reply to questions and issues that were not sufficiently addressed during the Working Group session. Australia will also respond to the recommendations made in the Outcome Report, indicating which recommendations it will adopt and implement and which ones it will reject and why.

During that plenary session, any other country has the opportunity to express their opinion on the outcome of Australia's review. Similarly, NGOs and other stakeholders may also make general comments about the Outcomes Report on Australia.

### ***Stage 5: Follow up processes***

It is expected that the UPR will recur on a four year cycle. Australia will most likely appear before the UPR for a second time in 2015. At that time, the Government will be held to account for how it has implemented the recommendations that it accepted from the initial review and will also be expected to address human rights issues that have emerged in the meantime.

The outcomes of the UPR review are also likely to be considered in other UN processes, such as when Australia appears before human rights treaty committees.

The government can also make progress reports to the Human Rights Council on how it is implementing the UPR outcomes whenever it chooses. NGOs and the national human rights institution in the country can also make progress reports at the Human Rights Council to reflect positive developments as well as concerns about lack of progress in implementation.

## **What is the role of the Australian Human Rights Commission in the UPR process?**

As with all processes of the UN Human Rights Council, there is a recognised role for national human rights institutions in the UPR process.

The Australian Human Rights Commission (the Commission) is recognised as an 'A status' national human rights institution, because it operates in full compliance with the *Paris Principles relating to the Status and Functions of National Institutions for the Promotion and Protection of Human Rights*. These principles, established by the General Assembly of the United Nations, set out the minimum standards required by national human rights institutions to fulfil their role effectively.<sup>3</sup>

National institutions with 'A status' can contribute a 5 page report to the UN Office of the High Commissioner for Human Rights for inclusion in the 'stakeholder report' that is prepared in advance of the country appearance under the UPR. The Commission lodged its report with the UN in July 2010: [click here to access](#).

The Commission can also participate in most sessions of the UN Human Rights Council, with speaking rights, including when the UPR Outcomes Report on Australia is adopted.

For an overview of best practice examples of how other national human rights institutions in the Asia-Pacific region have participated in the UPR process to

date see the 'UPR best practice compilation' prepared by the Asia-Pacific Forum of National Human rights Institutions, available shortly at:  
<http://www.asiapacificforum.net/news/developing-2018best-practice2019-approaches-for-engaging-in-the-upr.html>.

## **How can NGOs contribute to the UPR for Australia?**

Any NGO may submit information which can be added to the 'other stakeholders' report which is considered during the review. Submissions can be made individually or jointly with other NGOs. As the practice is for all NGO contributions to be summarised down to a total of 5 pages submissions should be succinct. The deadline for submissions was 12 July 2010.

In addition, the Australian Government will consult widely in the preparation of its UPR report. There will be a formal opportunity to provide comment on the draft Australian report during 2010.

A coalition of NGOs has formed to prepare a joint submission for the UPR and to also contribute comments to the Government's report. The joint submission was lodged in July 2010 and can be accessed here:  
<http://www.hrlrc.org.au/content/topics/business/upr-ngo-report-on-australia/>.

The contacts for this NGO coalition are:

- Human Rights Law Resource Centre – Mr Ben Schokman. Email: [ben.schokman@hrlrc.org.au](mailto:ben.schokman@hrlrc.org.au).
- National Association of Community Legal Centres – Ms Louise Edwards. Email: [louise\\_edwards@clc.net.au](mailto:louise_edwards@clc.net.au).
- Kingsford Legal Centre – Ms Anna Cody. Email: [acody@unsw.edu.au](mailto:acody@unsw.edu.au).

NGOs can choose to submit their own information to the United Nations or to engage in the Government process separately from any NGO coalition.

## **What type of information will be considered as part of the UPR on Australia?**

There are technical guidelines that set out the information that will be considered as part of the UPR process.

The page limit submissions by NGOs and human rights commissions is in each case five pages, although a more detailed and factual report can be attached to the submission. The page limit for joint submissions of large coalitions of stakeholders is ten pages. Anything over the page limit will not be considered at all in the process.

All submissions that are made will be loaded to the UN website and can be viewed and considered in their totality. However, all submissions by NGOs will still be summarised down to a total of five pages in the final formal report.

The Australian Government report, as well as submissions from the Australian Human Rights Commission and NGOs, should be prepared in accordance with the following guidelines:

- (a) Description of the methodology and broad consultation process undertaken.
- (b) Background and framework for promotion and protection of human rights, (constitution, legislation, policy measures, national jurisprudence, human rights infrastructure, and the international obligations identified in the basis of review).
- (c) Promotion and protection of human rights on the ground, including the progress on implementation of the international human rights obligations.
- (d) Identification of achievements, best practices, challenges, and limitations.
- (e) Key national priorities, initiatives, and commitments.
- (f) Expectations for the country in terms of capacity building, and if requested technical assistance.

All submissions should also only refer to events of the past 4 years.

The full guidelines on documentation can be viewed at:

[http://ap.ohchr.org/documents/E/HRC/decisions/A\\_HRC\\_DEC\\_6\\_102.pdf](http://ap.ohchr.org/documents/E/HRC/decisions/A_HRC_DEC_6_102.pdf)

## What type of material will be included in the compilation of UN information on Australia?

Australia already takes part in a range of processes at the international level regarding its human rights performance. For example, the human rights situation in Australia has been considered by various human rights treaty committees, special rapporteurs and other processes in recent years.

The second document prepared in advance of the UPR is a compilation of recent consideration of Australia by UN bodies.

The table below provides an overview of the most recent consideration of Australia under these various mechanisms and the information that the Australian Government has prepared for these processes.

Mechanism	Description	Government report	Conclusions and recommendations from the United Nations
Committee on the Elimination of Racial Discrimination (CERD)	Consideration of Australia's performance under the International Convention on the	Australia's combined 15 <sup>th</sup> , 16 <sup>th</sup> & 17 <sup>th</sup> Periodic Reports: <a href="http://www.dfat.gov.au/hr">www.dfat.gov.au/hr</a>	The most recent concluding observations were in 2005: <a href="http://www.unhcr.ch/tb">http://www.unhcr.ch/tb</a>

	Elimination of All Forms of Racial Discrimination (CERD)	<a href="#">/reports/cerd/fifteenth-sixteenth-seventeenth-cerd-report.pdf</a>	<a href="#">s/doc.nsf/(Symbol)/CED.C.AUS.CO.14.En?Opendocument</a>  The Australian Government is next due to appear before the CERD Committee in August 2010.
Human Rights Committee (HRC)	Consideration of Australia's performance under the International Covenant on Civil and Political Rights (ICCPR)	Australia's fifth periodic report: <a href="http://www.ag.gov.au/www/agd/agd.nsf/Page/Humanrightsandanti-discrimination_CommonCoreDocument">http://www.ag.gov.au/www/agd/agd.nsf/Page/Humanrightsandanti-discrimination_CommonCoreDocument</a>	Concluding Observations of the Human Rights Committee in 2009: <a href="http://www2.ohchr.org/english/bodies/hrc/docs/co/CCPR-C-AUS-CO-5.doc">http://www2.ohchr.org/english/bodies/hrc/docs/co/CCPR-C-AUS-CO-5.doc</a>
Committee on Economic, Social and Cultural Rights (CESCR)	Consideration of Australia's performance under the International Covenant on Economic, Social and Cultural Rights (ICESCR)	Australia's fourth periodic report: <a href="http://www.ag.gov.au/www/agd/agd.nsf/Page/Humanrightsandanti-discrimination_CommonCoreDocument">http://www.ag.gov.au/www/agd/agd.nsf/Page/Humanrightsandanti-discrimination_CommonCoreDocument</a>	Concluding Observations in 2009: <a href="http://www.unhcr.org/refworld/publisher.CESCR,,AUS,4af181b00,0.html">http://www.unhcr.org/refworld/publisher.CESCR,,AUS,4af181b00,0.html</a>
Committee on the Elimination of Discrimination against Women (CEDAW)	Consideration of Australia's performance under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Australia's combined sixth and seventh periodic report: <a href="http://www.fahcsia.gov.au/sa/women/pubs/govtint/cedaw_reports/cedaw_2008/Pages/default.aspx">http://www.fahcsia.gov.au/sa/women/pubs/govtint/cedaw_reports/cedaw_2008/Pages/default.aspx</a>	The most recent concluding observations were in 2006: <a href="http://www.fahcsia.gov.au/sa/women/pubs/govtint/cedaw_reports/Pages/CEDAWCommitteecomments2003report.aspx">http://www.fahcsia.gov.au/sa/women/pubs/govtint/cedaw_reports/Pages/CEDAWCommitteecomments2003report.aspx</a>  The Australian Government is next due to appear before the CEDAW Committee in July 2010.
Committee Against Torture (CAT)	Consideration of Australia's performance under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) by its State parties	Australia's fourth periodic report: <a href="http://www.ag.gov.au/www/agd/agd.nsf/Page/PublicationsAustraliasFourthReportundertheConventionAgainstTorture-June1997-October2004">http://www.ag.gov.au/www/agd/agd.nsf/Page/PublicationsAustraliasFourthReportundertheConventionAgainstTorture-June1997-October2004</a>	Concluding observations of CAT in 2008: <a href="http://www.ag.gov.au/www/agd/agd.nsf/Page/Humanrightsandanti-discrimination_Humanrights">http://www.ag.gov.au/www/agd/agd.nsf/Page/Humanrightsandanti-discrimination_Humanrights</a>

Committee on the Rights of the Child (CRC)	Consideration of Australia's performance under the Convention on the Rights of the Child (CRC) by its State parties	Australia's fourth report: <a href="http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC-C-AUS-4.pdf">http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC-C-AUS-4.pdf</a>	The most recent concluding observations were in 2005: <a href="http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/CRC.C.15.Add.268.En?OpenDocument">http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/CRC.C.15.Add.268.En?OpenDocument</a>
Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context	In country examination of the progress in and obstacles to the realization of the right to adequate housing		Report by Special Rapporteur in 2007: <a href="http://www2.ohchr.org/english/issues/housing/visits.htm">http://www2.ohchr.org/english/issues/housing/visits.htm</a>
Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people	Reports on the overall human rights situations of indigenous peoples		The advanced unedited version of the report by Special Rapporteur in 2010: <a href="http://www2.ohchr.org/english/issues/indigenous/rappporteur/docs/ReportVisitAustralia.pdf">http://www2.ohchr.org/english/issues/indigenous/rappporteur/docs/ReportVisitAustralia.pdf</a>  (nb: as an advance report, it may be subject to further revision).
Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health	Considers the legal obligations set out in article 2 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) that States parties have to fulfill in order to implement the right to health at the national level		Preliminary Observations & Recommendations by Special Rapporteur in 2010: <a href="http://www2.ohchr.org/english/issues/health/right/docs/PressStatementAustralia041209.doc">http://www2.ohchr.org/english/issues/health/right/docs/PressStatementAustralia041209.doc</a>  Final report yet to be released.

**Can you give some examples of reviews of other countries?**

More than half of all countries in the world have already been considered under the UPR mechanism. This means there is a wealth of materials that Australians can look to in preparing for the UPR.

The United Nations maintains a website that lets you to search all documentation for every country that has been through the UPR. It includes all reports submitted in advance of the review, the outcome reports and recommendations, and responses by Governments to the recommendations made to them. It can be accessed at:

<http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>

Countries that have been through the UPR and that are within our region or have similarities in their historical experiences and legal systems include: Indonesia, New Zealand, Malaysia, Republic of Korea, Canada and the United Kingdom.

## What is the timeline for Australia's UPR appearance?

The following table provides an indicative timeline of the steps leading up to the UPR review of Australia and that will follow the review. Please note that the timeline is an estimate of actual deadlines and dates, as these have not been officially confirmed by the United Nations at this stage. This document will be updated with confirmed dates when known.

Date	Event	Comment
<b>by 16 April 2010</b>	Australian Government seeks initial input for National Report	Information will be posted at the this website: <a href="http://www.ag.gov.au/www/agd/agd.nsf/page/Humanrightsandanti-discrimination_InternationalHumanRights_UniversalPeriodicReview">http://www.ag.gov.au/www/agd/agd.nsf/page/Humanrightsandanti-discrimination_InternationalHumanRights_UniversalPeriodicReview</a>
<b>July 2010 (approx)</b>	Draft of Australian Government report released for comment	
<b>6 July 2010</b>	Australian Human Rights Commission submits its UPR contribution to the UN	<a href="#">Click here for the submission.</a>
<b>12 July 2010</b>	NGOs in Australia to submit UPR contributions to the UN	Available online at: <a href="http://www.hrlrc.org.au/content/topics/business/upr-ngo-report-on-australia/">http://www.hrlrc.org.au/content/topics/business/upr-ngo-report-on-australia/</a>
<b>Oct/Nov 2010</b>	Australian Government due to submit its UPR report to the UN	Exact deadline for submission not known at this stage
<b>27 January 2011</b>	Australia appears before UPR working group for its review	Exact date of session not known as yet – unlikely to know which day Australia appears until late 2010

	(Stage 2 of process)	
<b>29 January 2011</b>	Draft of UPR Outcomes Report on Australia is released (Stage 3 of process)	Draft report to be released at same session of working group as Australian appearance
<b>June 2011</b>	UPR Outcomes Report on Australia is adopted by the UN Human Rights Council (Stage 4 of process)	Exact date of next regular session not known as yet
<b>June / July 2011</b>	Australian Human Rights Commission to conduct follow up activities, such as workshop, on implementation of the UPR outcomes and recommendations	
<b>2015</b>	Australia appears for second UPR review – this is an estimate of the year of the next appearance and won't be confirmed until at least 2012.	Review includes consideration of progress in implementing recommendations of initial review.

## How do I get more information about the UPR?

The official United Nations documents that set the rules and guidance for the UPR process are available online at:

<http://www.ohchr.org/EN/HRBodies/UPR/Pages/BackgroundDocuments.aspx>

The UN Office of the High Commissioner for Human Rights has also produced the following publication, which has a detailed consideration of the UPR process:

- *Working with the United Nations Human Rights Programme: A Handbook for Civil Society*: Online at [www.ohchr.org/EN/AboutUs/CivilSociety/Pages/Handbook.aspx](http://www.ohchr.org/EN/AboutUs/CivilSociety/Pages/Handbook.aspx)

There are also many NGOs across the world that have prepared guides to the UPR process. The following are very useful guides that provide greater detail on the UPR process and the practical considerations that ought to be taken into account when preparing submissions to the UN for the UPR process:

- *A practical guide to the United Nations' Universal Periodic Review process (UPR)* by the Human Rights Project at the Urban Justice Centre, USA: <http://www.hrpujc.org/documents/UPRtoolkit.pdf>

- *A guide to the Universal Periodic Review process for NGOs and NHRIs* by International Women's Rights Action Watch Asia Pacific:  
[http://www.wunrn.com/news/2009/09\\_09/09\\_21\\_09/092109\\_upr.htm](http://www.wunrn.com/news/2009/09_09/09_21_09/092109_upr.htm)
- [www.upr-info.org](http://www.upr-info.org) website includes information and practical guidance on the UPR process and is run by UPR Info, a Swiss based NGO.

The Australian Human Rights Commission recently co-hosted a workshop with the Asia-Pacific Forum of National Human Rights Institutions on best practice engagement with the UPR process. The workshop report will shortly be available at: <http://www.asiapacificforum.net/news/developing-2018best-practice2019-approaches-for-engaging-in-the-upr.html>

## **Who do I contact for further information on the preparation of reports for the Australian UPR?**

The following people and organisations are the relevant contacts for the preparation of the reports and contributions of the Australian government and at the Australian Human Rights Commission:

- 1) Australian Government report:  
Office of International Law  
Attorney-General's Department  
(02) 6141 3382  
Website:  
[http://www.ag.gov.au/www/agd/agd.nsf/page/Humanrightsandanti-discrimination\\_InternationalHumanRights\\_UniversalPeriodicReview](http://www.ag.gov.au/www/agd/agd.nsf/page/Humanrightsandanti-discrimination_InternationalHumanRights_UniversalPeriodicReview)
- 2) Australian Human Rights Commission  
Mr Jai Rose  
Strategic Policy Team  
Ph: (02) 9284 9705  
Email: [Jai.Rose@humanrights.gov.au](mailto:Jai.Rose@humanrights.gov.au)  
Website: [www.humanrights.gov.au/upr/](http://www.humanrights.gov.au/upr/)

## **Further information about the Universal Periodic Review**

The UPR was established when the UN Human Rights Council was created on 15 March 2006 by the UN General Assembly in Resolution 60/251. This mandated the Council to:

‘undertake a universal periodic review, based on objective and reliable information, of 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’.

Resolution 5/1 of the Human Rights Council (titled ‘Institution-building of the United Nations Human Rights Council’) sets out in more detail the principles and objectives of the UPR as follows.

### **1. Principles**

The universal periodic review should:

- a) Promote the universality, interdependence, indivisibility and interrelatedness of all human rights;
- b) Be a cooperative mechanism based on objective and reliable information and on interactive dialogue;
- c) Ensure universal coverage and equal treatment of all States;
- d) Be an intergovernmental process, United Nations Member-driven and action-oriented;
- e) Fully involve the country under review;
- f) Complement and not duplicate other human rights mechanisms, thus representing an added value;
- g) Be conducted in an objective, transparent, non-selective, constructive, non-confrontational and non-politicized manner;
- h) Not be overly burdensome to the concerned State or to the agenda of the Council;
- i) Not be overly long; it should be realistic and not absorb a disproportionate amount of time, human and financial resources;
- j) Not diminish the Council’s capacity to respond to urgent human rights situations;
- k) Fully integrate a gender perspective;
- l) Without prejudice to the obligations contained in the elements provided for in the basis of review, take into account the level of development and specificities of countries;
- m) Ensure the participation of all relevant stakeholders, including non-governmental organizations and national human rights institutions, in accordance with General Assembly resolution 60/251 of 15 March 2006 and Economic and Social Council resolution 1996/31 of 25 July 1996, as well as any decisions that the Council may take in this regard.

## 2. Objectives

The objectives of the review are:

- a) The improvement of the human rights situation on the ground;
- b) The fulfilment of the State's human rights obligations and commitments and assessment of positive developments and challenges faced by the State;
- c) The enhancement of the State's capacity and of technical assistance, in consultation with, and with the consent of, the State concerned;
- d) The sharing of best practice among States and other stakeholders;
- e) Support for cooperation in the promotion and protection of human rights;
- f) The encouragement of full cooperation and engagement with the Council, other human rights bodies and the Office of the United Nations High Commissioner for Human Rights.

## Endnotes

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<sup>1</sup> Australia is also a party to a number of other treaties which could also be considered in the UPR review.

<sup>2</sup> The process for selecting the troika is contained in Human Rights Council Resolution 5/1, paras 18 – 20: [http://ap.ohchr.org/documents/E/HRC/resolutions/A\\_HRC\\_RES\\_5\\_1.doc](http://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_5_1.doc).

<sup>3</sup> UN General Assembly Resolution 48/134 of 20 December 1993. See further: <http://www.asiapacificforum.net/members/international-standards>.