



Permanent Mission of Norway  
Geneva



## Enhancing implementation of UPR recommendations through judicial engagement

**Date:** 27 September 2024, 57<sup>th</sup> session of the HCR

**Time:** 14h00

**Location:** Palais des Nations, Room XXV and online via WebEx

**https://ungeneva-vc.webex.com/ungeneva-vc/j.php?MTID=m98ee661b9130b761b251686126cd6953**

**Organizers:** Permanent missions of Norway, Armenia and Fiji

**With the support of :** International Bar Association's Human Rights Institute (IBAHRI), UPR Info

**Co-sponsors** Judges for Judges, International Association of Judges, Human Rights Platform of the Geneva Academy, Geneva Bar Association, International Commission of Jurists

### Context

State duty to protect requires States taking appropriate steps to prevent, investigate, punish and redress human rights abuses through effective policies, legislation, regulations and adjudication.

Legal professionals, including defense lawyers, bar associations and judges, can play a critical role in applying international standards at the national level, in particular at judicial level. Through their work, they can ensure implementation of the commitments generated by international human rights mechanisms, including the recommendations supported by UN Member States in the framework of the Universal Periodic Review (UPR). Judges and lawyers contribute to prevent human rights violations and help ensure accountability by ensuring the implementation of international human rights commitments in their domestic legal system and the effective implementation of national legislation. They also promote relevant reforms, facilitate access to justice, prosecution, and reparation for human rights violations. They are essential actors to uphold the rule of law.

The international community recognizes the UPR as an important international mechanism to strengthen the rule of law on the ground. The UPR contributes to promote the rule of law within UN Member States by fostering the development of legal reforms consistent with international standards. About 8% of UPR recommendations refer to the independence of the judiciary and the protection of defence lawyers. In addition, many of the UPR recommendations address access to justice issues and remedies, requiring, therefore, the necessary involvement of legal professionals. The participation and awareness of legal professionals can be further enhanced to ensure their full engagement and contribution in the UPR process.

## Objectives of the side-event

Following-up on the side event organised in June 2023 on the “**Contribution of legal professions to the work of the Human Rights Council and its Universal Periodic Review**”, this year the panel will discuss the next steps, and focus more specifically on the role played by the judiciary. In particular the implications, in terms of implementation of the recommendations, of enhancing awareness of the judiciary.

More specifically, the objective of this year event will be to understand the role that judges can play in the UPR process to promote and protect human rights and enhance the implementation of human rights monitoring mechanisms’ recommendations.

The side event will represent an opportunity for UPR stakeholders to reflect on how the HRC could take more steps to engage with judiciary and which could be strategic entry points.

Lastly, the event will also represent an opportunity to present the “Tips to enhance judicial engagement with the United Nations Universal Periodic Review” (the Tips). The Tips were conceived and drafted by the International Bar Association’s Human Rights Institute (IBAHRI) in collaboration with UPR Info, and the International Association of Judges (IAJ), endorsed by the Human Rights Platform of the Geneva Academy and the organisation Judges for Judges. The Tips are aimed at supporting governments and other actors to engage the judiciary in the UPR process. They highlight the importance of following up - also at judicial level - recommendations of the UPR. The tips aim also at raising the awareness of the judiciary of recommendations supported as its role may help advance implementation. The overall aim is to ensure implementation of the UPR recommendations at domestic level.

The discussion will address the following questions:

- What is the role of the judiciary, why it can be important for the successful implementation of the UPR recommendations?
- How the judiciary can better use the UPR as an important methodological and interpretive tool for protecting human rights?
- How can UN members States promote the role of the judiciary in the UPR process?

## Format

This one-hour panel discussion is open to representatives from Member States, experts, and interested civil society organizations.

Speakers are invited to prepare 7-minute interventions. A moderated questions and answer period will follow.

**Opening remarks: H.E. Mr. Tormod Cappelen Endresen, Ambassador Extraordinary and Plenipotentiary**

## Panellists and running order

- Ms Francesca Restifo, Senior Human Rights Lawyer and UN Representative of the International Bar Association’s Human Rights Institute (IBAHRI) – the role of the judiciary in advancing human rights, Presentation of the Tips, as a tool supporting implementation of recommendations
- Ms Mona M’Bikay, Executive Director, UPR Info - The role of the judicial system in enhancing the implementation of UPR recommendations
- Mr. Mansour Jobe, Director of Legal Affairs and Investigation at the National Human Rights Commission (NHRC) of The Gambia (via Webex) – a national institution perspective on the role of the judiciary

- Judge Roland Kempfle [International Association of Judges \(IAJ\)](#) – judicial perspective case studies and good practices
- Mr. Mehdi Benchelah, team leader for the Judges Initiative, UNESCO – sharing good practices on using the UPR in engaging with judges to support the realisation of freedom of expression (via Webex)

**Moderation:** Mr. Dimiter CHALEV, *Chief of Rule of Law, Equality and Non-Discrimination Branch, OHCHR*

**For further information:**

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