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Universal Periodic Review

Written statement* submitted by United Nations Watch, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[04 June 2019]

* Issued as received, in the language(s) of submission only.

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Time to reassess the Universal Periodic Review

The Universal Periodic Review (UPR) process was established pursuant to the Council's founding resolution, General Assembly Resolution 60/251. Paragraph 5(e) of that resolution states that the Council should review each State's fulfilment of its human rights obligation and commitments "based on objective and reliable information." Furthermore, the process is supposed to ensure "universality of coverage and equal treatment with respect to all States." According to the website of the Human Rights Council, the ultimate goal of UPR is to "improve the human right situation in all countries and address human rights violations wherever they occur."¹

Unlike the Human Rights Council's country-specific human rights resolutions, the proposal and adoption of which are driven by the political agendas and alliances of the Council's 47-member states, the UPR is meant to be universal. This means that each state is automatically reviewed at pre-set five-year intervals. Although UPR was intended to ensure that powerful states which are able to avoid censure in the Council's resolutions would not completely escape human rights scrutiny, these powerful states have managed to corrupt the process to ensure any criticism is minimal compared to the praise. Thus, instead of accomplishing its intended goal of improving human rights across the board, the UPR has turned into a mutual praise society for the world's worst abusers. Reform of this process is urgently needed.

Below are recent examples of the UPR being used to praise rather than criticize repressive regimes:

Democratic Republic of Congo (DRC), HRC Member, reviewed in May 2019. DRC is a notorious human rights violator known for its harsh suppression of political opposition, including through arbitrary detentions and unlawful killings, and widespread gender-based violence.² A 2018 UN investigation suggests that abuses by DRC security forces amount to crimes against humanity and war crimes.³

During its UPR review 76 out of 99 countries who spoke abused the opportunity by showering praise on DRC. Another 12 countries applied some scrutiny along with praise for DRC's alleged achievements. Thus, 89% of countries expressed praise for DRC. Thus, only a small minority of countries actually challenged DRC with the criticism and questioning it deserved.⁴

Unfortunately, some countries praised DRC's recent elections as evidence for the government's progress in the realm of human rights, despite the fact that several international election observers have cast doubt on the integrity of the election results.⁵

UPR Praise for DRC included:

North Korea: "We commend [DRC's] steadfast commitments and sincere efforts for the promotion and protection of human rights."

China: "We welcome [DRC's] efforts and focus in terms of promotion and protection of human rights."

¹ Human Rights Council, UN Doc. GA/Res/60/251, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N05/502/66/PDF/N0550266.pdf?OpenElement>.

² DR Congo elected to top U.N. rights body, despite widespread human rights violations, UN Watch (Oct. 16, 2017), <https://unwatch.org/dr-congo-elected-top-u-n-rights-body-despite-widespread-human-rights-violations/>

³ UN Experts conclude crimes against humanity and war crimes committed in Kasai, warn against risk of new wave of ethnic violence, Human Rights Council (June 26, 2018), <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=23263&LangID=E>.

⁴ 77% of UNHRC Reps Praise DR Congo's Human Rights Record, UN Watch (May 7, 2019), <https://unwatch.org/77-of-unhrc-reps-praise-dr-congos-human-rights-record/>

⁵ Mo Ibrahim and Alan Doss, Congo's election: a defeat for democracy, a disaster for the people, The Guardian (Feb. 9, 2019), <https://www.theguardian.com/global-development/2019/feb/09/democratic-republic-of-the-congo-election-a-defeat-for-democracy-disaster-for-people-mo-ibrahim>.

South Africa: We are “encouraged by the [DRC’s] reduction of child involvement in conflicts.”

The Bolivarian Republic of Venezuela: DR Congo’s “internal legal order is in line with human rights commitments.”

Russian Federation: “We support the Congolese authorities and their efforts to improve the situation of human rights.”

Eritrea: “My delegation congratulates the government [of DRC] for progress made.”

Iraq: “The organization of elections had its effect strengthening democratic principles in the country.”

Burundi: “The [DRC’s] elections were democratic, transparent, free, and took place peacefully.”

Egypt: “We take note with satisfaction [DRC’s] efforts taken linked to human rights.”

Democratic Republic of North Korea (North Korea), reviewed May 2019. Although North Korea is one of the most abusive regimes in the world, known for torture, forced labor camps, public execution, and violence against women and children, most countries chose not to speak out against these abuses. North Korea is the subject of one annual resolution by the Council which “condemns in the strongest terms the long-standing and ongoing systematic, widespread and gross human rights violations” in North Korea.⁶ Yet, during its UPR review, 49 out of 88 countries that spoke praised the regime, and another 20 countries applied some scrutiny along with praise for North Korea’s alleged achievements. Thus, 78% of countries expressed praise for North Korea.⁷

UPR Praise for North Korea included:

China: We “welcome His Excellency and recognize DPRK’s efforts and achievements.”

Cuba: We “thank the delegation for the efforts put into improving the wellbeing of its people.”

Russian Federation: Recent achievements “indicate that the DPRK is improving the human rights situation.”

Burundi: “The government is respectful of human rights obligations both locally and internationally.”

The Bolivarian Republic of Venezuela: “We welcome the progress made and note free universal medical assistance.”

Myanmar: We “commend DPRK for amending its labor laws.”

Belarus: We note efforts for “improvement of daily life and strengthening the legal system.”

Equatorial Guinea: We “admire the country’s progress in education.”

Zimbabwe: “The DPRK worked to enact and amend human rights-related laws.” Eritrea, HRC Member, reviewed in January 2019. Eritrea commits horrific human rights abuses, including arbitrary executions, enforced disappearances, torture, forced labor, and violence against women and girls.⁸ Eritrea is the subject of an annual Human Rights Council Resolution which “condemns in the strongest terms the reported systematic, widespread and gross human rights violations” committed by the government of Eritrea.⁹ A 2016 UN investigation suggests that many of the government’s human rights violations amount to

⁶ See, e.g., Situation of human rights in the Democratic People’s Republic of Korea, UN Doc. A/HRC/Res/40/20.

⁷ North Korea praised in UN human rights review, UN Watch (May 9, 2019), <https://unwatch.org/north-korea-praised-in-un-human-rights-review/>.

⁸ <https://unwatch.org/eritrea-set-win-seat-un-s-top-human-rights-body-despite-abuses/>.

⁹ See, e.g., A/HRC/Res/38/15.

crimes against humanity.¹⁰ Yet 71 out of 89 countries that spoke (80%) showered the regime with praise. Only a small minority of countries challenged Eritrea with the criticism and questioning it deserved based on its well-documented record of human rights abuses.¹¹

UPR Praise for Eritrea included:

The Syrian Arab Republic: “We welcome the efforts made (by Eritrea) to draw up national strategies and policies in the area of respect for human rights.”

Russian Federation: “Eritrea has progressed significantly in the sphere of human rights.”

China: “Highly appreciates Eritrea’s progress in the promotion and protection of human rights.”

Saudi Arabia: Commends “a number of achievements (by Eritrea), distinguished in promoting human rights.”

South Africa: Our delegation is “encouraged by (Eritrea’s) efforts to promote the development and well being of children.”

Sudan: “We commend positive development (by Eritrea) in plans for rural development.”

Zimbabwe: “Eritrea devised a number of initiatives to enhance economic, social, and cultural rights.”

Pakistan: “We appreciate efforts made by the government (of Eritrea) in education, health, political participation, improvement of the justice system, and food security.”

Philippines: Our delegation “recognizes efforts made by the government (of Eritrea) to advance the protection of women and children.”

Saudi Arabia, HRC Member, reviewed November 2018. One of the most brutal and misogynistic societies, Saudi Arabia routinely jails dissidents and subjects them to torture and other cruel and human treatment. One of its most famous dissidents is human rights activist Raif Badawi, jailed since 2012 and subjected to 50 lashes (out of 1,000) in 2015. Just one month before the review, Saudi Arabia brazenly executed government critic Jamal Kashoggi inside its embassy in Istanbul. Yet, 75 out of the 96 countries who spoke (78%) praised Saudi Arabia. Moreover, not a single country spoke out for the rights of Raif Badawi.¹² Only a small minority of countries applied real scrutiny to Saudi Arabia.

UPR Praise for Saudi Arabia included:

The Bolivarian Republic of Venezuela: “We commend Saudi Arabia for empowering women.”

Pakistan: “We commend efforts [by Saudi Arabia] to empower women and promote gender equality.”

Yemen: “We commend the support provided [by Saudi Arabia] at all levels to the people of Yemen.”

Bahrain: “We hail the positive steps taken [by Saudi Arabia] to protect human rights.”

Malaysia: “The efforts [by Saudi Arabia] in advancing women’s rights are commendable.”

Mauritania: “We applaud progress [by Saudi Arabia] in the fields of women’s rights, children’s rights, and rights of people with disabilities.”

¹⁰ Eritrea set to win seat on UN’s top human rights body, despite abuses, UN Watch (Oct. 11, 2018), <https://www.ohchr.org/EN/HRBODIES/HRC/COIERITREA/Pages/commissioninquiryonhrinEritrea.aspx>.

¹¹ Farce: 80% of UNHRC delegations praise Eritrean regime on human rights, UN Watch (Jan. 28, 2019), <https://unwatch.org/farce-80-unhrc-delegations-praise-eritrean-regime-human-rights/>

¹² UN delegates praise Saudi Arabia’s rights record, UN Watch (Nov. 5, 2018), <https://unwatch.org/un-delegates-praise-saudi-arabias-rights-record/>

Nigeria: “We commend efforts [by Saudi Arabia] in combating human trafficking and to promote the rights of domestic service workers.”

Eritrea: “We commend symbolic steps taken [by Saudi Arabia] to ensure equality.”

China: “We commend Saudi Arabia for its adoption and implementation of the Saudi Vision 2030, as well as for its efforts in the area of economic, social development ... and its judicial reform and fight against corruption.”
