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Promoting accountability and human rights through the Universal Periodic Review mechanism

1. Context

Since 2011, Rwanda voluntarily joined the Universal Periodic Review (UPR), a mechanism of the United Nations Human Rights Council that emerged from the 2005 UN reform process. The Universal Periodic Review is a unique process which involves a periodic review of the human rights records of all 193 UN Member States. The review also includes sharing of best human rights practices around the globe.

In November 2015, Rwanda went through the 2nd cycle of the UPR, following which Human Rights Council issued a series of recommendations out of which Rwanda agreed to implement 50 recommendations within 4 years (2015-2019). The participation of Rwanda in the process reaffirms Rwanda's political will to genuine compliance to International Human Rights law by voluntarily participating to this process to advance the human rights agenda in Rwanda.

Under the leadership of the Ministry of Justice, Rwanda coordinated the implementation of these recommendations through the Ministry of Justice and the National Treaty Body Reporting Task Force which has added UPR as one of its priority tasks. The implementation and monitoring of the UPR recommendations have also come out as a key priority for the Justice, Reconciliation, Law and Order Sector (JRLOS) for the period 2018-2023. The Government of Rwanda came up with a roadmap which includes the recommendations with clear actions to be taken, the responsible organisations and the timeframe.

UNDP supported Rwanda's commitment to the since the first engagement in 2011. The supported focused on the dissemination and implementation of recommendations as well as the monitoring and reporting through its partnership with the Ministry of Justice, the National Commission for Human Rights and Civil Society Organisations. As a result of this partnership, the Government prepared and submitted the 2015 UPR report to the Human Rights Council on time and established a strong UPR monitoring framework and system. The National Commission for Human Rights and a Coalition of 25 CSOs received benefited from technical and financial support to monitor, assess and report, with special focus on the recommendations accepted by Rwanda in 2011 and 2015.

In November 2020, the Republic of Rwanda will be submitting the third Universal Periodic Review Report. In 2017, a Rwanda Civil Society Coalition on UPR conducted an assessment to ascertain the status of implementation of the 2015 UPR recommendations and produced mid-term assessment report. This report pointed to issues requiring attention and strong recommendations which informed the follow up actions by the Government and other stakeholders. The UPR remains vital for the country to respect, promote and fulfill its commitments to international human rights law but more importantly to its citizens especially the most vulnerable who are in constant quest for the enjoyment of their fundamental rights and freedoms.

In line with this background, there is an urgent need for the Government of Rwanda and other human rights actors to actively engage in the UPR process not only as an important instrument for human rights promotion but also as a strong accountability mechanism. Therefore, UNDP is planning to continue supporting the UPR process through its dedicated program on **Strengthening the Rule of Law in Rwanda: Justice, Peace and Security for the People (2018-2023)** implemented in close collaboration with the Ministry of justice and other institutions within the justice sector. Within this framework, UNDP is supporting the Government of Rwanda through the Ministry of Justice to implement and assess the level of implementation of UPR recommendations and produce the state report to be submitted to the HRC. Technical and financial support is provided to maintain an active and inclusive national UPR process. Considering that the monitoring of the recommendations has been very challenging as it involves a big number of stakeholders, a practical and easy to use web-based system is required to allow the Ministry of Justice to monitor and hold accountable the various institutions implementing the UPR recommendations.

On the other hand, while, it is the duty of the Government to report, it is equally important for the non-state actors including the NCHR and civil society to produce independent reports which are due by March 19th, 2020. In this regard, UNDP would like to build on existing partnerships to promote the engagement of non-state actors and independent institutions such as the National Commission for Human Rights, the media and the CSOs in promoting the respect, protection and fulfilment of human rights in Rwanda particularly through the UPR process. UNDP's support will focus on building their capacities to assess the human rights status in the Country through the UPR recommendations, monitor the implementation, hold relevant authorities accountable and prepare parallel reports.

Moreover, the above-mentioned activities will contribute to national efforts to implement the Sustainable Development Goals, especially its targets that are partly addressed by number of recommendations from the UPR such as recommendations related to human and child trafficking, compliance with human rights commitments, improve the conditions of those in the detention facilities, access to information and freedom of opinion and expression, to name just a few.

2. Cross cutting issues

2.1. Gender:

The 2015 UPR recommendations includes five key recommendations calling the state to Expand the "Isange One Step Centres" to 1) respond and prevent gender-based violence and provide care for victims, 2) Ensure effective application of gender equality legislation and the implementation of policy measures to achieve equality between men and women, 3) Continue the implementation of positive measures in favor of gender equalities to facilitate their access to justice and education, 4) Continue its efforts in the area of gender equality to eradicate the traditional patriarchal stereotypes and gender inequality, and 5) Consider further strengthening policies and laws to put in place an effective and holistic system towards combating violence against women and ensuring justice for victims. Monitoring the implementation of the recommendations and addressing the identified issues will contribute gender equality and women empowerment.

2.2. Environment sustainability:

The monitoring and reporting on the progress of the UPR recommendations will touch on a number of recommendations that address issues of food insecurity, Green Revolution and Transformation of Agriculture, and the realization of national development goals which among others includes targeted actions to combat climate change and protecting the environment.

2.3. Youth

Several of the 50 accepted recommendations are related to the rights of the youth, especially children in difficult conditions including SGBV victims, children with disability, children affected by HIV, etc. Implementing such recommendations is addressing the issues faced by the youth and ensuring their rights are protected. The project will assess how the rights of children in such situations have been respected and recommendations will be issued to relevant authorities.

2.4. Capacity development

The proposed will invest in building the capacities of both the national treaty body task force and the members of the CSO coalition on UPR, for them to have the required technical know-how on UPR data analysis, monitoring and reporting. These capacities will be crucial for the quality of the assessment of human rights situation and the quality of the reports produced. The acquired knowledge and skills will be instrumental in sustaining the results achieved through the implementation of the project.

3. Expected outcome

1. The Government of Rwanda maintains an active and inclusive UPR process;
2. National capacities to engage in the UPR process strengthened;
3. Civil society organizations and independent institutions are organized and have the sufficient capacities to effectively engage with Government and other stakeholders in implementing, monitoring and reporting on the UPR recommendations;
4. National capacities to implement, monitor and report on UPR recommendations using evidences is enhanced.
5. National policies, laws, programs, strategies and plans are informed by UPR recommendations and the resulting processes;

4. Expected results

- Result 1: Human Rights promoted through an active and inclusive UPR process
- Result 2: UPR stakeholders have strengthened their capacities including through a web-based system for the monitoring of UPR implementation
- Result 3: Accountability on human rights is strengthened through active involvement of CSOs and independent institutions in the UPR process
- Result 4: Timely submission of high-quality report by the State, independent institutions and non-state actors
- Result 5: Reforms and amendments of legal, policy, programs and strategies are conducted to implement the UPR recommendations

5. Implementation strategy

The proposed actions will be implemented within the framework of the project promoting the Rule of Law in Rwanda: Justice, Peace and Security for the people” that UNDP initiated in 2018 in collaboration with the government of Rwanda and CSOs. The project focuses on access to justice for all, in particular for the provision of legal aid to the poor and most vulnerable, the monitoring and reporting on human rights commitments, crime prevention and social healing.

The project will be implemented on the one side with the Mistry of justice as implementing partners for activities related to the state report while the CSO coalition on UPR will be supported to monitor, assess and report on the implementation of the UPR recommendations.

The proposed actions will build on the existing partnership with both government and non-state actors, to ensure a balanced situational analysis of the human rights situation in the country.

Efforts will be made to ensure the CSO Coalition on UPR is as inclusive as possible, bringing together all the CSOs members working in all areas on the UPR recommendations.

The implementation strategy will learn from previous projects’ experience of UNDP working with government and CSOs on UPR monitoring and reporting. The project will also build on synergies with project on the UNDP governance portfolio, which include deepening democracy and accountable governance, the CSO strengthening project and the gender accountability project.

The project activities will be monitored on a regular basis and quarterly financial and progress reports will be provided by the implementing partners. The CSO coalition will directly report to UNDP and the other implementing partners will directly report to UNDP as provide in the project document and responsible part agreements with CSOs. A project steering committee will take place bi-annually to review progress made and make recommendations. The donors to the project will be invited to the steering committee.

7. Results Framework

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OBJECTIVES	INDICATORS	DATA SOURCES	ASSUMPTIONS
1. OUTCOME			
By 2023, people in Rwanda benefit from enhanced gender equality, justice, human rights, peace and security	% of adult population with confidence with the respect for human rights by 2023 (Target 89%, Baseline 87.61%)	Project reports, JSR reports	Capacity of delivering institutions is strengthened
2. UNDAP/CPD OUTPUT: NATIONAL INSTITUTIONS HAVE ENHANCED CAPACITY TO INCREASE EQUITABLE ACCESS TO QUALITY JUSTICE WHILST ENSURING THAT HUMAN RIGHTS COMMITMENTS ARE FULFILLED.			
1. Indicator 1. Percentage of 2015 UPR recommendations implemented (cumulative) Baseline: 68% (2017) Target: 95% (2020)			
2. Indicator 2: Number of CSOs participating to the UPR process Baseline: 25 Target: 30			
3. Level of participation of stakeholders in the UPR reporting process (Low-Medium-High) ¹ Baseline: Medium Target: High			
3. PRIORITY AREAS AND ACTIVITIES			
Priority area	Activity	Sources	Assumption

¹ **Low:** No consultative meetings with key stakeholders; **Medium:** At least 2 consultative meetings with stakeholders; **High:** At least 3 consultative meetings with stakeholders

<p>1. National capacities enhanced to implement, monitor and report on UPR recommendations</p>	<ol style="list-style-type: none"> 1. Conduct awareness raising and capacity building sessions for the CSOs and the media on the UPR process as an accountability mechanism 2. Training of the National Treaty Body Reporting Task Force on monitoring of the implementation of UPR recommendations and Treaty Body conclusions and observations 3. Establish an online system to monitor UPR recommendations and build capacities of the users 4. Support the National Human Rights Commission to assess the level of 5. implementation of UPR and report thereof 6. Support the UPR state monitoring and reporting process 7. Support the elaboration of an action plan for the implementation of the 3rd review recommendations (2020) and its monitoring 8. Translate UPR recommendations in Kinyarwanda 	<p>Police reports NURC reports, annual reviews</p>	<p>Government is willing to engage various stakeholders</p>
<p>2. Non-State actors' capacities to monitor and report on UPR recommendations strengthened</p>	<ol style="list-style-type: none"> 1. Monitoring and reporting on UPR recommendations by a Coalition of CSOs 2. Training of local NGOs on the UPR Process and monitoring of the implementation of UPR recommendations. 3. Support the participation of CSO coalition to the presentation of the state report in Geneva 4. Support to project implementation - Staff Costs, consumables, other costs 5. Communications, printing and publications on UPR 	<p>CSO Shadow report, project reports</p>	<p>CSOs more willing to support the project</p>
<p>3. Project management, oversight and communication enhanced to promote UPR process</p>	<ol style="list-style-type: none"> 1. Direct project Costing (DPC) 2. General management service + Implementation support services 	<p>Project reports</p>	<p>Project outputs are implemented on time and according to plan</p>

8. Proposed activities and budget

PRIORITY AREA	Activity	Implementing partners	Year 1	Year 2	Budget total
National capacities enhanced to implement, monitor and report on UPR recommendations	Conduct awareness raising and capacity building sessions for the CSOs and the media on the UPR process as an accountability mechanism	NCHR	12,000	12,000	24,000
	Training of the National Treaty Body Reporting Task Force on monitoring of the implementation of UPR recommendations and Treaty Body conclusions and observations	MINIJUST	10,000	10,000	20,000
	Establish an online system to monitor UPR recommendations and build capacities of the users	MINIJUST	30,000	20,000	50,000
	Support the National Human Rights Commission to assess the level of implementation of UPR and report thereof	NCHR	25,000	10,000	35,000
	Support the UPR state monitoring and reporting process	MINIJUST	30,000	20,000	50,000
	Support the elaboration of an action plan for the implementation of the 3rd review recommendations (2020) and its monitoring	MINIJUST	15,000	6,000	21,000
	Translate UPR recommendations in Kinyarwanda	MINIJUST		10,000	10,000
	Organize a high-level dissemination meeting and produce communication materials for the 2020 UPR recommendations	MINIJUST	10,000	10,000	20,000
	Organize a policy dialogue on the importance of UPR in the promotion of human rights in Rwanda	NCHR	5,000	5,000	10,000

	Advocacy and strategic engagements on the UPR	MINIJUST and UNDP	10,000	10,000	20,000
	Support the National Human Rights Commission to sensitize stakeholders and citizens on UPR	NCHR	10,000	10,000	20,000
	Sub-total National public actors	MINIJUST, NCHR	157,000	123,000	280,000
Non-State actors' capacities to monitor and report on UPR recommendations strengthened	Monitoring and reporting on UPR recommendations by a Coalition of CSOs	CSOs Coalition	40,000	40,000	80,000
	Training of local NGOs on the UPR Process and monitoring of the implementation of UPR recommendations.	CSOs Coalition	20,000	10,000	30,000
	Support the participation of CSO coalition to the presentation of the state report in Geneva	CSOs Coalition	0	13,000	13,000
	Support to project implementation - Staff Costs, consumables, other costs	CSOs Coalition	20,000	20,000	40,000
	Communications, printing and publications on UPR	CSOs coalition	15,000	10,000	25,000
	Sub-total CSO coalition	CSOs	95,000	93,000	188,000
Project management, oversight and communication enhanced to promote UPR process	Direct project Costing	UNDP	15,000	15,000	30,000
	General management service + Implementation support services	UNDP	19,000	19,000	38,000
	Sub-total project management	UNDP	34,000	34,000	68,000
	Sub-total project management	UNDP	34,000	34,000	68,000
	TOTAL		286,000	250,000	536,000
	Source of fund	UNDP	40,000	40,000	80,000
		Other donors	246,000	210,000	456,000

9. Monitoring and Evaluation

In accordance with UNDP's programming policies and procedures, the programme will be monitored through the following monitoring and evaluation plans:

Monitoring Activity	Purpose	Frequency	Expected Action	Partners
Track results progress	Progress data against the results indicators in the Result framework will be collected and analyzed to assess the progress of the project in achieving the agreed outputs.	Quarterly, or in the frequency required for each indicator.	Slower than expected progress will be addressed by project management.	UNDP, MINIJUST, CSOs
Monitor and Manage Risk	Identify specific risks that may threaten achievement of intended results. Identify and monitor risk management actions using a risk log. This includes monitoring measures and plans that may have been required as per UNDP's Social and Environmental Standards. Audits will be conducted in accordance with UNDP's audit policy to manage financial risk.	Quarterly	Risks are identified by project management and actions are taken to manage risk. The risk log is actively maintained to keep track of identified risks and actions taken.	UNDP, MINIJUST, CSOs
Learn	Knowledge, good practices and lessons will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project.	At least annually	Relevant lessons are captured by the project team and used to inform management decisions.	UNDP, MINIJUST, CSOs
Annual Project Quality Assurance	The quality of the project will be assessed against UNDP's quality standards to identify project strengths and weaknesses and to inform management decision making to improve the project e.	Annually	Areas of strength and weakness will be reviewed by project management and used to inform decisions to improve project performance.	UNDP
Review and Make Course Corrections	Internal review of data and evidence from all monitoring actions to inform decision making.	At least annually	Performance data, risks, lessons and quality will be discussed by the project steering committee and used to make course corrections.	UNDP, MINIJUST, CSOs

10. Risks and Mitigation strategies

- The project assumes that the Government of Rwanda and CSOs will remain committed to promoting human rights and that there will be no fundamental changes in either the internal or external environment that negatively influences this prioritization and commitment.
- Based on the Risk Analysis, the project could face political, institutional, financial and operational risks that might impact on the delivery of results.
- Key risks include:
- Challenges in cooperation and coordination within human right institutions and/or between state and non-state actors compromise results;
- Limited cooperation and coordination among the CSO coalition members to achieve common goals
- Limited resources allocated to human rights sector for the sector to achieve the social transformation it wants;
- Lack of quality data on human rights to inform decision making and provide strong and evidence-based reporting
- Limited capacity of implementing partners to efficiently use availed resources and achieve expected results
- The programme will monitor and manage risks on a regular basis. The risk log will be maintained and updated as appropriate and at least on a quarterly basis and included in quarterly reports. In addition, the project Steering Committee will address the project risks and follow up on relevant actions as recommended during its meetings.