

**UNIVERSAL PERIODIC REVIEW**  
**NHRI/NGO ENGAGEMENT MEETING**

**Thursday 24<sup>th</sup> May 2012, Geneva**

**List of attendees**

Lord McNally	Minister of State for Justice
John Wadham	Equality and Human Rights Commission
Professor Alan Miller	Scottish Human Rights Commission
Dr David Russell	Northern Ireland Human Rights Commission
Dr Nazia Latif	Northern Ireland Human Rights Commission
Leanne Cochrane	Northern Ireland Human Rights Commission
Alice Wyss	Amnesty
Davinia Ovetto Bondi	Save the Children
Roland Chauville	UPR Info
Dr Marsha Scott	Engender
Louise Woodruff	Joseph Rowntree Foundation
Brian Bond	Edmund Rice International
Katrine Thomasen	OSJI
Jennifer Philpot-Nissen	World Vision
Bethan Rigby	British Irish Rights Watch
Juliette De Rivero	Human Rights Watch
Ms Y Velleman	Water Aid
Jennifer Korty /	
Ms Maie El Haig	Women's International League for Peace and Freedom
Carole Ewart	Human Rights Consortium, Scotland

**Introduction**

1. Lord McNally thanked everyone for attending and said that it had been a privilege personally for him to represent the United Kingdom at its second Universal Periodic Review (UPR). Lord McNally said that the meeting was an opportunity to gauge Non Governmental Organisations (NGOs) initial views and reflections on the UPR process to date, including the interactive dialogue. He didn't intend to use the meeting to explore the recommendations received by the UK in depth as he wanted to take some time to reflect on them before consulting with colleagues in the UK Government and the Devolved Administrations (DA's). He was also keen to involve civil society in this process.

**Discussion**

***The Scottish Human Rights Commission***

2. Professor Alan Miller commented that the UK's position was better received at this UPR than it was four years ago and acknowledged that the process had been inclusive. They understood that there now needed to be a period of reflection on the recommendations, but wished to highlight two areas of immediacy that a number of member states had raised during the UK's dialogue.

3. Firstly, the UK had been perceived as unhelpful in negotiations on the *Right to Safe Drinking Water and Sanitation* in the run up to the United Nations Conference on Sustainable Development in Rio in June. Lord McNally said that he hadn't been aware of the UK's approach to this issue but would certainly feed these concerns back to relevant colleagues in the UK Government.
4. Secondly, several member states had raised concerns that the Government's reforms to the Equality and Human Rights Commission (EHRC) could impact on its status as an A rated National Human Rights Institution (NHRI). Lord McNally said that the Government wanted the EHRC to retain its status as an A rated NHRI and that he was following developments in this area.

### ***The Equality and Human Rights Commission (EHRC)***

5. John Wadham reported that he had met that morning with the Office of the High Commissioner for Human Rights (OHCHR) regarding the letter the Home Secretary had sent to them and the International Co-ordinating Committee of National Human Rights Institutions (The ICC) on the proposed reforms to the EHRC. The letters had raised unnecessary anxiety at the OHCHR and the ICC and would likely result in a letter from the ICC in response and the possibility of a review of the EHRC's A rated status. Lord McNally noted these concerns and said he would continue to monitor the situation.
6. John also raised concerns about the long term detention of terror suspects and secret evidence (Justice and Security Bill) and felt the UK might be heading in the wrong direction. He acknowledged that the Brighton Declaration on the Reform of the European Court of Human Rights was a good development although he expressed some concern about how the Government would implement the ECHR Scoppola judgment. Lord McNally agreed that we couldn't pick and mix in regard to the ECHR. John also had some concerns about the watering down of some of the provisions in the Equality Act 2010.

### ***Engender***

7. Dr Marsha Scott from Engender, an NGO based in Scotland, was concerned that despite accepting a recommendation at its 2008 review to integrate fully a gender perspective into its next UPR, the UK's 2012 national report was *un-gendered* and did not reflect the different experiences of women and men in relation to issues such as poverty or violence. Dr Scott offered to provide an analysis of the national report disaggregated along gender lines. Lord McNally welcomed this offer. Engender were pleased that the UK has committed to working towards signing the Council of Europe's Convention on Violence Against Women and Domestic Violence (CAHVIO)

### ***Water Aid***

8. Ms Velleman raised concerns about the UK's position in relation to a right to safe drinking water and sanitation. Water Aid would appreciate an update on the UK Government's position as it had been a year since any progress had been made on this. Lord McNally agreed to discuss with relevant colleagues in the UK Government and provide Water Aid with an update.

### ***Edmund Rice International (ERI)***

9. Brian Bond raised concerns about the financial position of asylum seekers whose applications had been rejected and would like to be able to give reassurances to ERI that this was being considered by the UK Government. Lord McNally agreed to discuss with relevant colleagues in the UK Government and provide ERI with an update.

### ***Save the Children (STC)***

10. Davinia Ovet Bondi said STC were keen to strongly encourage the UK to accept the recommendation made by Norway asking the UK Government to set out a clear pathway to meeting its goal of ending child poverty. She also urged the UK Government to consider following the lead of the Welsh and Scottish Governments by incorporating the United Nations Convention on the Rights of the Child (UNCRC) into legislation. Lord McNally noted this and said he would take this back to colleagues in the UK Government.

### ***Amnesty***

11. Alice Wyss asked about the next steps in the UPR process and particularly whether NGOs would be consulted on the recommendations the UK had received. Amnesty also suggested that it might be helpful if discussions could focus on both the UPR recommendations and those of the UN treaty monitoring bodies as there was likely to be significant overlap. Lord McNally reiterated his desire to set up a framework for regular and constructive engagement with NGOs on these matters.

### ***World Vision***

12. Jennifer Philpot-Nissen asked the UK Government to consider carefully recommendations on the UK's reservation against the Optional Protocol to the UNCRC on the involvement of children in Armed Conflict. Lord McNally said that he would take this back as part of his engagement with other colleagues in Government on the recommendations.

### ***Human Rights Consortium Scotland***

13. Carole Ewart expressed her disappointment that a Scottish Minister had not been part of the UK delegation. The HRCS has raised issues in its report that concerned devolved functions such as the absence of a Human Rights Committee at the Scottish Parliament which suggested an unequal enjoyment of human rights within the UK. Carole also raised concerns about the capacity of NGOs in Scotland to effectively participate in any UPR engagement process given the shortage of dedicated human rights NGOs in Scotland and the general lack of money for additional work. Lord McNally said that this had been his decision on the composition of the delegation which was based on the dialogue format, the issues he expected to be raised and the nature and status of the UPR mechanism. He said that officials from the DA's had played a full and active role in the delegation and had helped prepare the briefing for the UPR.

### ***Human Rights Watch***

14. Juliette De Rivero thought the UPR was an opportunity for the UK Government to distinguish itself from the previous administration on its approach to Counter-Terrorism legislation. She also raised concerns about the investigation of alleged UK complicity in torture and associated concerns about establishing an appropriate inquiry. She also raised the issue of treaty ratification in general, the Convention on Enforced Disappearances in particular, and asked why the UK Government had not signed the Convention on the Protection of all Migrant Workers and their Families.

### ***Women's International League for Peace and Freedom***

15. Jennifer Korty asked what the UK Government was doing to regulate the Arms trade. A representative from the FCO explained that arms exports are subject to a system which requires that all export licence applications are assessed against the Consolidated EU and National Export Licensing Criteria and as such are rigorously governed and regulated. The system ensures that each application is subject to a full assessment of risks, including whether an export might be used for internal repression, and reflects the UK's determination to support the responsible arms trade in line with our international obligations.

### ***British Irish Rights Watch***

16. Bethan Rigby mentioned that France had referred to a Bill of Rights for Northern Ireland and that the US had encouraged the devolved government of Northern Ireland to increase resources and personnel available to the Historical Enquiries Team. She said they were concerned with the serious delay with the inquests in NI.

### ***Northern Ireland Human Rights Commission***

17. Dr David Russell referred to the recent roundtable event hosted by Lord McNally in early May at which there had been a discussion about a possible UPR action plan. Lord McNally referred back to his earlier remarks about NGO consultation and said that the Ministry of Justice would be in touch shortly to discuss next steps.

### ***Joseph Rowntree Foundation***

18. Louise Woodruff asked the UK Government to consider again signing the International Convention on the Protection of the Rights of All Migrant Workers and their Families and the International Labour Organisation (ILO) Convention on Domestic Workers.
19. Louise also queried how the UK Government planned to track the UN UPR recommendations through Whitehall and the DA's. Lord McNally referred Louise to the previous comments he had made regarding the next steps for the UK Government in the UPR process.

***Concluding remarks***

20. Lord McNally concluded the meeting by thanking everyone for their contributions and to the UPR process to date.

Eddie Coleman  
Ministry of Justice