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Commissioner and the Secretary-General

Universal periodic review

Report of the Office of the United Nations High Commissioner for Human Rights on the operations of the Voluntary Fund for Participation in the Universal Periodic Review*

* Late submission.

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I. Introduction

A. Submission of the report

1. The present report is submitted in accordance with Human Rights Council resolution 16/22 and decision 17/119, in which the Council requested the secretariat to provide an annual written update on the operations of the Voluntary Fund for Participation in the Universal Periodic Review and on the resources available to it. The present report provides an overview of contributions and expenditures as at 31 December 2012, together with a description of activities funded since the previous update (A/HRC/20/39).

B. Background

2. In the annex to its resolution 5/1, the Human Rights Council called for the establishment of a voluntary trust fund to facilitate the participation of developing countries, particularly least developed countries, in the universal periodic review mechanism. In its resolution 6/17, the Council requested the Secretary-General to establish, inter alia, such a fund, and requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to take the necessary measures with a view to expeditiously operationalizing the mechanism. Member States, observers and other stakeholders of the Council were urged to support the operationalization of the Fund. In the annex to its resolution 16/21, the Council stated that the fund should be strengthened and operationalized in order to encourage a significant participation of developing countries, particularly least developed countries and small island developing States, in their review.

3. The Voluntary Fund for Participation in the Universal Periodic Review was established as a voluntary trust fund administered by the Secretary-General through OHCHR. An oversight through a board of trustees was considered unnecessary given the nature of the activities that the Fund was designed to support.

II. Mandate of the Fund

4. States and other stakeholders, such as intergovernmental and non-governmental organizations, private institutions and individuals, may make voluntary contributions to the Fund. All developing countries, including countries with economies in transition, are entitled to request financial assistance through the Fund. Particular attention when allocating financial support should be given to least developed countries.

A. Travel to meetings

5. Under the terms of reference of the Fund, financial support for travel to meetings is made available for official government representatives from developing countries, in particular least developed countries, to travel to Geneva in order to participate:

(a) In sessions of the Working Group on the Universal Periodic Review during which their country is considered;

(b) In plenary sessions of the Human Rights Council during which the outcome of their review is adopted.

6. Moreover, the Fund also provides for travel of official representatives of developing countries, in particular least developed countries, that are Members of the Human Rights Council and do not have a permanent mission in Geneva, to act as rapporteurs (namely, members of the “troika”).

7. Travel assistance consisting of a retroactive reimbursement of travel expenses is provided at the request of the State concerned. In accordance with United Nations rules and regulations, the Fund covers round-trip economy class travel for representatives not residing in Geneva, as well as daily subsistence allowance (DSA) at the rate applicable to Geneva at the time of travel. Upon receipt of a request, confirmation of approval is issued indicating the maximum reimbursable amount for ticket costs and DSA.

8. Following completion of travel and upon receipt of a travel claim with supporting documentation, reimbursement is made directly to the Government concerned, either through its Permanent Mission in Geneva or New York, or deposited directly to the bank account of a relevant ministry or government agency.

B. Pre-session briefings

9. Under the terms of reference of the Fund, briefings are organized prior to the sessions of the Working Group on the Universal Periodic Review to assist countries in preparing for the review. The briefings consist of plenary segments and break-out group discussions during which the policies, procedures and modalities of the universal periodic review are examined, information is exchanged, and good practices and lessons learned are discussed concerning the organization of national consultations, the setting up of interministerial coordination mechanisms, the drafting of national reports and participation in the interactive dialogues held by the Working Group and the Human Rights Council in plenary session.

III. Financial situation of the Fund

10. Table 1 shows the detailed financial situation of the Fund as at 31 December 2012 (statement of income and expenditure).

Table 1

Statement of income and expenditure for the period 1 January – 31 December 2012
(United States dollars)

I. Income

| | | |
|---|-----------------------|----------------|
| Voluntary contributions received from Governments in 2012 | | 423 407 |
| Hungary | 6 127 (EUR 5 000) | |
| Australia | 197 280 (AUD 200 000) | |
| Saudi Arabia | 40 000 | |
| Sweden | 100 000 | |
| Japan | 80 000 | |
| Miscellaneous and interest income | | 31 902 |
| Total income | | 455 309 |

| | |
|--|------------------|
| II. Expenditure* | |
| Staff costs | 0.00 |
| Experts and consultants' fees and travel | 0.00 |
| Travel of staff | 3 795 |
| Travel of representatives | 13 940 |
| Contractual services | 7 272 |
| General operating expenses | 0.00 |
| Supplies and materials | 0.00 |
| Grants, contributions and seminars | 0.00 |
| Programme support costs | 3 251 |
| Total expenditure | 28 258 |
| Net excess (shortfall) of income over expenditures for the period | 427 051 |
| Opening balance 01.01.2012 | 1 579 278 |
| Miscellaneous adjustments/savings/refunds to donors | 122 293 |
| Total fund balance as at 31.12.2012 | 2 128 622 |

* Includes disbursements and obligations (\$5,434)

11. Since the establishment of the Fund, a total of 15 countries have made financial contributions. Table 2 below provides an overview of all contributions received.

12. While most of the contributions come from a small group of countries, 2012 witnessed an expansion of the donor base. Given the universal nature of the mechanism, all Member States, including developing countries, are encouraged to contribute from within their means.

13. Since the Fund has not enjoyed a predictable pattern of income, substantial resources have been kept as a reserve for future activities. This accounts for the conservative disbursement pattern, which is intended to, inter alia, ensure that enough funding is available at all material times for travel of delegations requesting financial assistance.

Table 2

Voluntary Fund for Participation in the Universal Periodic Review: voluntary contributions from 1 January 2007 to 31 December 2012
(United States dollars)

| <i>Donor</i> | |
|---------------------------|---------|
| 2007 | |
| Italy | 201 613 |
| Romania | 73 746 |
| Russian Federation | 100 000 |
| Biennium 2008–2009 | |
| Austria | 157 729 |
| Germany | 418 410 |
| Italy | 221 239 |
| Japan | 200 000 |
| Saudi Arabia | 25 000 |
| Switzerland | 95 238 |

| <i>Donor</i> | |
|---------------------------|------------------|
| Biennium 2010–2011 | |
| Colombia | 26 668 |
| Denmark | 359 002 |
| Germany | 246 609 |
| Hungary | 6 570 |
| Japan (2010) | 100 000 |
| Japan (2011) | 100 000 |
| Kuwait | 50 000 |
| Singapore | 10 000 |
| Public donations | 341 |
| 2012 | |
| Australia | 197 280 |
| Saudi Arabia | 40 000 |
| Hungary | 6 127 |
| Japan | 80 000 |
| Sweden | 100 000 |
| Total | 2 815 572 |

IV. Activities

A. Travel to meetings

14. Only three States reviewed in 2012 requested financial assistance for travel to the sessions of the Working Group at which they were reviewed. Of these, one was a least developed country. One State requested financial assistance for travel to attend the session of the Human Rights Council for the adoption of the outcome of its review.

15. Table 3 below shows the breakdown of financial assistance by region and annual expenditures, complete with the amount authorized, status of reimbursement and total commitments to date with regard to the financial assistance provided for the travel of government delegates to Geneva.

Table 3

Expenditures for travel of Government representatives to attend the sessions of the Working Group on the Universal Periodic Review and plenary sessions of the Human Rights Council

| <i>Year</i> | <i>Number of countries supported</i> | <i>Amount authorized/ pending claim (United States dollars)</i> | <i>Amount paid (United States dollars)</i> |
|--------------------|--------------------------------------|---|--|
| 2008 | 6 | 13 280 | 16 885 |
| 2009 | 17 | 33 846 | 23 568 |
| 2010 | 23 | 46 365 | 39 942 |
| 2011 | 21 | 81 778 | 11 698 |
| 2012 | 3 | 12 920 | 11 295 |
| Total | 70 | 188 189 | 103 388 |
| Grand total | | | 291 577 |

16. To date, all States elected to the Human Rights Council have a permanent mission in Geneva. Consequently, there have been no requests for financial assistance to participate in a session as a rapporteur.

17. A number of Member States have reported that the current reimbursement procedure is cumbersome, as it requires their national administrations and Permanent Missions to engage in a number of complicated administrative and auditing procedures in order to receive and justify the refunds. Moreover, this procedure is very slow, as reimbursements are only effected after the United Nations administration has received and processed the travel claims accompanied by original ticket receipts and detailed bank account information. Further restrictions have recently been imposed as a result of a United Nations advance purchase policy, which came into force on 1 June 2011 under the mandate of the Secretary-General to improve efficiency and reduce costs. The policy requires that all official travel requests, including for prepaid travel arranged directly by Member States, be received and ticketed at least 14 calendar days prior to departure.

18. In the light of the above, the secretariat has proposed a revision of the terms of reference of the Fund to allow for the advance purchase of tickets directly by OHCHR. The secretariat expects that the number of countries requesting travel assistance would increase significantly if an advance purchase mechanism were established.

B. Training

19. Briefings organized by the secretariat bring together both developing and developed countries. Only the participation of the former is covered by the Fund in the form of reimbursement of travel expenses and DSA. Briefings are usually initiated by the secretariat, but may also be organized at the request of States, other United Nations entities or intergovernmental organizations. They draw extensively on the experience of other States that have already been reviewed, as well as on the expertise of OHCHR regional offices, the secretariat and other intergovernmental or regional organizations. These forums for the exchange of information are aimed at helping States to organize a broad and participatory process of national consultation, to prepare a comprehensive and balanced national report and to become acquainted with the rules of procedure of the Working Group on the Universal Periodic Review and the plenary session of the Human Rights Council.

20. In early 2012, OHCHR management initiated an internal review aimed at assessing the feasibility of merging the Voluntary Fund for Participation in the Universal Periodic Review with the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review, both of which were established in accordance with Human Rights Council resolution 6/17. The rationale for the proposed merger was the common thematic coverage, despite the operational and functional difference of the two funds. The review was also conducted bearing in mind the priorities described in resolution 16/21, which clearly differentiated between the two trust funds. The briefing activities carried out up to that point under the Voluntary Fund for Participation in the Universal Periodic Review were suspended in 2012 to allow the internal review to proceed.

21. At the initiative of Mauritius, which has been advocating increased assistance and support for least developed countries and small island developing States within the framework of the Human Rights Council, a preparatory briefing similar to the ones described in section II B above has been scheduled for July 2013, thus reinitiating the briefing activities briefly put on hold in 2012. The format of the Mauritius briefing has been slightly adjusted to focus on the specific needs of least developed countries and small island developing States in their engagement with the universal periodic review mechanism and,

more generally, the Council. The secretariat will thereafter resume its pre-session briefing activities on a regular basis in forthcoming years.

V. Conclusions

22. **The Voluntary Fund for Participation in the Universal Periodic Review has been used to finance the participation of developing countries, and in particular least developed countries and small island developing States, in the sessions of the Working Group on the Universal Periodic Review at which they are considered. Assistance has also been provided to those same Member States to enable them to participate in the adoption of their outcome document by the Human Rights Council at its plenary sessions. The Fund is also intended for the organization of field-based preparatory briefings to facilitate the participation of Member States in the universal periodic review.**

23. **With regard to travel arrangements, while the parameters for financing the participation of developing country Member States in the sessions of the universal periodic review are consistent with established practice for the General Assembly, the post facto reimbursement procedure has proven unsatisfactory. Although some progress has been made since the previous report, further improvements are required. As of the second cycle of the universal periodic review, OHCHR has begun to fund two members of delegations of least developed countries and small island developing States travelling to Geneva for the review of their countries, instead of only one, as was previously the case. Efficiency would be greatly improved and simplification achieved, however, if OHCHR were authorized to make travel arrangements for Member States requesting such assistance.**

24. **Pre-session briefings organized by the secretariat were briefly placed on hold in 2012 owing to an internal management review aimed at assessing the feasibility of merging the two trust funds established in accordance with Human Rights Council resolution 6/17. In July 2013, a preparatory briefing will be held in Mauritius, with a focus on the specific needs of least developed countries and small island developing States and their engagement with the Council, in particular the universal periodic review. The secretariat is planning to resume a regular calendar of preparatory briefings.**
