



Lawyers' Rights Watch Canada



the global voice of  
the legal profession

**Statement prepared on the occasion of the Human Rights Council, 37th session**

**Item 1: High Level panel on the UPR and human rights mainstreaming**

**26 February 2018**

Mr President,

Following an in-depth analysis of the role of the UPR in advancing human rights in the administration of justice. in general and, juvenile justice in particular, as well as the rights of LGBT persons, the International Bar Association's Human Rights Institute (IBAHRI) together with the International Lesbian, Gay, Bisexual, Trans and Intersex Association and Lawyers Rights Watch Canada calls upon States to ensure that during the Third Cycle:

- The role of judges, lawyers and prosecutors as primary stakeholders in the protection of all human rights, and the need for protection and training of these stakeholders, receive the heightened attention;
- Representatives of children and LGBTIQ people be involved in the UPR process as a means of guaranteeing the UPR's impact on the ground;
- The need for restorative justice and diversion measures be addressed together, and in an equal manner, with the objectives of establishing juvenile justice systems which preclude execution and other inhumane sentencing, and restrict detention as a measure of last resort for children;
- The persistent inequality, discrimination and violence related to sexual orientation, gender identity and expression and sex characteristics, including suffered by youth, women, and trans and intersex people, be appropriately addressed;
- UPR recommendations build upon the current international human rights framework and use the language of international human rights instruments, including the UN Basic Principles on the Independence of the Judiciary, the UN Basic Principles on the Role of Lawyers and the UN Guidelines on the Role of Prosecutors for legal professionals, the Yogyakarta Principles and the Yogyakarta Principles +10 on sexual orientation, gender identity and expression and sex characteristics (SOGIESC) issues;
- Recommending states address best practices in their recommendations, as per HRC Resolution 5/1 (2007), para 4(d), and that best practices be compiled by the Human Rights Council Secretariat to enhance implementation on the ground; and
- A monitoring system of UPR recommendations, consistent with a comprehensive monitoring of the state's human rights obligations and Sustainable Development Goals, be in place.

We stand ready to cooperate further with Member States on these issues.

Link to the IBAHRI Reports:

- 'The role of the UPR in advancing human rights in the administration of justice' (2016):
- 'Sexual orientation, gender identity and expression and sex characteristics at the UPR' (2016):

For further information on the IBAHRI reports, please contact: [helene.santos@int-bar.org](mailto:helene.santos@int-bar.org)