

NOTES & COMMENTS

Singapore and the Universal Periodic Review: An Unprecedented Human Rights Assessment

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Singapore will soon submit a national report to and subsequently appear before the UN Human Rights Council for a universal periodic review of its human rights laws and practices. This review will elicit a rare and unprecedented expression of whether and how Singapore feels it has adhered to international human rights law, and ways in which it may further refine or calibrate its domestic practices. This article seeks to identify Singapore's human rights achievements; highlight challenges it should be prepared to address; and recommend measures it should adopt to promote human rights.

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International Law, Human Rights, Universal Periodic Review, Death Penalty, Due Process, Access to Justice, ASEAN.

1. Introduction

The Universal Periodic Review (“UPR”) is a unique process which involves a review of

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the human rights records of all 192 UN member States once every four years. The UPR is a significant innovation of the Human Rights Council which is based on equal treatment for all countries. It provides an opportunity for all States to declare what actions they have taken to improve the human rights situations in their countries and to overcome challenges to the enjoyment of human rights. The UPR also includes a sharing of best human rights practices around the globe. It was established when the UN Human Rights Council was created on March 15, 2006 by the UN General Assembly through resolution 60/251.¹

This resolution mandated the Council to “undertake a universal periodic review, based on objective and reliable information, of the fulfillment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States.”² On June 18, 2007, one year after its first meeting, members of the new Council agreed to its institution-building package providing a road map guiding the future work of the Council. One of the key elements of this package was the new UPR.

The reviews are conducted by the UPR Working Group which consists of the 47 members of the Council; however any UN member State can take part in the discussion with the reviewed States. Each State review is assisted by groups of three States, known as ‘troikas,’ who serve as rapporteurs. The selection of the troikas for each State review is done through a drawing of lots prior for each Working Group session. Based on an analysis of a ‘national report’ from the State, information from civil society and other local stakeholders, and information from independent experts and UN bodies, reviews take place through an interactive discussion between the State under review and other UN member States.³

This takes place during a meeting of the UPR Working Group. During this discussion any UN member State can pose questions, comments and/or make recommendations to the States under review. The troikas may group issues or questions to be shared with the State under review to ensure that the interactive dialogue takes place in a smooth and orderly manner. The duration of the review will be three hours for each country in the Working Group.

Singapore will be reviewed at the eleventh session of the Working Group on the UPR in Geneva on May 2-13, 2011, and soon be submitting its national report. While Singapore has produced reports in the past for UN treaty-based bodies on its human

¹ G.A. Res. 60/251, U.N. Doc. A/RES/60/251 (Apr. 3, 2006), available at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N05/502/66/PDF/N0550266.pdf?OpenElement> (last visited on Oct. 15, 2010).

² *Id.* at 3.

³ See Office of the High Commissioner for Human Rights, *Basic Facts about the UPR*, available at <http://www.ohchr.org/en/hrbodies/upr/pages/BasicFacts.aspx> (last visited on Oct. 15, 2010).