Algerie

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I- Principles and parameters:

The Universal Periodic Review (UPR) must draw from the experiences of other international institutions. In that respect, the APRM (African Peer Review Mechanism) experience that was set up as part of the New Partnership for Africa's Development (NEPAD), to which States accede on a voluntary basis could be used as a reference,

The objective is to promote cooperation amongst member States in order to promote and protect Human Rights through an evaluation of the implementation of the human rights obligations agreed upon by each State.

The objective of this mechanism, therefore, is not to assume the functions of a tribunal. Rather, it must promote the recognition of the principles of universality, interdependence and indivisibility of the core values shared by the international community, taking the level of development of each country into consideration, and respecting the specificities proper to each country. This mechanism is applicable to the action of each country, in respect of human rights, both within their borders and beyond.

The UPR must avoid confrontation, politicisation, double standards policies and selectivity. It must be based upon constructive dialogue and cooperation and must go along with a plain and total commitment on the part of the State candidate for the review.

Transparency, objectivity and pragmatism must be the hallmark of the UPR operation. It must avoid imposing obligations on States, for which provisions are already made, within the framework of Treaty Bodies. It must also promote the provision of technical assistance at the request of a State that is interested in developing its capacities.

The UPR must be based upon objective, credible and reliable information;

II- The bases of the review

The UPR must examine the compliance of the implementation of State commitments, in relation to the following :

- The United Nations Charter;
- The Universal Declaration of Human Rights,
- The obligations of the States parties to the treaties and instruments to which they have acceded in all sovereignty, in respect of civil, political, economic as well as social and cultural rights;
- National constitutions when appropriate.
- Voluntary commitments made by the States expressed during the election process to the Human Rights Council. No State can be held accountable for obligations pertaining to a treaty that they have not ratified.

III- Periodicity and selection criteria

The review process must only begin once the adoption of the Universal Periodic Review Mechanism is finalised and adopted by the Human Rights Council.

The review should cover both member countries and observer countries.

The quality of the review must prevail over the pace at which the review cycle is actually completed.

The UPR must be based on an equal, just and equitable treatment of States.

The review could be conducted as follows:

- The review would be carried out every 3 to 5 years,
- The number of reviewed countries would be somewhere between 38 and 64;
- The time devoted to reviewing any one country would be 2 hours;
- The number of days, each year, necessary to conduct the UPR would be from19 to 30.

Adjustments could be made on a case-by-case basis, based upon the principle of proportionality.

IV-Modalities of the review

The review process starts with the presentation of a national self-assessment report prepared by the State concerned. It is then submitted by the relevant State to the Council, for examination, as part of the universal periodic review.

The Council will conduct the Universal Periodic Review in plenary session and will adopt conclusions. This review must be preceded by a preliminary review carried out by the regional Group to which the country concerned belongs or else by a "Group of friends of the candidate country" (as is the case with other international organisations such as WTO). Such an approach may be justified as follows :

- The time limit allocated to the country review process, within the Council;
- The fact that these countries are more familiar with the realities and specificities of the country under review;
- The opportunity given to the States concerned to review their national report, prior to submission to the UPR;
- The fact that it will help the Human Rights Council to identify the needs of the country concerned as well as guarantee the provision of appropriate technical assistance services to develop its national capacities.

The presentation of the self-assessment country report as well as its complements must constitute the actual UPR report. The periodic review must provide each State with the opportunity of providing additional written answers following the examination of their report, within the UPR framework.

To ensure transparency, the plenary must be made public and open to all. Discussions, however, are limited to members of the Council only.

V-Process

The Council could adopt a model of guidelines or a sample questionnaire to be used in the elaboration of the presentation of the self-assessment by the State concerned.

Every year, the Council draws a well-balanced list of countries that will undergo the UPR. This list will include incumbent member countries, candidate countries and observer member countries.

The time devoted to each country review will be the subject of a circular note from the Council secretariat, along with a schedule comprising the countries to be evaluated. This schedule should be forwarded well in advance, in order to enable States to prepare accordingly.

The self-assessment presentation of the country under UPR review will be circulated by the secretariat at least four week prior to the convening of the session of the Council during which it will be reviewed. All reports must be inserted into the *extranet* page of the Human Rights Council.

The State concerned will make a general declaration on the day of the review, outlining the major axes of its report;

A country member of the Council, selected among the members of the regional Group to which the country candidate belongs, could be elected to act as Rapporteur.

Discussions within the Council will be interactive.

Following the discussions, the Council will adopt conclusions in respect of the programmes supporting the action recommended to the reviewed States, at their request.

VI-Follow up

To prevent overlapping, the follow up to the conclusions should be taken care of by the country concerned, as a matter of priority, along with the treaty bodies that are most directly involved in the application of the conclusions adopted during the evaluation.

In order to turn the intended cooperative nature of the UPR system into something concrete, The African Group proposes the establishment of an *ad hoc* fund that will guarantee the provision of technical assistance services and the development of national capacities towards the implementation of the conclusions of the Council, whenever the relevant State deems it necessary.

An appraisal of the achievements as regards the implementation of the conclusions will be carried out in the course of the following evaluation that the State will undergo.