SOUTH AFRICAN HUMAN RIGHTS COMMISSION

Response to OHCHR Questionnaire regarding 3rd and 4th UPR Cycles

February 2026

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1. Please provide concrete examples of good, promising and innovative practices by your NHRI during the third and fourth UPR cycles (and their impact if possible). These could include but not be limited to:

a. Implementation of UPR recommendations (monitoring cooperation with the executive and legislative branches, cooperation with civil society)

During the fourth cycle (4th) of the UPR, 293 recommendations were issued to the South African government, of which only 269 were supported. The SAHRC monitors the implementation of the UPR recommendations noting that there are several overlaps in the recommendations. Through its advisory Section 11 meetings (which is composed of a broad range of stakeholders), the SAHRC engages with civil society and academics on issues of mutual concern, including recommendations to strengthen the human rights framework in South Africa. The SAHRC also has quarterly meetings with the Department of Justice and uses this as a platform to exchange information and receive updates. Similarly, the SAHRC has a good relationship with Parliament and have previously been called to briefings around thematic human rights issues. While these engagements are not strictly related to the UPR recommendations, the subject matter relates thereto and is used as a means of monitoring progress as well. The matrix developed by the OHCHR serves as a valuable tool to assist in tracking the recommendations.

Notwithstanding the letter addressed to the State by the UN High Commissioner for Human Rights in 2023, calling for *inter alia*, the development of an UPR implementation plan in consultation with key stakeholders (including the SAHRC), there has been very little movement on this.

b. Advocacy and awareness raising at all stages

Prior to the 4th UPR cycle, the Geneva-based NGO, 'UPR-Info', reached out to the SAHRC with a view to collaborating on initiatives in preparation for the review. The SAHRC assisted in selected initiatives which included participation in an advocacy and awareness-raising workshop around the preparation of stakeholder reports. The institution also provided advice to civil society organisations on how to participate in the UPR process. The SAHRC undertakes media campaigns and issues media releases, social media posts during the UPR process and at the adoptions level. These institutional initiatives are broadly captured as part the SAHRC's performance and is included in the Annual Report, which is tabled with Parliament, and other thematic reports which are publicly available.

c. Your role regarding Government-held consultations prior to the review

The Government shared the draft UPR report prior to submission for the SAHRC's consideration and input, where applicable. As with State reports to the treaty bodies, the SAHRC only points out material or factual inaccuracies, especially insofar as it relates to the institution or the initiatives it has undertaken.

d. Your written submissions for the summary of stakeholder information (process of drafting, structure, contents)

The SAHRC has a dedicated focal point within the institution who coordinates and prepares the drafting of the NHRI submission. This is done in consultation with other work streams within the SAHRC, including Research and Commissioner focal areas. The drafting can present a challenge at times as the word limitation restricts the amount of information which can be provided. The SAHRC therefore prioritises key issues in its submission and seeks to ensure that each Commissioner's focal area is mentioned. The draft version of the NHRI submission is circulated within the Secretariat and at Commissioners' level for consideration and input. After the necessary revisions have been incorporated, the SAHRC receives final approval from the Chairperson and submits the approved version to the OHCHR.

e. Participation in the adoptions

The SAHRC participated in the UPR adoptions process through the submission of statements and video messages for flighting before the Human Rights Council. The SAHRC also follows all the UPR proceedings live via UN WebTV.

Unfortunately, financial constraints do not permit the SAHRC's physical participation during the UPR process, however, the SAHRC engages in the process virtually/ electronically as happened in its most recent participation.

2. For the upcoming 5th cycle (2027-2032), please provide suggested innovations that could be realistically introduced regarding NHRI engagement at all stages of the cycle (for example, on national consultations with the Government and other stakeholders, standardisation of NHRI submissions, mid-term reporting, follow-up modalities and knowledge sharing).

The SAHRC recommends the following:

i. Standardised template or guidance note to assist NHRIs in the preparation and drafting of their submission.
ii. The State is to demonstrate the extent to which it engaged with the NHRI in the preparation of its UPR report.
iii. A guidance document for NHRIs regarding the mid-term reporting and recommended action the NHRI could take, if any, if the State does not submit the voluntary mid-term report.
iv. Periodic check-ins with NHRIs to enable dialogue around what worked well or didn't in a particular UPR cycle, (challenges encountered, areas for improvement etc).
v. Greater visibility of the NHRIs input and coverage thereof on the UN's social media and press releases. (This can be used as a strategic tool and reference at the domestic level).

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