

Institute for the Advancement of Justice & Human Rights

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Date: 24 August 2026

To: H.E. Mr. Sidharto Reza Suryodipuro, President of the Human Rights Council (twentieth cycle), Permanent Representative of Indonesia to the United Nations Office at Geneva

Via: geneva@mission-indonesia.org cc: ohchr-hrcouncil@un.org; ohchr-InfoDesk@un.org; and by hard copy via the Permanent Mission of Indonesia, Geneva, marked for the attention of the President of the Human Rights Council

Subject: Decision of 7 November 2025 on non-cooperation with the universal periodic review – request for information on the President's mandate

Your Excellency,

I write on behalf of the Institute for the Advancement of Justice & Human Rights, an independent non-governmental organization registered in the United States, concerning the Council's decision of 7 November 2025 on the non-cooperation of the United States of America with the universal periodic review.

By that decision the Council rescheduled the review to the fifty-third session of the Working Group and requested the President to take all appropriate steps and measures, in accordance with his mandate, to urge the State under review to resume its cooperation, and to report on the results of those efforts to the Council at its regular sessions.

Upon your election to the presidency of the Council's twentieth cycle, Your Excellency observed that the Council “must remain faithful to the core principles of universality, objectivity, and non-selectivity in the consideration of human rights.” It is in the spirit of that statement that we write. Consideration of the United States is now listed for 10 November 2026. We respectfully ask four questions, each directed to the operation of the mandate rather than to the conduct of any State.

1. What steps have been taken under the decision, and at which regular sessions has the President reported on their results? We note that Executive Order 14199 of 4 February 2025 (90 Fed. Reg. 9275) directs the termination of the office of United States Representative to the Human Rights Council and of positions primarily dedicated to supporting it, and directs notification that the United States will not fund the Council; and that a Presidential Memorandum of 7 January 2026, issued consistent with that Order, directs withdrawal from a further sixty-six international bodies. We would be grateful to understand through what channel the mandate to urge resumption of cooperation is being exercised, and whether the President considers the mandate capable of fulfilment while those instruments remain in force.
2. By what date is the national report of the United States due for the fifty-third session? The published national-report deadline of 3 August 2026 lists thirteen States and does not include the United States, and we have not been able to establish the applicable date.
3. If the State under review does not appear on 10 November 2026, will the Working Group proceed on the available record? We have not identified a prior instance in which a State's UPR review faced a second consecutive non-appearance, and the position taken will govern every comparable case that follows.
4. Will the Council consider the effect of the deferral on the information before the Working Group? Every other State reviewed at the fifty-third session had a stakeholder information window closing on 10 April 2026. The United States alone will be considered on a civil-society record closed in early

2025, approximately eighteen months before consideration, because organizations not admitted in that round have not been admitted since. We have written separately to the Office of the High Commissioner on this point.

We raise these questions because the universal periodic review rests on universality and on equal treatment of all States. Where one State's non-participation both defers its review and narrows the information available for it, the mechanism's capacity to treat States equally is engaged directly, and the precedent is available to every State that follows.

We note for completeness that Executive Order 14199 and the Memorandum of 7 January 2026 concern participation in and funding of international bodies. They do not purport to affect, and could not affect, the obligations of the United States under the treaties it has ratified, including the Convention against Torture and the International Covenant on Civil and Political Rights.

We make no request that the Council characterize the conduct of any State, and we express no view on how it should do so. We ask only that the operation of the Council's own decision be made visible, so that its effects can be understood by those who participate in the mechanism.

The Institute is an independent documentation body working to Paris Principles standards and Istanbul Protocol methodology. We would be glad to provide any further information that would assist.

We are grateful for Your Excellency's consideration.

Yours respectfully,

Cyrus Hazari

Director

Institute for the Advancement of Justice & Human Rights

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