



Suggested recommendations to States considered during the 33rd session of the Universal Periodic Review, 6 – 17 May 2019

Recommendations to States coming up for review			
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Recommendations to the government of Brunei Darussalam

THE DEATH PENALTY

Pending full abolition of the death penalty:

- Immediately establish an official moratorium on executions with a view to abolishing the death penalty as provided by seven UN General Assembly resolutions adopted since 2007, including most recently resolution 73/175 of 17 December 2018;
- Commute without delay all death sentences to terms of imprisonment;
- Immediately remove all provisions in national law which are in breach of international human rights law, in particular:
 - By restricting the imposition of the death penalty to only the most serious crimes, including by removing it for drug-related offences;
 - By abolishing all provisions which provide for mandatory death sentences;
- Ensure rigorous compliance in all death penalty cases with international standards for fair trial;
- Ratify the International Covenant on Civil and Political Rights and its Optional Protocols.

INTERNATIONAL HUMAN RIGHTS STANDARDS

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures;
- Promptly accede to the Rome Statute of the International Criminal Court, and implement it into national law;
- Promptly ratify, without making any reservation, and implement into national law, the Agreement on the Privileges and Immunities of the International Criminal Court; the 1968 Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity; and the International Convention for the Protection of All Persons from Enforced Disappearance,

recognizing in this case the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims and other states parties.

Recommendations to the government of Costa Rica

ACCESS TO ABORTION

- Decriminalize abortion in all circumstances and ensure access to safe and legal abortion services for women, girls and all people who can become pregnant, and access to quality post-abortion care by trained health care providers in all circumstances;
- Urgently adopt and implement technical guidelines to ensure access to safe and legal abortion for all pregnant individuals, in accordance with international human rights standards, including with regard to states' obligations to respect and protect the rights to life and health.

DISCRIMINATION

- Urgently adapt national legislation to recognize marriages and partnerships between same-sex couples, on the same basis and conferring the same rights, as marriages and partnerships between opposite-sex couples, as set forth in the Inter-American Court of Human Rights in advisory opinion OC-24/17;¹
- Allow individuals to change their legal name and gender, including their gender markers on official documents issued by the state, through a quick, accessible, and transparent procedure and in accordance with the individual's own sense of gender identity.

PROTECTION OF HUMAN RIGHTS DEFENDERS

- Publicly recognize the important role of all human rights defenders and ensure they are able to carry out their work in a safe and enabling environment and protected against violence and threats, with specific attention to women human rights defenders, LGBTI defenders, Indigenous defenders, and other defenders facing multiple and intersecting forms of discrimination and marginalization;
- Ensure thorough, prompt and independent investigation into all reports of human rights violations against human rights defenders, including the killing of environmental and Indigenous human rights defender Sergio Rojas in March 2019 and other attacks against the Bribri and Boran Indigenous peoples, and bring to justice those suspected of criminal responsibility for these crimes;

MIGRANTS AND REFUGEES

- Continue its efforts to receive and protect persons in need of international protection, including those fleeing the human rights crisis in Nicaragua, and guarantee their effective access to essential services such as health and education without discrimination.

Recommendations to the government of Cote d'Ivoire

RATIFICATION OF HUMAN RIGHTS TREATIES

- Promptly ratify, without making any reservation, the Convention for the Protection of All Persons from Enforced Disappearance, recognizing the competence of the Committee on Enforced Disappearances to consider communications from or on behalf of victims and other states parties to the Convention; the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Second Optional Protocol

¹ I/A Court H.R. Gender identity, and equality and non-discrimination with regard to same-sex couples. State obligations in relation to change of name, gender identity, and rights deriving from a relationship between same-sex couples (interpretation and scope of Articles 1(1), 3, 7, 11(2), 13, 17, 18 and 24, in relation to Article 1, of the American Convention on Human Rights). Advisory Opinion OC-24/17 of November 24, 2017. Series A No. 24.

to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures; the Third Optional Protocol to the Convention on the Rights of the Child on a communications procedure; the 1968 Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity; and the Agreement on the Privileges and Immunities of the International Criminal Court, as Côte d'Ivoire had accepted to do in the 2014 review.²

COOPERATION WITH INTERNATIONAL AND REGIONAL HUMAN RIGHTS BODIES

- Submit all overdue reports to the treaty bodies, including the Committee Against Torture, the Committee on Economic, Social and Cultural Rights, and the Committee on the Elimination of Racial Discrimination, as Côte d'Ivoire had accepted to do in the 2009 and 2014 reviews;³
- Develop a clear timeframe for the implementation of recommendations by the treaty bodies and other human rights bodies, including the Human Rights Committee, the Committee on the Elimination of Discrimination against Women, the African Court on Human and Peoples' Rights, the African Commission on Human and Peoples' Rights, and the Independent Expert on capacity building and technical cooperation in Côte d'Ivoire, in consultation with civil society;
- Issue a standing invitation to the UN Special Procedures, including the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Working Group on Arbitrary Detention, and the Special Rapporteur on the independence of judges and lawyers;
- Facilitate without delay the visits requested by the UN Special Rapporteur on torture, the Special Rapporteur on the situation of human rights defenders, and the Working Group on Arbitrary Detention;
- Facilitate the establishment of the Office of the High Commissioner for Human Rights in Côte d'Ivoire.

NATIONAL HUMAN RIGHTS COMMISSION

- Adopt measures to guarantee appropriate financial resources and full independence of the National Human Rights Commission, as Côte d'Ivoire had accepted to do in the 2009 and 2014 reviews.⁴

FREEDOM OF EXPRESSION

- Amend provisions in the Criminal Code and the Law on the Press which unduly restrict the right to freedom of expression, in line with international and regional human rights law;
- Revise the mandate of the National Authority of the Press, including how its members are selected, to ensure it can exercise its functions with full independence and is not used to sanction journalists and media-houses expressing dissent;
- Ensure that journalists, opposition leaders, government critics and human rights defenders are able to freely exercise their rights to freedom of expression, association and peaceful assembly without fear of reprisals, arrest, detention, sanction, intimidation or harassment.

FREEDOM OF PEACEFUL ASSEMBLY

- Amend legislation on the use of force and on assemblies, including the Criminal Code, to bring it in line with the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the ACHPR Guidelines for the Policing of Assemblies by Law Enforcement Officials

² A/HRC/27/6, recommendations 127.2-11(Chile, Czech Republic, Uruguay, Burkina Faso, Ghana, Chad, Chile, Rwanda, France, Montenegro, Slovakia, Portugal), 127.13- 14 (Portugal, Portugal, France, Tunisia, Uruguay).

³ A/HRC/27/6, recommendation 127.12 (Israel).

⁴ A/HRC/27/6, recommendations 127.45-47 (France, Ghana, Indonesia).

in Africa;

- Provide the security forces with sufficient resources and adequate equipment to police large-scale demonstrations and counter-demonstrations, and effective training in the appropriate and differentiated use of force and weapons, including anti-riot equipment;
- Carry out thorough, independent and impartial investigations into all cases where the security forces may have injured or caused death through excessive use of force and impose disciplinary and criminal sanctions, as appropriate, against all those suspected to be responsible, including all superiors.

PROTECTION OF HUMAN RIGHTS DEFENDERS

- Ensure that the protection mechanism established by the decree to implement the 2014 law on the protection of human rights defenders is able to exercise its functions with full independence and impartiality, including by clarifying its role, function and relationship with the National Human Rights Commission and providing it with sufficient resources;
- Ensure acts of violence against human rights defenders and attacks on their offices are thoroughly, independently and impartially investigated and the suspected perpetrators brought to justice in fair trials ordinary civilian courts.

TORTURE AND OTHER ILL-TREATMENT

- Define and criminalize torture in accordance with the definition in the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as Côte d'Ivoire had accepted to do in the 2014 review;⁵
- Revise the Criminal Procedure Code to bring it in line with international and regional laws and standards, including by clarifying that any statement established to have been obtained under torture or other ill-treatment cannot be invoked as evidence;
- Ensure that trials in which it has been established that statements have been extracted under torture or other ill-treatment are reviewed in order that those convicted can be re-tried in accordance with international standards of fair trial;
- Ensure that people have unfettered access to their lawyer as soon as they are deprived of their liberty;
- Ensure that all places of detention, including the National Surveillance Directorate (DST), are accessible to national and international observers, including international NGOs such as Amnesty International;
- Carry out prompt, thorough, independent and impartial investigations into all allegations of torture and other ill-treatment during detention and, whenever there is sufficient admissible evidence, prosecute all those suspected of criminal responsibility.

PRISON CONDITIONS

- Immediately end the practice of detaining people in non-official places of detention, such as the National Surveillance Directorate (DST);
- Reduce overcrowding in prisons, as Côte d'Ivoire had accepted to do in the 2009⁶ and 2014⁷ reviews, including by substituting detention with non-custodial measures and ensuring that persons do not remain in pre-trial detention beyond the prescribed time limits;
- Ensure that all persons deprived of liberty are held in humane conditions, including in line with the UN Basic Principles for the Treatment of Prisoners, the Standard Minimum Rules for the Treatment of Prisoners, and the Rules for the Treatment of Women Prisoners and Non-custodial

⁵ A/HRC/27/6, recommendations 127.15-18 (Costa Rica, France, Cabo Verde, Belgium).

⁶ A/HRC/13/9, recommendation 53 (Slovakia).

⁷ A/HRC/27/6, recommendation 127.105 (Spain).

Measures for Women Offenders, and in particular ensure that all detainees have access to sufficient food and drinkable water, adequate sanitary facilities and medical treatment, as Côte d'Ivoire had accepted to do in its 2009⁸ and 2014⁹ UPR;

- Promptly, thoroughly, independently and impartially investigate all deaths in custody and bring those suspected of responsibility for the deaths, including by negligence, to justice in a fair trial, as Côte d'Ivoire had accepted to do in the 2009 review.¹⁰

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE

- Publicly reiterate Côte d'Ivoire's commitment to respect, protect and fulfil the human rights of all people without discrimination, including on the basis of sexual orientation or gender identity;
- Amend the provisions of Article 360 of the Criminal Code and any other provision of its criminal legislation that discriminates against persons because of their sexual orientation or gender identity;
- Instruct the police and the judiciary to put an end to arbitrary arrest and detention of people held solely on the basis of their real or perceived sexual orientation or gender identity;
- Promptly, thoroughly, independently and impartially investigate all allegations of attacks, arbitrary arrest and detention of persons on the basis of their real or perceived sexual orientation or gender identity and bring anyone suspected of responsibility to justice in fair trials before ordinary civilian courts.

TOXIC WASTE

- Together with the United Nations Environment Programme and the World Health Organization, promptly hold a meeting of public health experts to analyse information on the health impacts of the Trafigura toxic waste dumping;
- Immediately commission a study to comprehensively assess any long-term impact of the Trafigura toxic waste dumping on health and make specific requests for technical and financial assistance from other governments and international organizations where necessary;
- Develop and implement a plan to monitor the health of individuals affected by the Trafigura toxic waste dumping, while ensuring regular testing for the chemicals known to be in the waste and monitoring of symptoms of exposure to those chemicals and any changes in health status and disease patterns, and making the findings widely available;
- Ensure that accessible, affordable and quality health services are available to people affected by the dumping, including access to appropriately trained health professionals and drugs and equipment needed to treat any symptoms and health conditions, and disseminate information about possible symptoms, available treatment and possible preventative actions.

FORCED EVICTIONS

- Adopt a moratorium on mass evictions until adequate legal and procedural safeguards are in place to ensure that all evictions comply with international human rights standards and forced evictions are prohibited;
- Develop comprehensive guidelines for officials in charge of carrying out evictions, based on the UN Basic Principles and Guidelines on Development-based Evictions and Displacement and other international human rights standards;
- Initiate an independent and impartial investigation into the security forces' involvement in and conduct during forced evictions;
- Immediately provide all necessary support and assistance to those who have been subjected to

⁸ A/HRC/13/9, recommendation 56 (Czech Republic).

⁹ A/HRC/27/6, recommendation, 127.106 (Thailand).

¹⁰ A/HRC/13/9, recommendation 52 (Netherlands).

forced eviction, including adequate temporary housing, water and sanitation, while ensuring effective remedy and reparations for victims.

IMPUNITY AND ADMINISTRATION OF JUSTICE

- Carry out prompt, thorough, independent and impartial investigations into all cases of human rights violations and abuses, including in the context of the 2010-2011 election violence, and bring all those suspected of being responsible to justice in fair trials, independently of their political affiliation, as Côte d'Ivoire had accepted to do in its 2014 UPR;¹¹
- Issue clear public instructions to all security forces to comply with national law and international human rights law and make clear that anyone suspected to be responsible for ordering, carrying out or failing to prevent human rights violations and abuses, especially extrajudicial execution, unlawful killings, enforced disappearances, torture or sexual violence, will be brought to justice in fair trials before ordinary civilian courts;
- Exercise strict chain-of-command control over the armed forces and hold to account any member of the armed forces for any actions which may constitute a crime under international law or a violation of human rights;
- Immediately suspend, pending trial, any person in a position of authority who is suspected of committing violations of international humanitarian and human rights law since November 2010, including those committed in the Duékoué region, so that they are not in a position to commit further abuses or to influence trial proceedings;
- Ensure that all persons arrested for endangering the security of the state and related offenses, including former President Laurent Gbagbo's relatives and aides, receive a fair trial in which their right to defence is fully respected;
- Ensure that amnesties, pardons and other similar measures of impunity do not bar the investigation and prosecution of crimes under international law or human rights violations and take steps to ensure that victims have access to truth, justice and full reparation;
- Cooperate fully with the International Criminal Court, as Côte d'Ivoire had accepted to do in its 2014 UPR, including by transferring individuals who are wanted by the Court for crimes within its jurisdiction.¹²

Recommendations to the government of Democratic People's Republic of Korea

NATIONAL HUMAN RIGHTS FRAMEWORK

- Continue to engage with UN human rights treaty bodies, and to strengthen coordination at the national level to ensure implementation of the treaties to which the DPRK is a State Party;
- Grant immediate and unrestricted access to all UN Special Procedures who request to visit the DPRK, including the Special Rapporteur on the human rights situation in the Democratic People's Republic of Korea;
- Consider establishing a National Human Rights Institution in accordance with the Paris Principles.

FREEDOM OF EXPRESSION

- Ensure that everyone in DPRK can communicate directly and regularly with family members and others, including with parents and children living in other countries, without interference unless justified in line with international human rights law and standards;

¹¹ A/HRC/27/6, recommendation 127.134-141 (Slovenia, Spain, Sweden, France, Turkey, United Kingdom of Great Britain and North Ireland, United Kingdom of Great Britain and North Ireland, United States of America).

¹² A/HRC/27/6, recommendation 127.113 (Czech Republic), 127.24 (Liechtenstein), 127.25 (Burkina Faso).

- End the surveillance of communications that is unnecessary, untargeted or without any legitimate aim, including between children and their parents;
- Allow the establishment of independent newspapers and other media and end all censorship of domestic and foreign media;
- Introduce access to the internet (i.e. the World Wide Web) in schools, libraries and other public facilities.

POLITICAL PRISON CAMPS AND ARBITRARY DETENTION

- Immediately and unconditionally release all detainees, including foreign citizens, unless they are charged with an internationally recognizable offence and given a fair trial in line with international law and standards;
- Immediately close down and disclose full information about political prison camps;
- Take immediate and effective action to stop the use of torture and other ill-treatment of detainees in political prison camps and other detention facilities.

RESTRICTIONS ON FREEDOM OF MOVEMENT

- Amend the Criminal Code and other legislation to remove the requirement for permission to travel abroad, in line with international law and standards;
- Ensure that no one is detained or prosecuted for leaving the country without permission or subjected to torture and other ill-treatment, forced labour, enforced disappearance or the death penalty, on return to the DPRK.

WORKERS' RIGHTS

- Ensure that all persons working under the management of state-owned entities, whether in the DPRK or abroad, are guaranteed and informed of their rights, including the rights to freedom of movement, and to fair wages enabling a decent living for themselves and their families;
- Ensure through legislation and practice that all workers at home or abroad enjoy just, safe and healthy working conditions, and reasonable working hours;
- Regulate and monitor the treatment of workers by their employers and provide appropriate means to examine and redress grievances brought by workers, individually or collectively, without the threat of reprisals.

CHILDREN'S RIGHTS AND RIGHT TO EDUCATION

- Amend the Act for the Protection of the Rights of the Child to cover all children under the age of 18;
- Remove barriers to access to education and promote regular attendance at schools;
- Ensure compulsory and genuinely free primary and secondary education for all children, as stipulated in Article 22 of the Act for the Protection of the Rights of the Child;
- Ensure that children are protected against all forms of exploitation and forced or hazardous labour, including by effectively preventing schools from requiring children to perform inappropriate amounts or types of physical work;
- Ensure, by incorporating into policies and legislation, that education is provided in a manner that respects the inherent dignity of children, enables them to express their views freely and to develop life skills, such as critical thinking, and to reach their potential and pursue options in life, while also respecting human rights values.

THE DEATH PENALTY

- Disclose information on the use of the death penalty, disaggregated by sex, age, nationality and race, as applicable, and other applicable criteria, including figures on all death sentences, executions, and persons under sentence of death, as well as the number of death sentences

reversed or commuted on appeal and information on any scheduled execution, and confirmation as to whether public executions have been ended in practice or law;

- Introduce an official moratorium on executions as a first step towards the abolition of the death penalty.

INTERNATIONAL HUMAN RIGHTS STANDARDS

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures;
- Accede to the Rome Statute of the International Criminal Court, and implement it into national law;
- Ratify, without making any reservation, and implement into national law, the Agreement on the Privileges and Immunities of the International Criminal Court; and the International Convention for the Protection of All Persons from Enforced Disappearance, recognizing in this case the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims and other states parties.

Recommendations to the government of Democratic Republic of Congo

FREEDOM OF ASSEMBLY

- Withdraw the *Sesanga Bill* which falls short of provisions of the DRC Constitution as well as international human rights standards, and initiate a new legal framework in compliance with the international law and standards, including the ICCPR and ACHPR, on the right to freedom of peaceful assembly;
- Pending the adoption of national legislation, enforce the right to freedom of peaceful assembly as provided for by the ICCPR, the ACHPR and other international instruments, including with regard to non-discrimination, prior notification, recognition of spontaneous assemblies and informal associations, recognition and protection of counter-protests, prohibition of criminalization of organizers of protests;
- Adopt and implement a clear legal and policy framework on policing of assemblies, including the use of force, in line with international human rights standards, including a clear obligation to attempt de-escalation, to first resort to non-violent means, and setting clear criteria for the degree of force and weapons to be used;
- Revise public order management procedures, manuals, training and practice in compliance with international human rights law and standards;
- Ensure adequate and regular training for law enforcement agencies and administrative authorities.

JUSTICE AND ACCOUNTABILITY

- Launch credible investigations into all those suspected of gross human rights violations and crimes under international law, including senior military officials, to end the cycle of impunity;
- Fully cooperate with the international team of experts on the Kasai and other independent investigative teams on the Kasai and implement their recommendations, with assistance from the OHCHR as necessary;
- Ensure the prosecution of high-ranking security officers, politicians and others suspected of serious human rights violations and crimes under international law, including sexual and gender-based violence and rape and ensure that military officers found guilty of such crimes are discharged from the army.

THE DEATH PENALTY

- Commute all death sentences to terms of imprisonment;

- Introduce in Parliament the draft Penal Code Bill without death penalty provisions as announced by the Minister of Justice in 2017;
- Abolish the death penalty for all crimes;
- Ensure that the death penalty, is not under any circumstances, imposed in violation of the guarantees provided for in Article 6 International Covenant on Civil and Political Rights;
- Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

PROTECTION OF HUMAN RIGHTS DEFENDERS

- Publicly recognize the important role of all human rights defenders, and ensure they are able to carry out their work in a safe and enabling environment and protected against threats and violence, with specific attention to women human rights defenders, LGBTI defenders, indigenous defenders, and other defenders facing multiple and intersecting forms of discrimination and marginalization;
- Adopt and implement legislation to recognize and effectively protect all human rights defenders;
- Ensure thorough, prompt and independent investigation into all reports of human rights violations against human rights defenders and bring to justice those suspected of criminal responsibility for such crimes;
- Ensure young human rights defenders and youth-led organisations engaged in the defence and promotion of human rights are recognized and protected, including by removing age-based discriminatory practices which restrict participation of young people in public decision making, as well as by providing resources for their work;
- Fully co-operate with the different UN human rights mechanisms on this topic, and in particular extend an invitation to the Special Rapporteur on the situation of human rights defenders to conduct visits without restriction on duration and scope, and ensure they are allowed to meet with HRDs without hindrance.

INTERNATIONAL HUMAN RIGHTS STANDARDS

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures;
- Ratify, without making any reservation, and implement into national law, the 1968 Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity and the International Convention for the Protection of All Persons from Enforced Disappearance, recognizing in this case the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims and other states parties.

WOMEN'S RIGHTS

- Champion women's rights including by taking concrete steps to implement the gender balance provision in the Constitution of at least 30% for women in all decision-making bodies, such as the central government, provincial governments, boards of directors of public companies and the diplomatic corps.

HUMAN RIGHTS ABUSES IN THE COBALT SUPPLY CHAIN

- Regularize unauthorized mining areas, taking into account safety and policy considerations or support artisanal miners in moving to other authorized sites or into alternative employment options;
- Provide all artisanal miners, including those in unauthorized mining areas, with safety equipment, such as boots, protective headgear and appropriate face masks;
- Remove children from artisanal mining and put in place measures to address their health, physical, educational, economic and psychological needs; Ensure that the labour inspectorate has sufficient resources and training to monitor and enforce labour laws in artisanal mining areas and to address the worst forms of child labour;

- Systematically collect, monitor and make available information on child labour complaints as well as inspections conducted, prosecutions undertaken, and penalties applied in relation to child labour violations;
- Put in place health monitoring and treatment services for artisanal miners to assess and treat occupational diseases;
- Reintegrate into the school system children whose education has been disrupted because of their involvement in artisanal mining;
- Investigate reports that officials are extorting illegal payments from artisanal miners and ensure that those suspected of having perpetrated offences are prosecuted according to international fair trial standards;
- Revise the age for compulsory education to 16 years to be equivalent to the minimum age for employment;
- Ratify ILO Convention No. 155 on Occupational Safety and Health, 1981; ILO Convention No. 176 on Safety and Health in Mines, 1995; and the African Charter on the Rights and Welfare of the Child.

Recommendations to the government of Dominica:

THE DEATH PENALTY

While welcoming Dominica's co-sponsorship and vote in favour of UN General Assembly resolution 73/175 of 17 December 2018 on a moratorium on the use of the death penalty:

- Abolish the death penalty;
- Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty.

INTERNATIONAL HUMAN RIGHTS STANDARDS

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures;
- Ratify, without making any reservation, and implement into national law, the Agreement on the Privileges and Immunities of the International Criminal Court; the 1968 Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity; and the International Convention for the Protection of All Persons from Enforced Disappearance, recognizing in this case the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims and other states parties.

Recommendations to the government of Equatorial Guinea

NATIONAL LEGISLATION

- Adopt and implement legislation which recognizes and protects the human rights of human rights defenders;
- Repeal or amend legislation that may place obstacles in the way of legitimate activities to promote and defend human rights, including with regard to the rights to freedom of expression, peaceful assembly and association;
- Immediate reform of Law 1/1999 regulating NGOs, including in line with the recommendations by NGOs, in order to facilitate their registration and enable their full and independent functioning.

PROTECTION OF HUMAN RIGHTS DEFENDERS

- Investigate all threats and attacks against human rights defenders and activists and bring to justice those suspected to be responsible;
- Adopt effective measures to prevent and punish cases of harassment and intimidation of human rights defenders;
- Widely disseminate and effectively apply the 1998 UN Declaration on Human Rights Defenders to create an environment that allows human rights defenders to work in a safe space, free from intimidation, threats, reprisals and restrictions;
- Refrain from using language that stigmatizes, abuses, disparages or discriminates against human rights defenders including by characterizing them as “criminals”, “foreign agents”, “terrorists” or “threats to security”.

THE DEATH PENALTY

- Commute all death sentences to terms of imprisonment and establish an official moratorium on executions;
- Abolish the death penalty for all crimes;
- Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

NATIONAL HUMAN RIGHTS FRAMEWORK AND RATIFICATION OF INTERNATIONAL STANDARDS

- Create an independent national human rights institution in line with the Paris Principles and which is fully independent of the government;
- Fully cooperate with the international and regional human rights mechanisms and extend a standing invitation to the Special Procedures of the Human Rights Council, including the UN Special Rapporteur on the situation of human rights defenders;
- Ratify the Protocol to the African Charter on Human and Peoples’ Rights on the Establishment of an African Court on Human and Peoples’ Rights and make the declaration under its Article 34(6) accepting the jurisdiction of the court to receive applications by individuals and non-governmental organizations;
- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures;
- Promptly accede to the Rome Statute of the International Criminal Court, and implement it into national law;
- Promptly adhere, without making any reservation, and implement into national law, the Agreement on the Privileges and Immunities of the International Criminal Court; the 1968 Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity; and the International Convention for the Protection of All Persons from Enforced Disappearance, recognizing in this case the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims and other states parties.

Recommendations to the government of Ethiopia:

FREEDOM OF PEACEFUL ASSEMBLY

- Adopt and implement clear legislation that respects, protects and promotes the right to freedom of assembly, including regulations on government management of assemblies, notification of assemblies, and conduct of assemblies;
- Put in place adequate guidelines, equipment and training of law enforcement officials on the use of force when policing public assemblies;

- Ensure independent, impartial, thorough and transparent investigations into all cases of unnecessary and excessive use of force by law enforcement officials and hold all those suspected of criminal responsibility to account in fair trials before ordinary civilian courts and without recourse to death penalty;
- Establish oversight mechanisms to supervise law enforcement conduct in the context of public assemblies.

EXTRAJUDICIAL EXECUTIONS

- Ensure independent, impartial, thorough, and transparent investigations into all cases of extrajudicial executions and hold all those suspected of criminal responsibility to account in fair trials before ordinary civilian courts and without recourse to death penalty;
- Ratify the first Optional Protocol to the International Covenant for Civil Political Rights establishing an individual complaint mechanism.

TORTURE AND OTHER ILL-TREATMENT

- Ensure independent, impartial, thorough, and transparent investigations into all allegations of torture and other ill-treatment in places of detention, such as the former Maekelawi prison, Jail Ogaden, Awash Arba Military Camp and Shewa Robit Federal Prison, and hold all those suspected of criminal responsibility to account in fair trials before ordinary civilian courts and without recourse to death penalty;
- Adopt and implement clear and precise laws to regulate interrogation methods and their procedures, duration, and location, as well as provide for accountability in the event of breaches by the police;
- Amend laws to clearly provide for investigation of allegations of torture and other ill-treatment by defendants or witnesses in trials, ensuring that the prosecution bears the burden of providing that the evidence was not procured through torture or other ill-treatment or in any other unlawful or coercive manner;
- Amend the rules so that evidence procured by torture or other ill-treatment is not admissible in a court of law;
- Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

FORCED DISPLACEMENT

- Promote, through education and public campaigns, the rights to freedom of movement and to choose any place of residence within the national boundaries of the country;
- Immediately amend laws, procedures and practices to allow people to live wherever in Ethiopia they wish to live, regardless of their ethnicity.

ARBITRARY ARREST AND DETENTION

- Revise laws and practices to ensure freedom from arbitrary detention and extended periods of pre-trial detention;
- Adopt laws to guarantee detainees' right to access to their family and lawyer, with sanctions for when this right is violated;
- Immediately and unconditionally release all people who have been detained solely for the peaceful exercise of their human rights, including the rights to freedom of expression and peaceful assembly.

FREEDOM OF EXPRESSION

- Revise provisions of the Anti-Terrorism Proclamation and the Media Proclamation to protect the rights to freedom of expression and press freedom.

HUMAN RIGHTS DEFENDERS

- Adopt and implement legislation to recognize and effectively protect all human rights defenders;
- Repeal or amend legislation that may place obstacles in the way of legitimate activities to promote and defend human rights, including the rights to freedom of expression, association and peaceful assembly;
- Ensure young human rights defenders and youth-led organisations engaged in the defence and promotion of human rights are recognized and protected, including by removing age-based discriminatory practices which restrict participation of young people in public decision-making, and by providing resources for their work;
- Fully co-operate with the UN human rights mechanisms, in particular by extending an invitation to the Special Rapporteur on the situation of human rights defenders to conduct visits without restriction on duration and scope, and ensure they are allowed to meet with HRDs without hindrance.

THE DEATH PENALTY

- Commute all death sentences to terms of imprisonment;
- Abolish the death penalty for all crimes;
- Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

NATIONAL HUMAN RIGHTS FRAMEWORK AND RATIFICATION OF INTERNATIONAL STANDARDS

- Amend the Constitution of the Federal Democratic Republic of Ethiopia to give full powers to the judiciary to decide in an impartial and independent manner on the interpretation and application of the human rights provisions in the Constitution;
- Ensure the independence, impartiality and capacity of the Ethiopian Human Rights Commission to enable it to exercise its full mandate in line with the Paris Principles;
- Extend standing invitations to the African Union and United Nations human rights mechanisms to allow regular visits to monitor the human rights situation in Ethiopia;
- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures.
- Accede to the Rome Statute of the International Criminal Court, and implement it into national law;
- Ratify, without making any reservation, and implement into national law, the Agreement on the Privileges and Immunities of the International Criminal Court; the 1968 Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity; and the International Convention for the Protection of All Persons from Enforced Disappearance, recognizing in this case the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims and other states parties.

Recommendations to the government of Nicaragua:

FREEDOM OF EXPRESSION, ASSOCIATION & PEACEFUL ASSEMBLY

- Urgently end the repression, persecution and arbitrary detention of people involved in anti-government protests and guarantee the rights to freedom of expression and peaceful assembly;
- Immediately dismantle and disarm pro-government armed groups and ensure that all security forces act in accordance with the principles of legitimate, proportionate and necessary use of force in the context of protests;
- Guarantee that human rights defenders, journalists and media workers can exercise their rights to freedom of expression, association and peaceful assembly without fear of reprisals, threats,

attacks, harassment or unjust prosecution;

- Put an end to the public discourse that stigmatizes people who are perceived as opponents of the current government simply for peacefully protesting or freely expressing their views and protect and recognize publicly the legitimate and important work of human rights defenders and journalists.

ARBITRARY DETENTIONS, TORTURE AND OTHER ILL-TREATMENT

- Ensure that the National Police refrain from carrying out acts that constitute torture or other ill-treatment against detainees, demonstrators or those perceived as opponents of the government;
- Release immediately all students, human rights defenders, journalists or other protestors detained solely on the grounds of the peaceful exercise of their rights to freedom of expression and peaceful assembly;
- Respect fair trial guarantees for detained students, human rights defenders, journalists or any other protesters, including their rights to be brought before a judge without delay and to have access to their families and lawyers of their choice.

ACCESS TO TRUTH, JUSTICE & REPARATIONS

- Initiate prompt, impartial, independent and thorough investigations into cases of extrajudicial executions, torture and other human rights violations, including those committed by pro-government armed groups, and the superior commanders who ordered or allowed them, or did nothing to prevent them;
- Ensure the effective participation of victims and their families in investigation proceedings and any subsequent reparations plans;
- Guarantee that access to justice, truth and reparation will be at the centre of any resolution to the current crisis.

FORCED DISPLACEMENT

- Guarantee the safe and voluntary return of all those who have been forced to leave Nicaragua as a result of state repression and persecution.

RECOGNITION AND PROTECTION OF HUMAN RIGHTS DEFENDERS

- Publicly recognize the important role of human rights defenders and ensure they are able to carry out their work in a safe and enabling environment, with specific attention to women human rights defenders, LGBTI defenders, Indigenous defenders, and other defenders facing intersecting forms of discrimination and marginalization, and ensure their effective protection against gender-specific or other threats and violence;
- Repeal or amend legislation that may place obstacles to legitimate activities to promote and defend human rights, including the rights to freedom of expression, association and peaceful assembly;
- Refrain from misusing legislation and administrative measures to close down, raid or silence civil society organizations;
- Fully co-operate with the UN human rights mechanisms, in particular by extending an invitation to the Special Rapporteur on the situation of human rights defenders to conduct visits without restriction on duration and scope, and ensure they are allowed to meet with human rights defenders without hindrance.

COOPERATION WITH INTERNATIONAL HUMAN RIGHTS MECHANISMS

- Promptly comply with the recommendations issued by the Inter-American Commission on Human Rights (IACHR), the Interdisciplinary Group of Independent Experts, and the Office of the United Nations High Commissioner for Human Rights, including to promptly initiate investigations of crimes against humanity that have taken place in the context of the crisis;
- Ensure appropriate conditions for the IACHR Follow-up Mechanism on the Situation of

Nicaragua (MESENI) to carry out its work without undue interference;

- Allow international and regional human rights bodies and mechanisms access to the country to monitor and document the human rights situation without restrictions on duration or scope and ensure they are allowed to meet with victims and human rights defenders without hindrance, and fully co-operate with their respective mandates.

INTERNATIONAL HUMAN RIGHTS STANDARDS

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures;
- Promptly accede to the Rome Statute of the International Criminal Court, and implement it into national law;
- Promptly adhere, without making any reservation, and implement into national law, the Agreement on the Privileges and Immunities of the International Criminal Court and the International Convention for the Protection of All Persons from Enforced Disappearance, recognizing in this case the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims and other states parties.

Recommendations to the government of Norway:

ASYLUM-SEEKERS

- Put in place stronger safeguards to ensure that asylum-seekers are not returned to countries where they may be at risk of torture or other ill-treatment;
- Not return asylum seekers to so-called “safe third countries”, if these countries do not have a functioning asylum system that handle applications in accordance with international standards and have legislation that prohibits *refoulement*;
- Not return applicants to internal flight in their country of origin without a thorough assessment in accordance with UNHCR Guidelines, including a ‘reasonableness analysis’.

VIOLENCE AGAINST WOMEN

- Adopt a legal definition of rape in the Penal Code which places the absence of consent at its centre;
- Train judges, prosecutors and lawyers about gender-based violence, including rape and other sexual violence;
- Strengthen the investigative capacity of police and prosecutors in relation to all forms of gender-based violence.

SOLITARY CONFINEMENT IN POLICE AND PRE-TRIAL DETENTION

- Introduce individual assessment of the need for solitary confinement as an absolute requirement in all cases;
- Amend the legal framework to ensure that solitary confinement is only used when it is, “strictly necessary” and only “in exceptional circumstances” and when it is “essential for the administration of justice”.

INTERNATIONAL HUMAN RIGHTS STANDARDS

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures;
- Promptly adhere, without making any reservation, and implement into national law, the International Convention for the Protection of All Persons from Enforced Disappearance, signed on 21 December 2007, and recognize the competence of the Committee on Enforced

Disappearances to receive and consider communications from or on behalf of victims and other states parties.

Recommendations to the government of Portugal

RIGHT TO ADEQUATE HOUSING AND PROHIBITION OF FORCED EVICTIONS

- Ensure that the National Housing Framework Bill¹³ before parliament complies with international and regional human rights law and standards on the right to adequate housing and establishes adequate monitoring and accountability mechanisms in line with international standards;¹⁴
- Prohibit forced evictions in law and practice and ensure that evictions are only carried out as a measure of last resort, after all alternatives to evictions have been considered in consultation with those affected, and only when all safeguards against forced evictions have been complied with in line with international and regional law and standards;¹⁵
- Undertake a genuine consultation with the residents of *Bairro 6 de Maio*, in the municipality of Amadora, to prevent their forcible eviction,¹⁶ and ensure adequate alternative housing in line with international and regional law and standards to those who cannot provide for themselves, leaving no individual homeless or vulnerable to the violation of other human rights;
- Allocate adequate financial resources to guarantee the right to adequate housing, including by increasing the availability of affordable housing to meet current needs;
- Make available adequate resources to improve housing conditions, in line with international standards on adequacy of housing, for the 25,762 families identified in the First National Survey on Rehousing Need as living in sub-standard housing conditions.¹⁷

TORTURE AND OTHER ILL-TREATMENT AND EXCESSIVE USE OF FORCE BY POLICE

- Establish without delay an independent external oversight mechanism to investigate misconduct by law enforcement officials, including torture and other ill-treatment and excessive use of force;¹⁸

¹³ Draft bills No. 843/XIII, available at:

<<https://www.parlamento.pt/ActividadeParlamentar/Paginas/DetalheIniciativa.aspx?BID=42502>>, No. 1023/XIII, available at: <<https://www.parlamento.pt/ActividadeParlamentar/Paginas/DetalheIniciativa.aspx?BID=43114>>, and No. 1057/XIII, available at: <<https://www.parlamento.pt/ActividadeParlamentar/Paginas/DetalheIniciativa.aspx?BID=43242>>

¹⁴ Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context – Mission to Portugal, February 28, 2017, A/HRC/34/51/Add.2, Para. 86.(a), available at: <<https://undocs.org/A/HRC/34/51/Add.2>>

¹⁵ ECRI, Report on Portugal (fifth monitoring cycle), published on October 2, 2018, CRI(2018)35, Para. 82 and 83, available at: <<https://rm.coe.int/fifth-report-on-portugal/16808de7da>>, and UN Committee on Economic, Social and Cultural Rights, General Comment No. 7: The right to adequate housing (Art.11.1): forced evictions, May 20, 1997 (E/1998/22), available at: <https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fGEC%2f6430&Lang=en>.

¹⁶ A/HRC/34/51/Add.2, Para. 43, and CRI(2018)35, Para. 58.

¹⁷ IHRU, “National survey on rehousing needs”, February 2018, available at: <https://www.portaldahabitacao.pt/opencms/export/sites/portal/pt/portal/habitacao/levantamento_necessidades_habitacionais/Relatorio_Final_Necessidades_Realojamento.pdf>

¹⁸ As long been advocated by Amnesty International: <https://www.amnistia.pt/amnistia-internacional-portugal-reitera-portugal-deve-maior-urgencia-observar-cumprir-as-obrigacoes-legais-direitos-humanos-comprometeu/> and <https://www.amnistia.pt/amnistia-internacional-portugal-leva-3-pedidos-a-reuniao-com-ministra-da-administracao-interna/>. Also recommended by the Council of Europe Committee for the Prevention of Torture (CPT), Report on Portugal, published on February 2018, Para. 21, available at: <<https://www.coe.int/bs/web/cpt/portugal?desktop=true>>; and ECRI, Report on Portugal (fifth monitoring cycle),

- Ensure that all activities by law enforcement agencies are carried out in a non-discriminatory manner;¹⁹
- Ensure effective training of law enforcement officials to prevent torture and other ill-treatment;²⁰
- Establish adequate supervision, including increased use of cameras, in police stations, police vehicles and on police uniforms, in line with international and regional human rights law and standards.²¹

DETENTION AND PRISON CONDITIONS

- Take measures to prevent overcrowding and ensure full implementation of the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules);²²
- Ensure immediate, thorough, impartial and effective investigation of allegations by prisoners of human rights violations, including ill-treatment by prison officers and violence by other prisoners;²³
- Ensure that the National Preventive Mechanism under the Optional Protocol to the Convention Against Torture is adequately resourced to carry out its mandate.²⁴

DISCRIMINATION, RACISM AND XENOPHOBIA

- Increase measures to combat discrimination and social exclusion and segregation of Roma, people of African descent, migrants, refugees, LGBTI people and other minority and marginalized individuals and groups,²⁵ and provide support and information to victims to defend their rights and encourage reporting of discriminatory treatment;²⁶
- Make resources and mechanisms available to encourage dialogue between communities, law-enforcement officials and the judiciary as a measure to improve and promote trust, as suggested by CERD;²⁷

published on October 2, 2018 (CRI(2018)35), available at: <<https://rm.coe.int/fifth-report-on-portugal/16808de7da>>, Para. 53 to 64

¹⁹ Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, April 20, 2015, A/HRC/29/46, Para. 19 and 66, available at: <<https://undocs.org/A/HRC/29/46>>; CRI(2018)35), Para. 12 and 19; and Council of Europe Committee for the Prevention of Torture (CPT), Report on Portugal, published on February 2018, available at: <<https://www.coe.int/bs/web/cpt/portugal?desktop=true>>, Para. 10

²⁰ CPT, Report on Portugal, Para. 12; Human Rights Council, A/HRC/29/46, Para. 56 and 71; CRI(2018)35, Para. 67; and Committee on the Elimination of Racial Discrimination, Concluding observations on the fifteenth and sixteenth periodic reports of Portugal, January 31, 2017 (CERD/C/PRT/CO/15-17), Para. 18 to 19, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/021/40/PDF/G1702140.pdf?OpenElement>.

²¹ A/HRC/29/46, Para. 56 and 71; CRI(2018)35, Para 65; and CERD/C/PRT/CO/15-17, Para. 18 to 19.

²² Council of Europe Committee for the Prevention of Torture, Report on Portugal, published on February 2018, available at: <<https://www.coe.int/bs/web/cpt/portugal?desktop=true>>, Para. 34, and General Directorate of Reintegration and Prison Services (DGRSP), Prison population, by type of establishment, according to the penal situation on March 1 and 15, 2019, available at: <<https://dgrsp.justica.gov.pt/Portals/16/Est%C3%A1ticas/Área%20Prisional/Quinzenais/2019/1q03-2019-sitpen.pdf?ver=2019-03-18-125248-950>>

²³ Council of Europe Committee for the Prevention of Torture (CPT), Report on Portugal, Para. 38-40, 42, 44, 67, 69 and 77.

²⁴ Committee on Enforced Disappearances, Concluding observations on the report submitted by Portugal under article 29 (1) of the Convention, November 19, 2018 (CED/C/PRT/CO/1), Para. 10 and 11, available at: <https://tbinternet.ohchr.org/Treaties/CED/Shared%20Documents/PRT/CED_C_PRT_CO_1_33065_E.pdf>

²⁵ CRI(2018)35, Para. 91, 93, 101 and 107; and CERD/C/PRT/CO/15-17, Para. 20 to 25.

²⁶ CRI(2018)35, Para. 15 and 41; and CERD/C/PRT/CO/15-17, Para. 12 and 13.

²⁷ CERD/C/PRT/CO/15-17, Para. 13.

- Strengthen the training provided to public officials on the prevention of discrimination, racism and xenophobia;²⁸
- Ensure broader policy measures are undertaken to tackle the root causes of intolerance, including by promoting intercultural dialogue, education on diversity and pluralism, and empowerment of minorities to exercise their right to freedom of expression.

MIGRANTS, ASYLUM SEEKERS AND REFUGEES

- Increase the number of places for refugees and asylum-seekers who can be resettled or relocated to Portugal under resettlement, alternative pathways and other relevant programmes;
- Make available a well-resourced and funded integration package to refugees;
- Ensure timely processing of asylum applications and reduce waiting time for asylum-seekers;
- Ensure that relevant integration indicators are adequately and regularly monitored in consultation with stakeholders with a view to implementing any adjustments promptly to strengthen the quality of integration.²⁹

GENDER-BASED VIOLENCE

- Take all appropriate measures to address gender-based violence in law, policy and practice, including through prompt, thorough and impartial investigation into all allegations of gender-based violence and prosecution of suspected perpetrators in fair trials, and reparations to survivors;³⁰
- Ensure that the draft laws before parliament, aimed at amending the Criminal Code in relation to sexual crimes,³¹ clearly define rape based on the absence of consent, in compliance with Istanbul Convention;³²
- Criminalize all forms of sexual violence, in line with international and regional human rights law and standards including the Istanbul Convention, including by ensuring that any form of sexual harassment, defined as unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, is subject to criminal or other legal sanction as per art.40 of the Istanbul Convention;³³
- Ensure that the Criminal Code includes a range of aggravating circumstances for all forms of violence covered by the Istanbul Convention, as per Article 46 of the Convention;
- Ensure that policy-making in the field of gender-based violence is victim-centred and that adequate protection of the rights and interests of survivors of violent crimes is guaranteed;³⁴
- Ensure specialized support for survivors and child witnesses in the run-up to, during and following

²⁸ A/HRC/29/46, Para. 56 and 71.

²⁹ According to the 2017 High Commission for Migration's (ACM) Evaluation Report of the Portuguese Reception Policy for Relocated Refugees, a total of 1,520 persons had been hosted, 51% of whom subsequently left the country – see Evaluation Report, ACM, December, 2017, pages 27-28, available at: https://www.acm.gov.pt/documents/10181/27754/Relatorio_Acolhimento+Pessoas+Refugiadas_Dez.2017.pdf/d21546b3-7588-483d-92a3-fa8185d61b5b

³⁰ GREVIO – Group of Experts on Action against Violence against Women and Domestic Violence, Evaluation Report – Portugal, published on January 21, 2019 (GREVIO/Inf(2018)16), Para. 188, 191 and 200, available at: <https://rm.coe.int/grevio-reprt-on-portugal/168091f16f>

³¹ Draft bills No. 1047/XIII/4, available at: <https://www.parlamento.pt/ActividadeParlamentar/Paginas/DetalleIniciativa.aspx?BID=43200>, and No. 1058/XIII, available at: <https://www.parlamento.pt/ActividadeParlamentar/Paginas/DetalleIniciativa.aspx?BID=43243>

³² GREVIO/Inf(2018)16), Para. 173, 175.a.

³³ GREVIO/Inf(2018)16), Para. 173 to 175.

³⁴ GREVIO/Inf(2018)16), Para. 119, 122, 123, 126, 129, 136, 137, 144 and 148.

investigations and criminal proceedings;³⁵

- Make available and ensure correct implementation of restraining and protective orders;³⁶
- Ensure adequate training to all law-enforcement and healthcare professionals and judges dealing with survivors of gender-based violence or with perpetrators;³⁷
- To address the low conviction rates in cases of violence against women, ensure a more focused and outcome-based approach to perpetrators' accountability;³⁸
- Continue to promote awareness-raising campaigns to inform all survivors of gender-based violence of their rights, especially with regard to lodging complaints and actions to bring perpetrators to justice.

Recommendations to the government of Qatar

VIOLATIONS OF THE RIGHT TO FREEDOM OF EXPRESSION

- Remove provisions in the Law on Combating Cybercrime and the Penal Code criminalizing the peaceful exercise of the right to freedom of expression.

EXPLOITATION OF MIGRANT WORKERS, INCLUDING FORCED LABOUR AND HUMAN TRAFFICKING

- Ratify the remaining ILO Core Conventions No. 87, 98, and 100, and ILO Convention No. 189 on Domestic Workers;
- Fundamentally change the *kafala* sponsorship system to reduce the risk of migrant workers being subjected to forced labour, including by removing the requirement for migrant workers to obtain the permission of their current employer before moving to a new job;
- Decriminalise "absconding", i.e. the act of leaving a job without the employer's permission;
- Completely abolish the exit permit requirement, including by removing the need for domestic workers, and others excluded from the Labour Law, to obtain the permission of their employer before leaving the country;
- Reform the Labour Law to respect the right of migrant workers to freedom of association, including the right to form or join trade unions in line with the Covenant on Civil and Political right, the Covenant on Economic, Social and Cultural Rights, and ILO Convention No. 87;
- Expedite the creation of a special fund to cover the unpaid wages of migrant workers and establish a permanent cross-departmental crisis function to deal with companies in financial difficulties;
- Bring the law on domestic workers in line with international standards, including ILO Convention 189 on domestic workers, by regulating working hours, overtime compensation, periods of daily and weekly rest, paid annual leave, and sick leave, in addition to imposing inspections of both recruitment agencies and employers;
- Strengthen the inspections regime to bring it in line with ILO Convention 81;
- Urgently review and increase the current minimum wage to enable all workers to enjoy an adequate and decent standard of living.

DISCRIMINATION AND VIOLENCE AGAINST WOMEN

- Repeal or reform laws that discriminate against women and girls to ensure that all legislation and policies, including the family law, laws and procedures relating to the authority of guardians

³⁵ GREVIO/Inf(2018)16, Para. 119, 122, 123, 126, 129, 136, 137, 144 and 148.

³⁶ GREVIO/Inf(2018)16), Para. 219 and 220.

³⁷ GREVIO/Inf(2018)16), Para. 92 to 99.

³⁸ GREVIO/Inf(2018)16), Para. 193 to 195.

over women, inheritance, nationality, and housing, fully conform to international human rights law and standards;

- Lift the reservations to the Convention on the Elimination of All Forms of Discrimination against Women or amend them in such a way that they are compatible with the object and purpose of the Convention;
- Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;
- Remove discrimination against Qatari women in citizenship laws, including to allow them to automatically pass on their nationality;
- Criminalize domestic violence, including by ensuring that the definition includes all persons living in the same residence not only relatives, thereby protecting domestic workers;
- Develop a strategy to ensure that domestic workers can complain of violence, including sexual and other abuse, without fear or harassment, and that suspects are prosecuted where there is sufficient admissible evidence.

THE DEATH PENALTY

- Commute all death sentences with a view to abolishing the death penalty for all crimes;
- Establish an official moratorium on executions;
- Ensure that the death penalty is not under any circumstances imposed in violation of the guarantees provided for in Article 6 International Covenant on Civil and Political Rights;
- Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

REFUGEE PROTECTION

- Accede to the 1951 Refugee Convention and bring national legislation fully in line with international refugee law and standards.

TREATY RESERVATIONS

- Lift the reservations lodged on acceding to the International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights, and bring national legislation fully in line with both Covenants.

RATIFICATION OF INTERNATIONAL STANDARDS

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures.
- Accede to the Rome Statute of the International Criminal Court and implement it into national law;
- Ratify, without making any reservation, and implement into national law, the Agreement on the Privileges and Immunities of the International Criminal Court; the 1968 Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity; and the International Convention for the Protection of All Persons from Enforced Disappearance, recognizing in this case the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims and other states parties.