



Suggested recommendations to States considered during the 28th session of the Universal Periodic Review, 6-17 November 2017

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Recommendations to the government of Argentina

FOLLOW UP TO THE PREVIOUS REVIEW

- Implement without delay the law establishing the National Preventive Mechanism, as required under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

MIGRANTS AND REFUGEES

- Ensure access to fundamental human rights for all people, including foreign nationals residing in Argentina, regardless of their immigration status;
- Ensure entry into Argentina of migrants on the basis of non-discrimination as to their origin or nationality;
- Ensure due process and effective access to justice and remedies for migrants and refugees;
- Ensure that the use of detention or alternatives to detention that restrict the liberty of migrants is based in law and necessary and proportionate in all situations;
- Abolish the Necessity and Urgency Decree N° 70/2017 and revert to the Law on Migration N° 25.871, as promulgated in 2004, and ensure that any future changes to the migratory legal framework are made through a transparent debate in the Congress;
- Develop a program of local integration of refugees.

SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS

- Ensure that all regions adopt necessary policies and protocols and allocate adequate resources to ensure that access to legal abortion is available on equal terms in all regions across the country;
- Ensure that all methods of abortion are available through the public health system;
- Adopt a policy on documentation and counselling for abortion services throughout the country and compile disaggregated data on its implementation;

- Ensure that women, girls and health workers are not subject to criminal sanctions for seeking, providing or obtaining an abortion under any circumstances, and that all women and girls have access to quality post abortion care, regardless of the legality of the abortion;
- Initiate a serious and informed debate in Congress on the decriminalization of abortion, in line with international law and standards;
- Ensure the implementation of the Law of Comprehensive Sexual Education throughout the country, and monitor its implementation in all provinces;
- Ensure comprehensive youth-friendly health services are available throughout the country, including sexual and reproductive health services and information, legal abortion, and STI/HIV counselling, testing and treatment, which respect patient privacy and confidentiality, and informed consent in accordance with “evolving capacities” of young people.

VIOLENCE AGAINST WOMEN

- Ensure the effective implementation of the National Plan of Action for Prevention, Assistance and Eradication of Violence against Women 2017-2019, established by Law N° 26.485;
- Establish a register of cases of violence against women with disaggregated data to enable better and more effectively designed public policies;
- Prioritize the role of the National Council of Women and ensure it has political support and links to relevant state agencies, and taking an integrated approach to violence against woman, with sufficient human, financial and institutional resources.

INDIGENOUS PEOPLES

- Ensure that Emergency Act N° 26.160 is extended and fully implemented in order to prevent the eviction or removal of Indigenous Peoples from their traditional lands without their consent;
- Advance the recognition of Indigenous Peoples’ legal property, through legislation developed and agreed with Indigenous Peoples, and develop a comprehensive policy and legal framework of consultation and free, prior and informed consent;
- Respect the right of Indigenous Peoples to consultation and free, prior and informed consent before proceeding with legal and administrative measures that may affect their rights;
- Investigate reports of harassment and criminalization of Indigenous Peoples, ensure due process and fair trial in criminal cases, and that anti-terrorism laws are not used to criminalize legitimate claims by Indigenous Peoples.

HUMAN RIGHTS DEFENDERS

- Refrain from using language that stigmatizes, abuses or discriminates against human rights defenders, for example by characterizing them as “criminals, foreign agents, terrorists, threats to national security, or morally corrupt”;
- 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;
- Recognize the important work of women human rights defenders and LGBTI defenders and ensure their effective protection against gender-specific threats and violence due to their work or their real or perceived gender identity.

FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

- Ensure the rights to freedom of expression, association and peaceful assembly, preventing regressive regulations that disproportionately limit or restrict those rights;
- Combat stereotypes that stigmatize community leaders;

- Develop and make public the rules about the use of force by officers while policing demonstrations, in line with the UN Code of Conduct for Law Enforcement Officials, the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, and the UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions;
- Release community leader Milagro Sala, as called for in Opinion 31/2016 of the UN Working Group on Arbitrary Detention.

IMPUNITY FOR PAST CRIMES

- Intensify efforts to bring to justice, without further delay, all those suspected of criminal responsibility for crimes under international law and human rights violations during the military regime, including private actors, such as the owners and staff of relevant companies;
- Protect the safety and physical integrity of witnesses and defendants in the proceedings, ensuring full and effective implementation of protection measures.

ACCESS TO INFORMATION

- Ensure the full implementation of the Access to Public Information Law in all the three branches of the state.

ENFORCED DISAPPEARANCE

- Urgently adopt all necessary measures to find Santiago Maldonado, who was forcibly disappeared in August 2017.

NATIONAL HUMAN RIGHTS BODIES

- Designate a new Ombudsperson to allow the body to carry out its mandate fully and effectively.

INSTITUTIONAL FRAMEWORK FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

- Opt in to the inquiry and inter-state procedures of the Optional Protocol to the International Covenant of Economic, Social and Cultural Rights.

Recommendations to the government of Benin

NATIONAL HUMAN RIGHTS COMMISSION

- Ensure that the National Human Rights Commission is operating in line with the Paris Principles, particularly in terms of its financial independence and with sufficient human and material resources to enable it to exercise its mandate effectively.

THE DEATH PENALTY

- Review and amend all relevant laws in order to remove all provisions pertaining to the death for all crimes;
- Commute the death sentences of the 14 men who remain on death row, even though the death penalty was abolished by a Constitutional Court judgments in 2016

TORTURE AND OTHER ILL-TREATMENT

- Enact and enforce legislation to criminalize torture;
- Establish a national preventive mechanism, as required by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment, and as recommended in its 2008 review;

FREEDOM OF EXPRESSION AND HUMAN RIGHTS DEFENDERS

- Repeal legislation that unduly restricts the right to freedom of expression, including provisions of the Information and Communication Code that criminalize defamation, offence or insult to the Head of State;

- Take measures to protect journalists, human rights defenders and political activists from arbitrary arrest, including through adopting a law to protect human rights defenders.

PEACEFUL ASSEMBLY AND USE OF FORCE

- Take steps to protect the right to peaceful assembly, including by actively facilitating the holding of demonstrations;
- Commit to reviewing the legal framework in order to remove all undue restrictions on the right to peaceful assembly;
- Take measures to prevent excessive and arbitrary use of force by the security forces, particularly during demonstrations;
- Amend the legal framework on the use of force to bringing it into line with international law and standards;
- Allocate sufficient resources and provide adequate training to the security forces, particularly with regard to human rights;
- Ensure independent investigations into all reports of excessive or arbitrary use of force and to bring those suspected of criminal responsibility to justice in fair trials.

PRISON CONDITIONS

- Develop a strategy to reduce the prison population, including by replacing detention with other measures, such as non-custodial sentences for minors or pre-trial bail;
- Ensure that prison conditions are compliant with international standards, in particular the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) and the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, (the Bangkok Rules);
- Ensure that detainees receive sufficient food and water, and have access to adequate health care facilities and receive appropriate care.

THE DEATH PENALTY

- Commute the death sentences of the 14 inmates who remain on death row, despite the fact that the death penalty was abolished by a Constitutional Court judgment in 2016.

RATIFICATION OF INTERNATIONAL HUMAN RIGHTS TREATIES

- Ratify the Optional Protocol to the International Covenant of Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures;
- Promptly ratify the International Convention for the Protection of All Persons from Enforced Disappearance, signed on 19 March 2010, fully implement it into national law and recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties;
- Accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity without making any reservation, and implement it into national law.

Recommendations to the government of Czech Republic

THE NATIONAL HUMAN RIGHTS FRAMEWORK:

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures.

DISCRIMINATION OF ROMANI CHILDREN IN ACCESS TO EDUCATION:

- Monitor the impact of reforms aiming at inclusion of Romani pupils in mainstream schools and, where necessary, implement appropriate changes;

- Oblige the local authorities to review the current school catchment areas to assess whether they facilitate ethnic segregation of, and in, schools and, if they do, implement appropriate changes;
- Adopt a working definition of discrimination, in line with the grounds identified in national and international law including ethnicity, and segregation at schools;
- Ensure that any discriminatory treatment of pupils by teachers, other school staff or staff at the diagnostic centres is properly investigated and addressed;
- Ensure that the Revision centre (*Revizní pracoviště*), established at the National Institute for Education on 1 September 2016 and mandated to revise the decisions of pedagogical counselling centres, is adequately funded and provided with the necessary human resources.

REGARDING HATE CRIMES:

- Ensure that any crimes against individuals and communities are effectively and promptly investigated and address any alleged discriminatory motive behind these crimes;
- Condemn hate crimes when they occur and make clear they will not be tolerated;
- Ensure that the police protect communities and groups at risk of, or threatened with, violence and ensure that Roma people can exercise all of their human rights free from intimidation and discrimination;
- Collect data on hate crimes, including reporting, investigation, prosecution and sentencing, and ensure that such data are disaggregated by protected ground, made publicly accessible and regularly reviewed to assist the development of policies to combat hate crimes;
- Ensure that victims of hate crimes are treated in an impartial, respectful and professional manner, that they are provided with thorough and prompt information regarding the status of their case, and that they are able to be heard in legal proceedings, including the investigation phase, and provided with necessary legal or psychological support.

REFUGEES AND MIGRANTS:

- Provide asylum-seekers with immediate access to prompt and effective individual asylum procedures and adequate reception conditions;
- Comply with the principle of *non-refoulement*.

Recommendations to the government of Ghana

THE DEATH PENALTY

- Abolish the death penalty for all crimes;
- Pending full abolition of the death penalty:
 - Commute the death sentences of all death row prisoners to terms of imprisonment;
 - Establish an official moratorium on executions;
 - Review the cases of all death row prisoners to identify any potential miscarriages of justice;
 - Provide all death row prisoners, regardless of means, with adequate and effective legal aid to pursue any appeals against their conviction and death sentence;
- Ratify, without reservations, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

PRISON CONDITIONS

- Establish a National Preventive Mechanism, in line with the requirements in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which Ghana ratified in September 2016;

- Continue efforts to reduce overcrowding in the prison system and detention centres, including by adopting and implementing legislation in line with the UN Standard Minimum Rules for the Treatment of Prisoners.

DISCRIMINATION AND VIOLENCE AGAINST WOMEN AND CHILDREN

- Continue efforts to ensure the full implementation of the 2007 Domestic Violence Act;
- Accelerate the adoption and implementation of laws prohibiting harmful practices against women and girls, including *trokosi*¹ and female genital mutilation, and to ensure equality between women and men.

HUMAN RIGHTS DEFENDERS

- Publicly recognize human rights defenders, including women human rights defenders and human rights defenders who face particular risks and threat, such as those working on LGBTI rights, and ensure support for them to carry out their human rights work;
- Adopt and implement legislation to recognize and effectively protect all human rights defenders.

LGBTI RIGHTS

- Uphold the fundamental principles of equality and non-discrimination as set out in the Constitution of Ghana, including through enacting specific non-discrimination protections for LGBTI people;
- Repeal Section 104(1)(b) of the Criminal Code, which criminalises “unnatural carnal knowledge [...] of any person of sixteen years or older with his consent”, as also recommended during the previous review of Ghana;²
- Enact legislation to ensure protection from rape and sexual assault for all regardless of sex, gender, sexual orientation or gender identity, and bring to justice those suspected of criminal responsibility for such crimes.

HUMAN RIGHTS IN THE EXTRACTIVE SECTOR

- Ensure the protection of human rights in the operating protocols of state security forces so that they are compatible with international standards on the use of force, particularly in responding to cases of illegal logging, mining or social conflicts between investors and local communities;
- Include human rights guarantees in the Mining Bill, the Petroleum (Exploration, Development and Production) Bill, the Energy Bill as well as the related policies and regulations;
- Ensure the adequate regulation of extractives companies, including in relation to human, social and environmental impacts;
- Legally require companies to undertake human rights due diligence in line with international standards;
- Urgently strengthen environmental safeguards in applicable legislation to ensure that people are protected against pollution of water, air and soil by extractive industries.

FORCED EVICTION

- Introduce legislation that explicitly prohibits forced evictions and develop and issue guidelines to ensure that evictions are carried out in compliance with international human rights standards, including the UN Basic Principles and Guidelines on Development-Based Evictions and Displacement;
- 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;

¹ The practice of sending girls as slaves to shrines to serve the priests.

² Report of the Working Group on the Universal Periodic Review, Ghana, A/HRC/22/6, recommendations 126.16 (France), 126.17 (Slovenia), 126.18 (Czech Republic), 126.22 (Spain).

- Develop a national housing policy to protect and fulfil the right to adequate housing for all;
- Provide effective remedies for persons who have been the victims of forced eviction, including adequate alternative housing and compensation for any loss or damage to property;
- Include adequate safeguards against forced evictions and improve the resettlement provisions in the Land Law (Amendment) Bill.

HUMAN RIGHTS EDUCATION

- Strengthen the provision of human rights education for in-service police officials and include relevant human rights education materials in the training curriculum of cadets.

RATIFICATION OF INTERNATIONAL HUMAN RIGHTS TREATIES

- Ratify the Optional Protocol to the International Covenant of Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures;
- Promptly ratify the International Convention for the Protection of All Persons from Enforced Disappearance, signed on 6 February 2007, fully implement it into national law and recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties.

Recommendations to the government of Guatemala

IMPUNITY FOR PAST CRIMES

- Ensure prompt, independent, impartial and effective investigations and, if there is sufficient admissible evidence, prosecutions into all allegations of crimes under international law and human rights violations or abuses committed during the internal armed conflict and bring those suspected of criminal responsibility to justice in fair trials without recourse to death penalty;
- Adopt all necessary measures to overcome structural obstacles that hamper the investigations and trials;
- Approve the establishment of a National Commission for the Search for Victims of Enforced and Other Forms of Disappearance, and ensure it has adequate resources to carry out its work effectively;
- Ratify, without making any reservation, the International Convention for the Protection of All Persons from Enforced Disappearance, signed on 6 February 2007, fully implement it into national law and recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties;
- Accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity without making any reservation, and implement it into national law.

INDEPENDENCE OF THE JUDICIARY

- Adopt all necessary measures to consolidate recent efforts in the fight against impunity, including legislative, institutional and structural measures to strengthen the effectiveness and independence of the justice system.

GENDER-BASED VIOLENCE

- Implement effective and co-ordinated measures to prevent gender-based discrimination and violence, especially against young women and girls and LGBTI persons;
- Strengthen efforts to carry out prompt, impartial and effective investigations into all cases of gender-based violence and to bring those suspected of criminal responsibility to justice in fair trials;
- Ensure survivors of violence can access justice and remedies in a timely manner including medical care and support services;

- Adopt effective measures to address the high levels of pregnancies among girls and adolescents, and ensure all women and girls have effective access to sexual and reproductive health services and education programs, including abortion, without fear of discrimination or criminalization.

HUMAN RIGHTS DEFENDERS

- Recognize publicly the legitimacy of the work of human rights defenders and ensure their effective protection through comprehensive strategies;
- Immediately end the misuse of the justice system to intimidate, harass and discredit human rights defenders, and initiate prompt, thorough and impartial disciplinary and criminal investigations against those suspected of misusing the justice system to criminalize human rights defenders;
- Initiate timely, independent, impartial and effective investigations into threats and attacks against human rights defenders and bring those suspected of criminal responsibility to justice in fair trials;
- Develop and implement public policies to protect defenders in line with the binding decisions rendered by the Inter-American Court of Human Rights;³
- Address structural causes of social conflicts related to the exploration and exploitation of natural resources, on the basis of respect for the human rights of Indigenous Peoples and Afro-descendants, including their rights to territory, a healthy environment, and free, prior and informed consent, and ensure their rights are guaranteed when planning and implementing such projects.

REFUGEES AND MIGRANTS

- Assume central responsibility for the protection of deportees while ensuring the necessary resources in light of the increased numbers of deportees;
- Implement effective procedures in consular services and receptions centres to identify deportees at risk and provide them protection, with particular attention to vulnerable groups such as children, Indigenous Peoples, women and LGBTI individuals;
- Ensure that all reception, reintegration and protection programmes for deported migrants take into consideration the rights and specific protection needs of women, Indigenous Peoples, LGBTI persons and unaccompanied children.

THE DEATH PENALTY

- Establish an official moratorium on execution and abolish the death penalty for all crimes;
- Ratify, without reservations, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

INSTITUTIONAL FRAMEWORK FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

- Ratify the Optional Protocol to the International Covenant of Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures.

Recommendations to the government of Japan

NATIONAL HUMAN RIGHTS INSTITUTION

- Take immediate steps to establish an independent, impartial and credible national human rights institution in line with the Paris Principles, with competence to consider and act on complaints of human rights violations by public authorities, and with adequate financial and human resources.

³ I/A Court H.R., Case of Human Rights Defender et al. v. Guatemala. Preliminary Objections, Merits, Reparations and Costs. Judgment of August 28, 2014. Series C No. 283.

THE DEATH PENALTY

- Introduce an official moratorium on executions as a first step toward the abolition of the death penalty, and commute all death sentences to terms of imprisonment;
- Ratify, without reservations, the Second Optional Protocol to the International Covenant on Civil and Political Rights aimed at abolishing the death penalty;
- Ensure effective processes to identify people accused or convicted of capital crimes who may have mental or intellectual disabilities and refer them for expert assessment;
- Ensure that conditions of detention comply with international standards, such as the revised UN Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules) and the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

DISCRIMINATION

- Introduce comprehensive anti-discrimination legislation to provide equal protection against discrimination for all persons and on all grounds, including sexual orientation or gender identity;
- Recognize marriages between couples of the same sex, on the same basis and conferring all the same rights, as marriages between different-sex couples;
- Ensure the right of all persons to protection from unlawful communication surveillance, allowing only for distinctions and differences in treatment that are reasonable, objective and based on legitimate and overriding grounds, while avoiding blanket distinctions and differences in treatment such as between citizens and non-citizens, or singling out specific religious communities as a whole;
- Provide effective training to public services personnel in the application of non-discrimination laws and standards and, where relevant, in inter-cultural understanding, in order to combat prejudice and discriminatory behaviour or language by public officials;
- Allow individuals to change their legal name and gender through a quick, accessible and transparent procedure, and in accordance with the individual's sense of gender identity, and abolish requirements to undergo psychiatric assessment and receive a diagnosis, other medical requirements, any requirement of single status, and other restrictions that violates human rights, for obtaining legal gender recognition;
- Ensure that trans-specific health treatments and gender confirmation procedures, such as hormone treatment, surgery and psychological support, are accessible to transgender persons, subject to informed consent, and ensure that they are included in health insurance schemes and public health systems.

THE MILITARY SEXUAL SLAVERY SYSTEM BEFORE AND DURING WORLD WAR II

- Provide, without further delay, full and effective reparation to any individual who has suffered harm as the direct result of the military sexual slavery system, including survivors, non-surviving victims and their families, regardless of their nationality;
- Offer, in addition to financial compensation, other forms of reparation identified by survivors, including measures of restitution, rehabilitation, satisfaction and guarantees of non-repetition, an acceptance of full responsibility, public acknowledgment of the harm suffered, and an unreserved apology;
- Reject and refute measures or statements by government authorities and public figures, which may undermine the rights of survivors, including their ability to seek reparation and access justice before the courts;
- Work with the government of South Korea, and other affected countries, to ensure that effective systems are put in place to implement reparation measures for survivors that takes into account the views and needs of survivors;
- Ensure non-repetition by including an accurate account of Japan's military sexual slavery system in history accounts, public documents and textbooks used in the Japanese educational system.

REFUGEES AND MIGRANTS

- Ensure that the refugee status determination process is conducted in a fair, effective and transparent manner in line with international law and standards, including the Convention relating to the Status of Refugees;
- Ratify, without reservations, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- Promote, protect and respect the human rights of all migrant workers and members of their families, irrespective of their status, and in particular take adequate measures to protect their rights at work without discrimination.
- Ensure that employers suspected of being responsible for abusing the human rights of migrant workers are brought promptly to justice, including through criminal prosecutions where relevant.

RATIFICATION OF INTERNATIONAL STANDARDS

- Ratify the Optional Protocol to the International Covenant of Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures;
- Promptly recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims (Article 31, International Convention for the Protection of All Persons from Enforced Disappearance);
- Accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity without making any reservations, and implement it into national law;
- Ratify, without reservations, the First Optional Protocol to the International Covenant on Civil and Political Rights.

Recommendations to the government of Pakistan

INTERNATIONAL HUMAN RIGHTS LAW, RATIFICATION AND DOMESTIC LEGISLATION

- Ratify the Optional Protocol to the International Covenant of Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures;
- Ratify, without making any reservation, the International Convention for the Protection of All Persons from Enforced Disappearance, implement it into national law and recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties;
- Promptly accede to the Rome Statute of the International Criminal Court, and implement it fully into national law.
- Accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity without making any reservation, and implement it into national law
- Ratify the 1951 UN Convention Relating to the Status of Refugees and the 1966 Protocol;
- Effectively implement the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), including by amending the Prison Rules and Prison Manuals in all provinces;
- Promptly accede to and implement the Arms Trade Treaty, with particular attention to Article 6 on Prohibitions and Article 7 on Export and Export Assessment, which prohibit the transfer of arms that could be used to commit or facilitate serious violations of international human rights and humanitarian law;
- Ensure that trans-specific health treatments and gender confirmation procedures, such as hormone treatment, surgery and psychological support, are accessible to transgender persons, subject to informed consent, and ensure that they are included in health insurance schemes and public health systems;
- Issue a standing invitation to the UN Special Rapporteurs to visit the country.

BLASPHEMY LAWS

- Repeal Sections 295-A, 295-B and 295-C of the Pakistan Penal Code;
- Pending the repeal, commute all death sentences imposed under Section 295-C of the Penal Code;
- Ensure adequate protection of judges, defence counsels, and defence witnesses involved in all blasphemy cases;
- Remove Sections 295-A and 298-A from the list of scheduled offences under the Anti-Terrorism Act, 1997.

THE DEATH PENALTY

- Abolish the death penalty for all crimes;
- Pending abolition of the death penalty, reinstate a moratorium on executions and commute all death sentences;
- Ensure that the death penalty is not imposed on people who have mental disabilities or those who were below 18 years of age when the crime was committed.
- Ensure rigorous compliance in all death penalty cases with international standards for fair trial.

RESTRICTIONS ON FREEDOM OF EXPRESSION AND ASSOCIATION

- Set up an office of public prosecutor at the federal and provincial levels for investigating and prosecuting attacks against journalists in line with the Prime Minister's commitment;
- Amend the Prevention of Electronic Crimes Act, 2016, in particular Sections 31, 3, and 37, to remove overboard powers for monitoring and shutting down websites and retaining data;
- Direct the Ministry of Interior, provincial and district administrations to stop the intimidation and harassment of NGOs, and expedite the process of NGO registration.

HUMAN RIGHTS DEFENDERS

- Adopt and implement legislation to recognize and effectively protect all human rights defenders;
- Constitute an independent inquiry into all suspected cases of enforced disappearance of human rights defenders and hold those suspected to be responsible to account in fair trials;
- Publicly recognize human rights defenders, including women human rights defenders and human rights defenders who face particular risks and threat, and ensure support for them to carry out their human rights work;
- Refrain from using language that stigmatizes, abuses or discriminates against human rights defenders, for example by characterizing them as "blasphemers, criminals, foreign agents, terrorists, threats to national security, or morally corrupt";
- Ensure the effective protection of women human rights defenders and LGBTI defenders against gender-specific threats and violence due to their work or their real or perceived gender identity;
- Recognize and protect young human rights defenders and youth-led organizations engaged in the defence and promotion of human rights;
- Amend legislation, such as the Prevention of Electronic Crimes Act 2015, that places obstacles in the way of legitimate activities to promote and defend human rights, including the rights to freedom of expression and privacy.
- Ensure human rights defenders, including journalists and bloggers, are able to exercise their right to freedom of expression without being subjected to harassment, attacks, arbitrary detention, or enforced disappearances;
- Enact the Right to Information Bill, approved by the Senate Select Committee, to ensure disclosure of information on individuals picked up by the security agencies;

- Fully co-operate with the UN human rights mechanisms, in particular allow the Special Rapporteur on the situation of human rights defenders to conduct visits without restrictions on duration and scope and to meet with HRDs without hindrance.

ARREST AND DETENTION

- Review counter-terrorism laws to remove overboard powers to arrest without a judicial remand and prolonged pre-trial detention provided under Section 5 of the Anti-Terrorism Act, 1997, and Sections 3 and 6 of the Protection of Pakistan Act, 2004;
- Thoroughly and impartially investigate all allegations of torture, arbitrary detention, and killings by paramilitary forces in Karachi and Balochistan and, if there is sufficient admissible evidence, prosecute all those suspected of criminal responsibility before ordinary civilian courts;
- Ensure, promote and facilitate the effective implementation of the Mental Disorders Ordinance, 2001 with a view to improving the care and treatment of mentally ill prisoners.

SECTARIAN AND RELIGIOUS VIOLENCE

- Reverse the decision to reinstate military courts as their proceedings do not in general meet international fair trial law and standards;
- Thoroughly and impartially investigate and prosecute all instances of incitement to violence against religious minorities.

VIOLENCE AGAINST WOMEN

- Facilitate the passage of the proposed law against forced conversion of non-Muslim women to Islam, as approved by the provincial assembly of Sindh;
- Set up Protection Centres for survivors of violence and District Women's Protection Committees as stipulated under the Punjab Protection of Women against Violence Act, 2016;
- Draw up a policy on increasing the number of women in the police force and the judiciary, and build the capacity of police and judiciary to work on cases of violence against women in a gender-sensitive manner.

AFGHAN REFUGEES

- Halt all returns and repatriation to Afghanistan that do not meet the definition of being genuinely "voluntary" in nature, and ensure that all Afghan refugees fearing return to Afghanistan can continue to seek and enjoy refuge in Pakistan;
- Direct law enforcement agencies to cease the harassment and intimidation of all registered and un-registered refugees residing in Pakistan and hold all those suspected of criminal responsibility for such acts to account;
- Ratify the 1951 Convention relating to the Status of Refugees and its 1967 Optional Protocol and refrain from adopting policies that result in refugees being denied international protection.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

- Take steps to ensure that existing social security systems cover all persons, including those working in the informal economy, and that all provinces are adequately supported and financed;
- Develop a national strategy for the full implementation of the right to social security, including by allocating adequate fiscal and other resources at the national level;
- Enforce the law abolishing bonded labour, including by raising awareness of the law, monitoring its implementation and ensuring accountability where there are violations;
- Create meaningful alternatives for people who are working as bonded labour, or who are at risk of such;
- Increase financial and other resources allocated to the health sector;
- Ensure the equitable distribution of health facilities, goods and services throughout the country, and take steps to ensure that all persons are able to access these services free from

discrimination;

- Take steps to ensure that all educational institutions provide basic facilities, including drinking water, adequate sanitation facilities, and are accessible for persons living with disabilities;
- Urgently increase investments in nutrition support programmes for women and children, especially in FATA and Balochistan.

Recommendations to the government of Peru

INSTITUTIONAL FRAMEWORK FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

- Provide the Ombudsperson with the necessary means to implement the National Preventive Mechanism against Torture;
- Accept the competence of the UN Committee on Enforced Disappearances under Article 32 of the Convention for the Protection of All Persons from Enforced Disappearance;
- Withdraw its declaration on the temporal application of the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity;
- Ratify, without reservations, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;
- Ratify the Optional Protocol to the International Covenant of Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures.

IMPUNITY FOR PAST HUMAN RIGHTS VIOLATIONS

- Guarantee the rights of all victims of crimes under international law and human rights violations and abuses committed during the internal armed conflict to justice, truth and reparation, including compensation, restitution, rehabilitation, satisfaction and guarantees of non-repetition;
- Implement the National Plan for the Search for the Disappeared in a manner which is effective and respects the dignity of the disappeared and their families, including by allocating the resources necessary.

SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS

- Decriminalize abortion in all circumstances and ensure women and girls can access safe and legal abortion, at a minimum, in cases when pregnancy poses a risk to the physical or mental health of the pregnant woman or girl, when pregnancy results from rape or incest, and in cases of severe or fatal foetal impairment;
- Ensure survivors of sexual violence (rape and incest) can access quality support services and medical care, including safe and legal abortion and emergency contraception, without barriers or delays;
- Ensure women and girls can access quality post-abortion care without barriers or delays, regardless of the legality of abortion;
- Ensure women and girls can access comprehensive sexual and reproductive health information, services and goods, including all modern contraceptive methods, as well as comprehensive sexuality education programmes, both in and out of school, which include information on sexual and reproductive health and rights, to enable and empower them to make informed decisions about their sexual and reproductive health and lives;
- Guarantee access to truth, justice and comprehensive reparations for the thousands of Peruvian women who were subjected to forced sterilization between 1996 and 2001.

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

- Enact legislation to recognize LGBTI people's equal rights to enter into marriage and found a family;
- Enact legislation that guarantees transgender people's right to legal recognition of their gender

identity, including by establishing a quick, accessible and transparent administrative process to change their name and sex in official documents which respects their dignity and privacy;

- Ensure that laws provides protection against all crimes perpetrated against individuals or their property because of their real or perceived sexual orientation or gender identity.

VIOLATIONS OF HUMAN RIGHTS IN THE CONTEXT OF PROTESTS

- Ensure that the use of force and firearms is regulated in law in accordance with international standards, and that reports of violations of human rights which occur during protests are investigated and that all those suspected of criminal responsibility are brought to justice in fair trials before ordinary civilian courts;
- Abolish Article 20, subparagraph 11, of the Criminal Code, which may relieve military and police personnel from individual criminal responsibility for crimes under international law or human rights violations.

INDIGENOUS PEOPLES AND RURAL COMMUNITIES

- Ensure the effective implementation of the right of Indigenous Peoples to free, prior and informed consent in all development projects which affect their territory and way of life, with the appropriate resources and in a manner consistent with international standards;
- Establish public policy to process claims of acknowledgment and property titles for peasant farmer communities and Indigenous Peoples in an effective manner, in order to provide legal security for their land and territory;
- Revoke any laws or measures which affect the rights of Indigenous Peoples, including Law 30230, which violates the legal security of Indigenous territories;
- Develop and implement the emergency healthcare plan in Indigenous communities affected by exposure to toxic metals;
- Make public the sources of toxic metal contamination in particular in the Indigenous communities at Cuninico, Loreto and Espinar, Cusco and monitor and contain the levels of contamination.

HUMAN RIGHTS DEFENDERS

- Publicly recognize human rights defenders, including women human rights defenders and human rights defenders who face particular risks and threat, and ensure support for them to carry out their human rights work;
- Refrain from using language that stigmatizes, abuses or discriminates against human rights defenders;
- 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 the effective protection of women human rights defenders and LGBTI defenders against gender-specific threats and violence they face because of their work or their real or perceived gender identity;
- Recognize and protect young human rights defenders and youth-led organisations engaged in the defence and promotion of human rights, including by removing age-based discriminatory practices which restrict the participation of young people in public decision-making, as well as by providing resources for their work;
- Fully co-operate with the UN human rights mechanisms, in particular allow the Special Rapporteur on the situation of human rights defenders to conduct visits without restrictions on duration and scope and to meet with HRDs without hindrance.

Recommendations to the government of the Republic of Korea

THE NATIONAL HUMAN RIGHTS FRAMEWORK

- Ensure transparency in the method of selecting and appointing the Chairperson of the National Human Rights Commission of Korea, in consultation with civil society groups and other relevant stakeholders;
- Allow the National Human Rights Commission of Korea, or other external oversight bodies, to investigate incidents where death or serious injury result from the use of force by law enforcement officials regardless of any ongoing criminal investigation, including by amending relevant provisions in the National Human Rights Act.

FREEDOM OF PEACEFUL ASSEMBLY

- Ensure, as a matter of urgency, that law enforcement officials suspected of criminal responsibility for unnecessary or excessive use of force, including the use of the water cannon leading to Baek Nam-gi's death, as well as their superior officer(s), are brought to justice in fair trials without delay;
- Initiate a review of current regulations regarding the use of water cannons during policing of demonstrations to ensure their conformity with international human rights standards;
- Guarantee the full enjoyment of the right to freedom of peaceful assembly, including a clear legal presumption in favour of holding assemblies;
- Ensure that the overall approach by the authorities to policing assemblies aims to facilitate peaceful assemblies, rather than ban them;
- Ensure that laws and regulations governing the use of force by law enforcement officials are in line with international law and standards, including the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, and that all law enforcement officials are trained accordingly;
- Initiate a comprehensive review of the Assembly and Demonstration Act to bring it in line with the obligations of the Republic of Korea under international human rights law, and specify the role of government authorities as facilitators of the right to peaceful assembly.

FREEDOM OF EXPRESSION AND ASSOCIATION / HUMAN RIGHTS DEFENDERS

- Abolish or fundamentally amend the National Security Law so that it conforms to international human rights law and standards and ensure it is not used arbitrarily or to harass and restrict the rights to freedom of expression, opinion and association;
- Immediately and unconditionally release all individuals, including human rights defenders, unjustly charged and sentenced to prison terms solely for the legitimate exercise of their rights to freedom of expression, association and peaceful assembly.

CONSCIENTIOUS OBJECTORS

- Immediately and unconditionally release all individuals imprisoned solely for exercising their right to refuse to perform military service in the absence of a genuinely civilian alternative and refrain from imprisoning conscientious objectors in the future;
- Clear the criminal records and provide adequate compensation for conscientious objectors who have been imprisoned for refusing military service by reason of their conscientiously held beliefs;
- Bring national legislation into line with international human rights law and standards, ensuring that it provides for the recognition of conscientious objection and for individuals to register their objection;
- Ensure that, if conscientious objectors are not entirely exempted from military service, they have the option to perform an appropriate alternative non-punitive service of a genuinely civilian character, under civilian control and of a length comparable to that of military service.

RIGHTS OF LGBTI INDIVIDUALS

- Adopt a comprehensive Anti-Discrimination Act which guarantees the protection of their human rights to LGBTI persons;
- Repeal Article 92(6) of the Military Criminal Act, which prohibits and punishes consensual sexual activity between people of the same sex in the military;
- Protect all persons from hate speech and violence, regardless of ethnicity, gender, real or perceived sexual orientation or gender identities;

REFUGEES AND ASYLUM-SEEKERS

- Ensure that asylum-seekers are not arbitrarily detained and that detention is used only as a last resort in cases where their detention is necessary and proportionate to a legitimate purpose;
- Ensure the rights of all persons detained to access lawyers and medical care and to humane conditions of detention;
- Put in place policies and systems that ensure the effective protection of refugees and asylum-seekers and enable them to meet their basic needs in a manner consistent with human rights and human dignity;
- Initiate an overhaul of the resettlement support process for arrivals from North Korea, and ensure that such individuals are detained for the shortest possible period, and that their detention is in line with international law and standards, in particular by giving them prompt access to their family and friends, legal counsel and civil society organizations of their choice during the entire length of their detention and during interrogations.

MIGRANT WORKERS

- Allow greater flexibility in the time frame within which migrant workers have to secure new employment;
- Amend the current Employment Permit System Act to ensure that an application for a visa extension or a renewal is not restricted or refused on the basis that migrant workers have changed jobs;
- Repeal Article 63 of the Labour Standards Act and ensure that the rights it protects, in particular in respect to working hours, daily breaks and weekly paid rest days, are extended to all workers, including migrant workers, irrespective of the sector in which they work;
- Ratify and implement the four fundamental ILO Conventions: No. 29 on Forced or Compulsory Labour, No. 87 on Freedom of Association and Protection of the Right to Organise, No. 98 on Right to Organise and Collective Bargaining, and No. 105 on Abolition of Forced Labour.

THE DEATH PENALTY

- Commute without delay all death sentences to terms of imprisonment and establish an official moratorium on all executions, pending full abolition of the death penalty
- Ratify, without reservations, of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

RATIFICATION OF INTERNATIONAL TREATIES

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

Recommendations to the government of Sri Lanka

ENFORCED DISAPPEARANCES AND MISSING PERSONS

- Establish the Office on Missing Persons as soon as possible affirming the mandate of the Office to establish the truth regarding the disappeared and contribute to efforts by other mechanisms to ensure justice and reparation for victims and their families; and to appoint highly qualified members, in a transparent process and with tenure, representing the pluralistic nature of Sri Lankan society and a fair balance of female and male members;
- Provide the Office on Missing Persons with sufficient resources and cooperation to undertake effective national outreach in all three official languages;
- Establish a “Special Counsel” to promptly, thoroughly, independently and impartially investigate all disappearances to establish the whereabouts and fate of disappeared persons;
- Fully investigate and disclose information about the use of secret detention, including those responsible for such facilities and all those who have been held in these facilities;
- Preclude the application of amnesties, immunities and other measures of impunity to persons suspected of committing crimes under international law;
- Establish a central database and collate data related to enforced disappearances, including from previous inquiries into such crimes;
- Provide effective protection to persons who file complaints of enforced disappearance before the courts or the Office on Missing Persons, as well as to the families of the disappeared, witnesses and lawyers representing them;
- Where sufficient admissible evidence exists, prosecute those suspected of criminal responsibility for enforced disappearances promptly before civilian courts in fair trials without recourse to the death penalty;
- Cooperate fully with states exercising universal jurisdiction over enforced disappearance, including by providing mutual legal assistance and extraditing suspects;
- Ensure that victims of enforced disappearance and their families are provided with full and effective reparation to address the harm they have suffered, including restitution, compensation, rehabilitation and satisfaction;
- Establish interim relief measures as soon as possible to help those experiencing serious on-going harm or hardship as a result of violations;
- Facilitate the recovery and return of human remains of deceased victims to family members, allow for the performance of funeral and cultural rites for the dead and support and facilitate other forms of memorialization as identified by the victims.

HUMAN RIGHTS DEFENDERS

- Publicly recognize human rights defenders, including women human rights defenders and human rights defenders who face particular risks and threat, and ensure support for them to carry out their human rights work;
- Refrain from using language that stigmatizes, abuses or discriminates against human rights defenders;
- Adopt and implement legislation to recognize and effectively protect all human rights defenders;
- Repeal legislation that may place obstacles in the way of legitimate activities to promote and defend human rights, for example the Prevention of Terrorism Act, and ensure that any legislation to replace it upholds these rights;
- Ensure thorough, prompt and independent investigation into all reports of human rights violations against human rights defenders, including threats, harassment and assaults, and bring to justice those suspected of criminal responsibility for such crimes;

- Ensure effective protection of women human rights defenders and LGBTI defenders against any gender-specific threats and violence they face because of their work or their real or perceived identity;
- Recognise and protect young human rights defenders and youth-led organisations engaged in the defence and promotion of human rights, including by removing discriminatory practices which restrict participation of students in public activism, as well as by providing resources for their work;
- Fully co-operate with the UN human rights mechanisms, in particular allow the Special Rapporteur on the situation of human rights defenders to conduct visits without restrictions on duration and scope and to meet with HRDs without hindrance.

RATIFICATION OF INTERNATIONAL TREATIES AND NATIONAL LEGISLATION

- Repeal the Prevention of Terrorism Act and end its use immediately;
- Abolish the system of administrative detention and ensure that any future legislation does not provide for administrative detention and otherwise meets international standards;
- Implement the International Convention for the Protection of All Persons from Enforced Disappearance effectively into national law, including by making enforced disappearance and disappearances by non-state actors crimes in national law;
- Make a declaration under Article 31 of the International Convention for the Protection of All Persons from Enforced Disappearance recognizing the competence of the Committee on Enforced Disappearances to consider complaints from or on behalf of individuals claiming to be victims of a violation of the Convention;
- Ratify the Optional Protocol to the International Covenant of 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 fully under national law;
- Accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity without making any reservation, and implement it into national law;
- Ratify, without reservations, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;
- Promptly accede to and implement the Arms Trade Treaty, with particular attention to Article 6 on Prohibitions and Article 7 on Export and Export Assessment, which prohibit the transfer of arms that could be used to commit or facilitate serious violations of international human rights and humanitarian law.

THE DEATH PENALTY

- Commute without delay all death sentences to terms of imprisonment and establish an official moratorium on executions;
- Abolish the death penalty for all crimes.

Recommendations to the government of Switzerland

THE NATIONAL HUMAN RIGHTS FRAMEWORK AND RATIFICATION OF HUMAN RIGHTS TREATIES

- Propose and support a bill extending the list of grounds on which a popular initiative could be invalidated to its incompatibility with international human rights law to which Switzerland is party, including the principle of non-discrimination;
- Introduce a provision specifically prohibiting torture in the Criminal Code;

- Adopt a law on equality, prohibiting discrimination in all areas of life and on any grounds including, race, ethnic origin, nationality, religion, gender identity, sexual orientation, age, social origin, Indigenous status, disability, political opinion, language, or other status;
- Adopt a law establishing a National Human Rights Institution fully consistent with the Paris Principles and ensuring its independence and allocating sufficient resources to it;
- Ratify the Optional Protocol to the International Covenant of Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures.

REFUGEES AND ASYLUM-SEEKERS

- Take all necessary procedural and technical measures to ensure an exhaustive analysis of the risk of human rights violations a rejected asylum-seeker could be exposed to before deciding to return them to their country of origin or to a third country from where they risk being returned to their country of origin;
- Guarantee that persecution based on sexual orientation or gender identity is recognized as a valid asylum ground;
- Provide adequate accommodation to asylum-seeker families and women travelling alone or with children, ensuring they do not stay in emergency premises longer than required for purposes of identification and medical controls;
- Grant systematic access to education to asylum-seeker children;
- Implement the Dublin Convention in a manner that takes into account the family situation of asylum seekers;
- Refrain from returning vulnerable asylum-seekers, including the elderly, persons with disabilities, women travelling alone and unaccompanied minors, to third countries where they would face harsh social conditions;
- Guarantee that detention pending expulsion remains a measure of last resort and as short as possible, in particular where asylum-seeker children are concerned.

DOMESTIC VIOLENCE

- Ratify promptly the Council of Europe Convention on preventing and combating violence against women and domestic violence and put in place national mechanisms for its implementation;
- Make broader use of provisions in the revised Article 50 of the Foreign Nationals Act, including by considering domestic violence as an “important personal reason” to be allowed a permanent residence permit;
- Issue guidelines, valid for all cantons, to better train relevant staff, in particular police officers, in the consistent application of the Foreign Nationals Act throughout the country.

DISCRIMINATION

- Refrain from introducing a general ban on covering the face in the federal Constitution;
- Take the necessary steps to put an end to discrimination faced by same-sex couples, in particular, ensuring that they can marry and adopt children.

HUMAN RIGHTS DEFENDERS

- Publicly recognize human rights defenders and ensure support for them to carry out their human rights work;
- Ensure effective protection of women human rights defenders and LGBTI defenders against any gender-specific threats and violence they face because of their work or their real or perceived identity;
- Recognise and protect young human rights defenders and youth-led organisations engaged in the defence and promotion of human rights, 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.

COOPERATION WITH HUMAN RIGHTS MECHANISMS

- Facilitate effective coordination between the Confederation, the cantons and civil society in relation to the implementation of UPR recommendations and those of the treaty bodies and special procedures.

Recommendations to the government of Ukraine

FREEDOM OF EXPRESSION AND FREEDOM OF THE MEDIA

- Respect editorial independence of the media and abstain from interference in professional media activities and independent reporting by civil society organizations;
- Ensure the safety of journalists and civil society activists by guaranteeing effective, prompt and impartial investigations into all incidents of unlawful interference in their work, and hold all those suspected of criminal responsibility to justice in fair trials;
- Conduct effective investigations into the killings of journalists, including Oles Buzina, a popular pro-Russian blogger and author killed in 2015, and Pavel Sheremet, an influential TV journalist critical of the authorities, killed in 2016, and bring all those suspected of criminal responsibility to justice in fair trials;
- End the prosecution on politically motivated charges against Ruslan Kotsaba, a YouTube video blogger, as well as criminal proceedings against any journalist in Ukraine in connection with their legitimate professional activities.

HUMAN RIGHTS DEFENDERS

- Publicly recognize human rights defenders, including women human rights defenders and defenders who face particular risks and threat, and ensure support for them to carry out their human rights work;
- Refrain from using language that stigmatizes, abuses or discriminates against human rights defenders, for example by characterizing them as “criminals, foreign agents, or threats to national security”;
- 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, in particular beatings and illegal detention of anti-corruption activists, and bring to justice those suspected of criminal responsibility for such crimes;
- Ensure effective protection of women human rights defenders and LGBTI defenders against any gender-specific threats and violence they face because of their work or their real or perceived identity;
- Fully co-operate with the UN human rights mechanisms, in particular allow the Special Rapporteur on the situation of human rights defenders to conduct visits without restrictions on duration and scope and to meet with HRDs without hindrance.

ABUSES DURING THE CONFLICT IN EASTERN UKRAINE: ENFORCED DISAPPEARANCES AND TORTURE AND OTHER ILL-TREATMENT

- End impunity for crimes under international law and human rights violations and abuses in the context of the conflict in eastern Ukraine, including those committed by members of the regular Ukrainian forces or the paramilitary forces;
- Ensure the fundamental right of victims to justice, truth and full reparation, including compensation, restitution, rehabilitation, satisfaction and guarantees on non-repetition;

- Secure the independence of the criminal justice system and guarantee a prompt and effective investigation of any complaints relating to crimes under international law or human rights violations or abuses committed during the conflict in eastern Ukraine, in particular by members of Ukrainian forces or the security services;
- Investigate all allegations of enforced disappearances and bring all those suspected of criminal responsibility to justice in fair trials before ordinary civilian courts;
- Conduct immediate, effective and impartial investigations into the allegations of unacknowledged detention of individuals at facilities of the Security Service of Ukraine (SBU) in Kharkov, Kramatorsk, Mariupol, and Izyum, since the beginning of the conflict in eastern Ukraine in April 2014;
- Undertake prompt, thorough and impartial investigations into all allegations of torture or other ill-treatment, in particular by members of Ukrainian forces and the security services, allow public reporting on the findings of those investigations, and bring all those suspected of criminal responsibility to justice in fair trials before ordinary civilian courts;
- Immediately end all practices of arbitrary detention, including by members of paramilitary forces or any government agencies which do not have the authority to hold individuals in custody, detention of individuals outside of officially designated places of detention, and incommunicado detention;
- Investigate all allegations of arbitrary detention by forces and agencies under government control, and, where admissible evidence permits, prosecute in conformity with international standards of fairness all those implicated in such practices, including law enforcement and military officials who condone, or are complicit in, such practice;
- Immediately reveal, or promptly establish, the fate and whereabouts of all missing persons, in particular those who were allegedly taken into custody or forcibly disappeared by members of forces under government control;
- Introduce and consistently enforce, with immediate effect, a policy of “zero tolerance” of torture and other ill-treatment throughout the criminal justice system;
- In all court proceedings, ensure that members of the judiciary are attentive to indications and allegations that prisoners have been subjected to torture or other ill-treatment; if signs of ill-treatment are observed or if such allegations are substantiated by other credible evidence, order prompt, thorough and impartial investigations;
- Ensure that all those involved in military and law-enforcement operations are made fully aware of the provisions of national and international law applicable to their actions and their potential personal and command and other superior responsibility for any breaches of these provisions;
- Fully cooperate with the UN Special Procedures, specifically the Special Rapporteur on Torture, the Working Group on Arbitrary Detention, and the Working Group on Enforced or Involuntary Disappearances, by acting on their recommendations and effectively facilitating any future visits by the UN Special Procedures.

HUMAN RIGHTS SITUATION IN THE CRIMEAN PENINSULA

- Develop a programme of state support to victims of human rights violations from Crimea and make it accessible to them, including effective legal, consular, medical, psychological and other support, including to those transferred to Russia as part of their criminal prosecution;
- Cooperate fully with all international and regional monitoring mechanisms, in particular the UN Special Procedures, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and UNESCO, and explore all available opportunities to facilitate the extension of their mandate and their access to Crimea;
- Facilitate independent human rights monitoring in, and access to, Crimea by other actors, including international non-governmental organizations, in particular by easing the legislative restrictions outlined in the Ukrainian Council of Ministers Decree #722 of 16 September 2015.

RATIFICATION OF INTERNATIONAL TREATIES

- Ratify the Optional Protocol to the International Covenant of Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures;
- Ratify without delay the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention), signed in 2011;
- Ratify without delay the Rome Statute of the International Criminal Court, signed in 2000, and implement it into national law;
- Promptly ratify and implement the Arms Trade Treaty, with particular attention to Article 6 on Prohibitions and Article 7 on Export and Export Assessment, which prohibit the transfer of arms that could be used to commit or facilitate serious violations of international human rights and humanitarian law.

HUMAN RIGHTS EDUCATION

- Develop and promote policies, action plans, teacher training, methodological materials and allocate budget to implement human rights education through its integration into school curricula;
- Involve all relevant stakeholders, including the private sector, civil society and international human rights institutions in the process of development, implementation and evaluation of and follow-up to such human rights education policies and action plans.

Recommendations to the government of Zambia

THE NATIONAL HUMAN RIGHTS FRAMEWORK AND RATIFICATION OF HUMAN RIGHTS TREATIES

- Urgently develop a roadmap to widen the Bill of Rights to ensure it guarantees civil and political as well as economic, social and cultural rights;
- Ratify the Optional Protocol to the International Covenant of Economic, Social and Cultural Rights and opt-in to the inquiry and inter-state procedures.

RESTRICTIONS ON FREEDOM OF EXPRESSION, ASSOCIATION AND THE PRESS

- Investigate reports of harassment, intimidation and arbitrary arrest of persons expressing dissenting views, in particular threats and attacks against *The Post* and *The Mast* newspapers and their reporters;
- Invite the UN Special Rapporteur on freedom of expression and the Special Rapporteur on torture to visit Zambia;
- Issue a standing invitation to all UN Special Procedures;
- Immediately and unconditionally release all prisoners of conscience deprived of their liberty solely for peacefully exercising their right to freedom of expression;
- Enact the access to information bill.

HUMAN RIGHTS DEFENDERS

- Publicly recognize human rights defenders, including women human rights defenders and human rights defenders who face particular risks and threat, and ensure support for them to carry out their human rights work;
- Refrain from using language that stigmatizes, abuses or discriminates against human rights defenders, for example by characterizing them as “criminals”, “foreign agents”, or “threats to national security”;
- Repeal or amend provisions in the Public Order Act and the Penal Code that may obstruct or criminalise legitimate activities to promote and defend human rights, including the rights to freedom of expression, association and peaceful assembly;

- Ensure thorough, prompt and independent investigation into all reports of human rights violations against human rights defenders, in particular torture or ill-treatment in police custody or in jail. and bring to justice those suspected of criminal responsibility for such crimes;
- Ensure effective protection of women human rights defenders and LGBTI defenders against any gender-specific threats and violence they face because of their work or their real or perceived identity;
- Recognise and protect young human rights defenders and youth-led organisations engaged in the defence and promotion of human rights, including by removing age-based discriminatory practices which restrict the participation of young people in public decision-making, as well as by providing resources for their work;
- Fully co-operate with the UN human rights mechanisms, in particular allow the Special Rapporteur on the situation of human rights defenders to conduct visits without restrictions on duration and scope and to meet with HRDs without hindrance.

FREEDOM OF ASSEMBLY, USE OF FORCE AND IMPUNITY

- Promptly and thoroughly investigate the death of UPND supporter Mapenzi Chibulo, and hold those suspected to be responsible to justice in a fair trial;
- Prohibit the deployment of live ammunition in public order or crowd control situation in line with the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;
- Repeal or amend laws violating the rights to freedom of assembly and association, in particular the Public Order Act and the criminal defamation clauses in the Penal Code, and ensure their alignment with international standards, in particular the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, to which Zambia is a state party;
- Ensure the non-recurrence of human rights violations by state security, in particular the Zambia Police Service, through undertaking a programme of institutional and other reform to ensure respect for the rule of law and foster respect for human rights;
- Promptly recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties to the International Convention for the Protection of All Persons from Enforced Disappearance;
- Accede, without making any reservation, to the 1968 Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, and implement it fully into national law.

THE DEATH PENALTY

- Establish an official moratorium on execution with a view towards abolishing the death penalty;
- Review all death penalty cases with a view to commuting all death sentences to terms of imprisonment;
- Ratify without reservations the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty.

HATE CRIMES

- Investigate cases of ethnically or racially motivated violence and hate crimes in particular against the Tonga ethnic group and ensure that all cases are effectively investigated and those suspected to be responsible are brought to justice;
- Ensure that members of the Tonga ethnic group and other vulnerable groups are protected from violence and hate crimes;
- Ensure victims of hate crimes have effective access to justice and redress, including through providing appropriate support and assistance at each stage of the criminal justice process;
- Develop an action plan to combat and prevent hate crimes and hold accountable those

suspected to be responsible for inciting discrimination and violence, including public officials.

PRISON CONDITIONS

- Develop and implement a strategy to that facilitates the quick transformation from prison services to correctional facilities;
- Review and amend the law that governs on bail and bond making by the courts and police officers and ensure that Zambia upholds the principle of presumption of innocence and does not deprived detainees their personal liberty;
- 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 and the Standard Minimum Rules for the Treatment of Prisoners and the Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders.

HUMAN RIGHTS COMMISSION

- Adopt measures to guarantee adequate financial, material and technical resources to the Zambian Human Rights Commissions in order to effectively monitor, document and publicly report on the human rights situation in the country.

RIGHTS OF PERSONS WITH DISABILITY

- Implement recommendations of the report made by Special Rapporteur on the rights of persons with disabilities on her visit to Zambia;
- Submit all pending reports to the Committee on the Rights of Persons with Disabilities.

RIGHTS TO FOOD

- Amend the Lands Act and finalise the Land Policy to ensure security of tenure for small scale communal farmers who face starvation after loss of their land to private investors acquiring large pieces of land for investment;
- Ensure that all persons who have lost their land due to lack of security of tenure, are adequately compensated.