



Suggested recommendations to states considered in the eighth round of the Universal Periodic Review, May 2010

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Recommendations to the government of Armenia

Ratification of international human rights standards

- To ratify the outstanding international human rights treaties, in particular the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights recently adopted by the UN General Assembly and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty.

International Criminal Court

- To promptly ratify the Rome Statute of the International Criminal Court, signed on 1 October 1999 and to implement it in national law in accordance with conventional and customary international law;
- To accede to the Agreement on the Privileges and Immunities of the International Criminal Court and to implement it in national law;
- In becoming party to the Rome Statute, Armenia should not make any kind of unilateral statement which could defeat the object and purpose of the Statute or in any way undermine its text.

Recommendations to the government of Belarus

Domestic legislation

- To bring domestic legislation into line with the country's obligations under international human rights treaties, in particular the International Covenant on Civil and Political Rights and the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment;
- To implement the recommendations by the UN Human Rights Committee and the UN Committee against Torture.

The death penalty

- To promptly establish a moratorium on executions with a view to abolishing the death penalty, as provided by the UN General Assembly resolution 62/149, adopted on 18 December 2007, and resolution 63/168, adopted on 18 December 2008;
- To ensure that relatives of prisoners under sentence of death are kept fully informed of the prisoner's place of detention and, in advance, of any transfer; allowed regular and private meetings with the prisoner; informed well in advance of the execution date to be able to say goodbye; and permitted to have the prisoner's body for burial and their personal effects;
- To publish all directives, legislation and annual statistics relevant to the death penalty;
- To ensure rigorous compliance in all death penalty cases with international standards for fair trial are respected, including the rights:
 - to be tried before an independent, impartial and competent tribunal,
 - to competent defence counsel at every stage of the proceedings,
 - to adequate time and facilities to prepare one's defence,
 - to be presumed innocent until guilt has been proved beyond a reasonable doubt,
 - to appeal to a higher court, and
 - to seek pardon and commutation of sentence;
- To ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty;
- To comply with the UN Human Rights Committee's 2003 rulings on the cases of *Bondarenko v. Belarus* and *Lyashkevich v. Belarus*.

Torture or other ill-treatment

- To condemn the use of torture and other ill-treatment and to ensure prompt, impartial and comprehensive investigations of all complaints of torture or cruel, inhuman or degrading treatment or punishment of persons subjected to any form of arrest, detention or imprisonment, as well as when there are reasonable grounds to believe that torture or other ill-treatment has occurred even if no complaint was made;
- To make amendments to the Criminal Code to include a comprehensive definition of torture as provided for in Article 1 of the UN Convention against Torture;
- To ensure that no statements obtained as a result of torture or other ill-treatment are used as evidence in trial proceedings, except as evidence against a person accused of torture or other ill-treatment;
- To sign, ratify and implement the Optional Protocol to the UN Convention against Torture.

Freedom of assembly, association and Human Rights Defenders

- To ensure that everyone, including human rights defenders, can peacefully exercise their right to freedom of expression and assembly in conformity with Belarus' obligations under the International Covenant on Civil and Political Rights;
- To review the Law on Public Events and bring it into line with the requirements of the International Covenant on Civil and Political Rights;
- To allow the registration of human rights organization Nasha Vyasna and to comply with the 2007 UN Human Rights Committee's ruling on the case of Vyasna (*Aleksander Belyatsky et al v. Belarus*);
- To immediately abolish Article 193-1 of the Criminal Code.

Freedom of religion

- To ensure respect for the human rights of religious believers and their right to carry out their peaceful activities free from harassment.

Economic, Social and Cultural Rights

- To sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights without delay.

International Criminal Court

- To accede to the Rome Statute of the International Criminal Court and to implement it in national law in accordance with conventional and customary international law;
- To promptly accede to the Agreement on the Privileges and Immunities of the International Criminal Court and to implement it in national law;
- In becoming parties to the Rome Statute, Belarus should not make any kind of unilateral statement which could defeat the object and purpose of the Statute or in any way undermine its text.

Recommendations to the government of Grenada

Ratification of international human rights standards

- To ratify the outstanding international human rights treaties, in particular the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights recently adopted by the UN General Assembly.

International Criminal Court

- To accede to the Rome Statute of the International Criminal Court and to implement it in national law in accordance with conventional and customary international law;
- To promptly accede to the Agreement on the Privileges and Immunities of the International Criminal Court and to implement it in national law;
- In becoming parties to the Rome Statute, Grenada should not make any kind of unilateral statement which could defeat the object and purpose of the Statute or in any way undermine its text.

Recommendations to the government of Guinea

Torture and ill-treatment

- To give clear instructions to the security forces to always act in compliance with international human rights law, in particular, the right to life and the total prohibition of torture and other ill-treatment.

Rape and other sexual violence as torture

- To publicly denounce gender-based violence, whatever the circumstances and whatever the location, and to send a clear message to the security forces and militias that anyone responsible in any way for such violence will be held accountable for these acts and brought to justice;
- To ensure that laws, regulations, rules and orders applying to the armed force and other security forces are effective in preventing violence against women;
- To provide immediate and effective remedy to women victims of violence and to establish effective programmes for victims of rape and other forms of violence against women, including emergency medical treatment and rehabilitation programmes dealing with physical, psychological and economical consequences.

Excessive use of force and extrajudicial killings by the security forces

- To take effective steps to ensure that the security forces act in accordance with international instruments, including the UN Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, in order to uphold the right to life and physical integrity;

- To suspend from duty anyone reasonably suspected of having committed offences under international law or other human rights abuses, or of having participated in such offences, until the allegations against them can be independently and impartially investigated;
- To establish an independent selection and verification mechanism to ensure that no-one reasonably suspected of having committed offences under international law or other human rights abuses, or of having participated in such offences, can be engaged in the army until the allegations against them have been independently and impartially investigated;
- To review without delay the methods used to maintain order at demonstrations so that, in future, the security forces use only means that comply with international human rights standards to contain protest movements;
- To bring to justice anyone suspected of having committed extrajudicial executions, torture, ill-treatment, rape and other grave human rights violations, in accordance with international standards of fairness;
- To ensure that the victims of human rights violations and their families can obtain full reparation in the form of restitution, compensation, satisfaction, rehabilitation and guarantees of non-repetition.

Arbitrary detentions and prisoners of conscience

- To immediately and unconditionally release all prisoners of conscience detained only for the peaceful exercise of their rights to the freedom of expression, association and assembly;
- To stop arbitrary arrest and detentions and to ensure that all detainees are brought promptly before an independent judicial authority which is competent to determine the legality of their detention,
- To ensure that all detainees have access to a lawyer and a doctor of their choice as well as their relatives.

Reform the security forces

- To ensure that restructuring of the armed forces, police and other security forces are undertaken with public scrutiny and with the participation of the UN, African Union, ECOWAS and other members of the International Contact Group on Guinea, prioritizing rigorous training programmes on human rights in law enforcement and systems of accountability consistent with international human rights and humanitarian law;
- To end the recruitment of children under 18 years of age into their national armed forces, or into militia units.

The death penalty

- To immediately establish a moratorium on executions with a view to abolishing the death penalty as provided by UN General Assembly resolution 62/149, adopted on 18 December 2007 and resolution 63/168 adopted on 18 December 2008;
- To commute without delay all death sentences to terms of imprisonment;
- To ensure rigorous compliance in all death penalty cases with international standards for fair trial are respected, including the rights:
 - to be tried before an independent, impartial and competent tribunal,
 - to competent defence counsel at every stage of the proceedings,
 - to adequate time and facilities to prepare one's defence,
 - to be presumed innocent until guilt has been proved beyond a reasonable doubt,
 - to appeal to a higher court, and
 - to seek pardon and commutation of sentence;
- To 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,

- By abolishing all provisions which provide for mandatory death sentences,
 - By prohibiting the imposition of the death penalty on anyone suffering from a mental disability, and
 - By prohibiting executions of pregnant women and mothers with dependent infants;
- To ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty.

Restrictions on the right to freedom of expression

- To uphold the right to freedom of expression and assembly, in particular in the context of future electoral campaigns.

Ratification of human rights standards and cooperation with human rights mechanisms

- To submit forthwith the outstanding reports that Guinea is obliged to present to the Human Rights Committee and the Committee against Torture concerning application of the International Covenant on Civil and Political Rights and the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, respectively;
- To submit forthwith the outstanding reports that Guinea is obliged to present to the African Commission on Human and Peoples' Rights concerning the application of the African Charter;
- To ratify the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;
- To invite the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions to visit Guinea.

International Criminal Court

- To implement the Rome Statute of the International Criminal Court in national law in accordance with conventional and customary international law;
- To promptly ratify the Agreement on the Privileges and Immunities of the International Criminal Court, signed on 1 April 2004, and to implement it in national law.

Recommendations to the government of Guinea-Bissau

Ratification of human rights treaties

- To ratify all outstanding human rights treaties, in particular the International Covenant on Civil and Political Rights and its First and Second Optional Protocols, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment;
- To ensure that the provisions of all international human rights treaties, once ratified, are incorporated into domestic law.

Unlawful killings

- To send a clear message to the armed forces that human rights violations by any member of the military, regardless of their rank, will not be tolerated and that those responsible for such violations will be brought to justice;
- To ensure immediate, impartial and effective investigations into all cases of unlawful killings and that all those suspected of being responsible are brought to justice in trials that observe international fair trial standards.

Torture and other ill-treatment

- To investigate all reports of torture and ill-treatment by military officials and others, with a view to bringing to justice those officers suspected of responsibility for acts of torture and other ill-treatment, in accordance with international standards for fair trials;
- To ensure that all members of the armed forces and law enforcement officials are aware that obedience to orders will not be accepted as a justification for carrying out torture or other ill-treatment;
- To ensure reparation, including fair and adequate compensation for victims of torture and other ill-treatment inflicted by state agents.

Arbitrary arrests and detentions

- To ensure that nobody is arbitrarily arrested or detained for exercising their right to freedom of expression or other rights and that arrests are carried out in accordance with the law, by law enforcement officials;
- To ensure that detainees are brought before a court to have their detention legalised by a judge within 48 hours, in accordance with the law, or released.

Suppression of the right to freedom of expression

- To promote and protect the right to freedom of expression, as enshrined in the Constitution and national law as well as relevant international human rights standards, including of those who may wish to express dissenting views and criticism of the armed forces;
- To issue clear guidelines and inform law enforcement and military personnel, at all levels, of their obligations to respect and protect human rights and to refrain from arresting and beating critics.

International Criminal Court

- To promptly ratify the Rome Statute of the International Criminal Court, signed on 12 September 2000, and to implement it in national law in accordance with conventional and customary international law;
- To accede to the Agreement on the Privileges and Immunities of the International Criminal Court and to implement it in national law;
- In becoming parties to the Rome Statute, Guinea-Bissau should not make any kind of unilateral statement which could defeat the object and purpose of the Statute or in any way undermine its text.

Recommendations to the government of Guyana

The death penalty

- To immediately establish a moratorium on executions with a view to abolishing the death penalty as provided by UN General Assembly resolution 62/149, adopted on 18 December 2007 and resolution 63/168 adopted on 18 December 2008;
- To commute without delay all death sentences to terms of imprisonment;
- To immediately remove all provisions in national law which are in breach of international human rights law, in particular those that provide for mandatory death sentences,
- To ensure rigorous compliance in all death penalty cases with international standards for fair trial are respected.

Human rights, sexual orientation and gender identity

- To repeal all provisions allowing for the criminalization of same sex relations;
- Repeal all provisions, including Chapter 8.02 section 153 (1) (xlvii) of the Summary Jurisdiction (Offences) Act, which are used to discriminate against lesbian, gay, bisexual and transgender persons.

Violence against women

- To expedite passage and implementation of the Sexual Offences Bill;
- To ensure the coordinated implementation of the National Domestic Violence Policy.

HIV/AIDS and human rights

- To combat discrimination and stigma surrounding HIV/AIDS and particularly against members of the LGBT community.

Excessive use of force by the security forces and impunity for human rights violations

- To ensure that all complaints of human rights violations by the security forces are subject to immediate, thorough and independent investigation and, if state agents are charged with such crimes, that their cases are brought to trial in an expeditious manner;
- To conduct a fully independent investigation into human rights abuses allegedly committed by a 'death squad' between 2002-2006, and to ensure that those responsible are brought to justice and that witnesses and their families are offered effective protection in all these investigations;
- To ensure that members of the Guyana Police Force are adequately trained on the appropriate use of force and firearms in accordance with international standards, including the Basic Principles on the Use of Force and Firearms by Law enforcement officials.

Ratification of international human rights instruments

- To ratify the following international treaties: the Second Optional Protocol to the International Covenant on Civil and Political Rights (and to remove reservations to its First Optional Protocol); the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; and the International Convention for the Protection of All Persons from Enforced Disappearance;
- To ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and the Convention on the Rights of Persons with Disabilities, both of which Guyana has already signed;
- To ratify the American Convention on Human Rights.

Recommendations to the government of Kenya

Economic, social and cultural rights

- To immediately cease all forced evictions, to legislate and enforce a clear prohibition on forced evictions, and to develop and adopt guidelines for evictions that comply with international human rights law – and to impose a moratorium on mass evictions until such steps have been taken;
- To ensure a minimum degree of security of tenure that guarantees legal protection against forced eviction, harassment and other threats, including for those living in informal settlements and slums, in line with government commitments under the slum upgrading strategy;
- To ensure, as pledged in the official housing policy, the development of low-income housing to meet the housing needs of the majority of urban poor, giving priority to the most marginalized and vulnerable groups in allocating public housing;
- To ensure the right to adequate housing and other economic, social and cultural rights enshrined in international human rights treaties to which Kenya is a party are included in the proposed new Constitution and reflected in domestic legislation.
- To ensure genuine consultation with the affected communities, in relation to planned mass evictions regarding the Nairobi River Basin Programme, to identify all feasible alternatives to evictions, to put in place appropriate procedural and legal safeguards, and to develop a comprehensive relocation and compensation plan;
- To ensure that implementation of the Kenya Slum Upgrading Programme complies with the government's obligations in relation to the right to adequate housing, including the obligation to consult adequately with affected communities regarding slum upgrading and to ensure the affordability and accessibility of housing, particularly for the most disadvantaged sections of the community;

- To ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights without delay.

The death penalty

- To immediately establish a moratorium on executions with a view to abolishing the death penalty as provided by UN General Assembly resolution 62/149, adopted on 18 December 2007 and resolution 63/168 adopted on 18 December 2008;
- To commute without delay all death sentences to terms of imprisonment;
- To 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,
 - By abolishing all provisions which provide for mandatory death sentences,
 - By prohibiting the imposition of the death penalty on anyone suffering from a mental disability;
- To ensure rigorous compliance in all death penalty cases with international standards for fair trial are respected, including the rights:
 - to be tried before an independent, impartial and competent tribunal,
 - to competent defence counsel at every stage of the proceedings,
 - to adequate time and facilities to prepare one's defence,
 - to be presumed innocent until guilt has been proved beyond a reasonable doubt,
 - to appeal to a higher court, and
 - to seek pardon and commutation of sentence;
- To ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty.

International Criminal Court

- To accede to the Agreement on the Privileges and Immunities of the International Criminal Court and to implement it in national law.

Recommendations to the government of Kiribati

Citizenship and right to a nationality

- To amend the citizenship section of the Constitution as well as the Citizenship Act to ensure equal citizenship rights for iKiribati women and their families.

Gender discrimination

- To amend the Constitution of Kiribati to include the words "sex" or "gender" as prohibited grounds of discrimination;
- To review all relevant laws which discriminate or impact negatively on women;
- To amend laws and change policies and practices which either expressly discriminate against or perpetuate the discrimination and marginalisation of women.

International human rights standards

- To accede to the Convention on the Rights of Persons with Disabilities, the International Covenant on Civil and Political Rights and its Optional Protocols, and the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol, and to enact laws through Parliament to reflect the provisions of these standards, as well as other human rights treaties to which Kiribati is a party, in domestic laws;
- To report on its obligations under the Convention on the Elimination of All forms of Discrimination Against Women;
- To legislate the principles of these treaties so that they are applicable in the courts.

Accessibility of land on Tarawa

- To consult with relevant stakeholders and civil society on how to effectively address issues of human rights in informal settlements;
- To promote and protect the rights of people currently living in the informal settlements to accessing adequate health services, water and sanitation.

Violence against women

- To immediately undertake to enact appropriate legislation to address domestic violence after adequate consultation with relevant stakeholders;
- To ensure that there is a mandatory policy or provision within the law for the prosecution of domestic violence;
- To ensure that training on the prevention of domestic violence is mainstreamed within the training programme of the police service and to implement greater awareness programmes;
- To equip the police with the relevant tools to effectively deal with domestic and sexual violence against women.

International Criminal Court

- To promptly accede to the Rome Statute of the International Criminal Court and to implement it in national law in accordance with conventional and customary international law;
- To promptly accede to the Agreement on the Privileges and Immunities of the International Criminal Court and to implement it in national law;
- In becoming parties to the Rome Statute, Kiribati should not make any kind of unilateral statement which could defeat the object and purpose of the Statute or in any way undermine its text.

Recommendations to the government of Kuwait

The death penalty

- To immediately establish a moratorium on executions with a view to abolishing the death penalty as provided by UN General Assembly resolution 62/149, adopted on 18 December 2007 and resolution 63/168 adopted on 18 December 2008;
- To commute without delay all death sentences to terms of imprisonment;
- To immediately remove any 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,
 - By abolishing any provisions which provide for mandatory death sentences,
 - By prohibiting the imposition of the death penalty on anyone suffering from a mental disability;
- To ensure rigorous compliance in all death penalty cases with international standards for fair trial are respected, including the rights:
 - to be tried before an independent, impartial and competent tribunal,
 - to competent defence counsel at every stage of the proceedings,
 - to adequate time and facilities to prepare one's defence,
 - to be presumed innocent until guilt has been proved beyond a reasonable doubt,
 - to appeal to a higher court, and
 - to seek pardon and commutation of sentence;
- To ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty.

Ratification of international human rights standards

- To ratify the outstanding core international human rights treaties, in particular the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights recently adopted by the UN General Assembly.

International Criminal Court

- To promptly ratify the Rome Statute of the International Criminal Court, signed on 8 September 2000, and to implement it in national law in accordance with conventional and customary international law;
- To promptly accede to the Agreement on the Privileges and Immunities of the International Criminal Court and to implement it in national law;
- In becoming parties to the Rome Statute, Kuwait should not make any kind of unilateral statement which could defeat the object and purpose of the Statute or in any way undermine its text.

Recommendations to the government of Kyrgyzstan

Ratification of human rights standards and cooperation with the UN

- To ratify all outstanding human rights treaties, in particular the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the International Convention for the Protection of All Persons from Enforced Disappearance and the Rome Statute of the International Criminal Court and enact implementing legislation;
- To ratify the Rome Statute of the International Criminal Court and enact implementing legislation and to promptly accede to the Agreement on the Privileges and Immunities of the International Criminal Court and to implement it in national law;
- To ratify the International Convention for the Protection of All Persons from Enforced Disappearance.

Freedom of assembly and human rights defenders

- To ensure that everyone, including human rights defenders, can peacefully exercise their right to freedom of expression and assembly in conformity with Kyrgyzstan's obligations under the International Covenant on Civil and Political Rights and national law.

Torture or other ill-treatment

- To condemn the use of torture and other ill-treatment and to ensure prompt, impartial and comprehensive investigations of all complaints of torture or cruel, inhuman or degrading treatment or punishment of any person subjected to any form of arrest, detention or imprisonment, as well as when there are reasonable grounds to believe that torture or ill-treatment has occurred even if no complaint was made;
- To establish a fully resourced independent agency to investigate all allegations of human rights violations by officers of all law enforcement agencies or by persons acting on the orders of or with the knowledge or complicity of such agencies, and to ensure that it has effective access to remand and court hearings, investigations and other relevant processes;
- To ensure that the agency is also mandated to carry out detailed reviews of past investigations conducted by law enforcement officers into allegations of torture or other ill-treatment and of judicial proceedings in such cases;
- To ensure that no statements obtained as a result of torture or other ill-treatment are used as evidence in trial proceedings, except as evidence against a person accused of torture or other ill-treatment;
- To ensure that all people deprived of their liberty are promptly informed of the reasons for their detention and any charges against them, and allowed prompt and regular access to a lawyer of their choice, as well as to their relatives and an independent medical practitioner.

Human rights violations in the context of national security and the fight against terrorism

- To ensure that all measures to protect national security are carried out in accordance with international human rights law, including the prohibition of arbitrary detention and torture or other ill-treatment;
- To ensure that all trials, including of terrorism suspects, scrupulously observe international standards for fair trial;
- To ensure all detainees are able to exercise their right to notify a relative or other person of their choice or have the person notified of the fact and place of their detention without delay.

Refugees and asylum-seekers

- To respect the principle of *non-refoulement* and its obligations under customary international law as well as the 1951 Refugee Convention, the International Covenant on Civil and Political Rights and the Convention against Torture, to ensure that no one is expelled, returned or extradited to a country or territory, where they would be at risk of serious human rights violations;
- To fully respect the right to seek asylum and ensure that all those seeking international protection in Kyrgyzstan, including in particular refugees and asylum-seekers from Uzbekistan, get access to fair and transparent asylum procedures, with the right of appeal, and that they are provided protection in accordance with international law, including access to durable solutions.

Freedom of religion

- To ensure respect for the human rights of religious believers and that they are able to carry out their peaceful activities without harassment and threats of detention, imprisonment and other human rights violations;
- To guarantee the freedom of individuals or communities, in public or in private, to manifest religion or belief in teaching, practice, worship, and observance.

Recommendations to the government of Laos

Ratification of human rights standards and co-operation with UN human rights mechanisms

- To ratify the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; and the Rome Statute of the International Criminal Court;
- To submit overdue reports to the Committee on Elimination of Racial Discrimination, Committee on the Elimination of Discrimination against Women, and the Committee on the Rights of the Child;
- To promptly facilitate the visit by the Special Rapporteur on adequate housing.

National legislation

- To ensure that national legislation and its implementation in practice upholds obligations on Laos under international law, including the International Covenant on Civil and Political Rights.

Restrictions on the right to freedom of expression, prisoners of conscience

- To repeal or reform vaguely worded provisions in the Penal Code restricting the right to freedom of expression;
- To allow the legitimate activities of media and civil society organizations, and to bring national legislation and practice into line with the government's international obligations;
- To ensure that both media and civil society organizations are able to undertake monitoring and reporting on human rights violations;

- To release prisoners of conscience Thongpaseuth Keuakoun, Seng-Aloun Phengphanh and Bouavanh Chanhmanivong, and ensure that Thao Moua and Pa Fue Khang are released if there is no credible evidence that they have committed recognizably criminal offences.

Poor prison conditions

- To improve conditions in prison camps and detention facilities to ensure compliance with international standards, including the UN Standard Minimum Rules for the Treatment of Prisoners;
- To allow unfettered access to all places of detention for independent human rights monitors.

Restrictions on freedom of religion

- To end restrictions on the right to practice one's religion of choice without discrimination, in accordance with international human rights standards;
- To ensure that relevant authorities, including at the local level, are aware of their duty to protect individuals' right to freedom of religion, and to impose legal sanctions on officials, including police, who are found to have arbitrarily detained or otherwise punished persons solely on the basis of their religion or religious activities.

Protection of refugees and asylum-seekers

- To ensure that all Lao Hmong returnees from Thailand are provided with humanitarian assistance for an adequate standard of living, including shelter, food, water and access to appropriate health services and access to education for the children;
- To ensure unfettered access by UNHCR and other humanitarian agencies to all returnees from Thailand to Laos, including in Phonkham and Phalak, to assess their wellbeing;
- To respect the right of all persons to seek asylum as provided in the International Covenant on Civil and Political Rights and immediately allow for an appropriate process for resettlement to third countries for any recognized refugees forcibly returned to Laos who wish to do so.

The death penalty

- To immediately impose a moratorium on executions, with a view to complete abolition of the death penalty, in line with UN General Assembly resolutions 62/149 and 63/168;
- To commute without delay all death sentences to terms of imprisonment;
- To make public all information about the imposition and use of the death penalty;
- To encourage discussion among National Assembly members and other appropriate legislative institutions on abolition of the death penalty for all crimes;
- To 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,
 - By abolishing all provisions which provide for mandatory death sentences,
 - By prohibiting the imposition of the death penalty on anyone suffering from a mental disability,
 - By prohibiting executions of pregnant women and mothers with dependent infants;
- To ensure rigorous compliance in all death penalty cases with international standards for fair trial are respected, including the rights:
 - to be tried before an independent, impartial and competent tribunal,
 - to competent defence counsel at every stage of the proceedings,
 - to adequate time and facilities to prepare one's defence,
 - to be presumed innocent until guilt has been proved beyond a reasonable doubt,
 - to appeal to a higher court, and
 - to seek pardon and commutation of sentence;
- To ratify the Second Optional Protocol to the International Covenant on Civil and Political

Rights, aiming at abolition of the death penalty.

Recommendations to the government of Lesotho

Ratification of international human rights standards

- To ratify the outstanding core international human rights treaties, in particular Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty, and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights recently adopted by the UN General Assembly.

Recommendations to the government of Spain

Torture and other ill-treatment

- To bring national legislation on torture and other ill-treatment into line with international human rights standards.

Incommunicado detention

- To abrogate articles 509, 520bis and 527 of the Criminal Procedure Act and to ensure all detainees are brought promptly before a judge.

Universal jurisdiction

- To ensure the effective implementation of the principle of universal jurisdiction, both in theory and practice, in line with international standards.

Impunity of law enforcement officials for human rights violations

- To take immediate steps to establish an independent police complaints mechanism with a mandate to investigate all allegations of serious human rights violations by law enforcement officials;
- To extend the compulsory and systematic use of CCTV recording in all areas of police stations where detainees may be present.

Refoulement

- To refrain from forcibly returning any individual to a country where they may be at risk of torture or other serious human rights violations.

Rights of migrants and asylum-seekers

- To ensure all migrants, including irregular migrants, and asylum-seekers have effective access to economic, social and cultural rights;
- To respect the principle of *non-refoulement* and ensure effective access to asylum procedures, including for those intercepted at sea;
- To ensure that all measures taken in relation to unaccompanied minors are in line with national and international law.

Racism and xenophobia

- To collect and publish statistics on racist incidents and develop a national action plan against racism and xenophobia.

Gender-based violence

- To ensure that all victims of gender-based violence, including irregular migrants, have effective access to appropriate resources including legal assistance and protection measures;
- To instigate a national plan to combat violence against women and girls, including in relation to human trafficking.

Investigation of enforced disappearances and mass graves

- To undertake measures to locate, exhume and identify remains in mass graves;

- To criminalise enforced disappearance in Spanish law, whether perpetrated by state actors or individuals or groups acting with the authorization, support or acquiescence of the state;
- To make the relevant declarations under Articles 31 and 32 of the International Convention for the Protection of All Persons from Enforced Disappearance.

Spanish complicity in unlawful detentions at Guantánamo Bay

- To actively and effectively cooperate with judicial investigations into the use of the Spanish airports and military bases by airplanes suspected of taking part in renditions, secret detention or other human rights violations.

Ratification of international human rights standards

- To complete its ratification process of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights as soon as possible, and to make available on request technical assistance to other States to assist them with their ratification processes;
- To ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

International Criminal Court

- To abrogate Article 7(2) of the Organic Law 18/2003 (Ley Orgánica 18/2003 de Cooperación con la Corte Penal Internacional).

Recommendations to the government of Sweden

Ratification and implementation of international standards

- To ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;
- To implement the Rome Statute of the International Criminal Court in national law in accordance with conventional and customary international law.

Torture and other ill-treatment

- To incorporate into domestic law the crime of torture and to adopt a definition of torture that covers all the elements contained in Article 1 of the UN Convention against Torture.

Non-refoulement

- To renounce the use of diplomatic assurances.

Recommendations to the government of Turkey

Freedom of expression, conscience and association

- To introduce legislation preventing the repeated prosecution of conscientious objectors to military service;
- To institute laws that recognize and guarantee the right to conscientious objection to military service and provide for a genuinely civilian alternative that is not punitive in length;
- To abolish Articles 301 and 318 of the Penal Code which directly and unfairly limit the right to freedom of expression;
- To ensure that the application of all articles of the Penal Code and other laws are in line with international standards on the right to freedom of expression, including ensuring that lawful restrictions on the exercise of the right to freedom of expression on grounds such as national security and public order are demonstrated to be necessary and proportional;

- To take further steps to ensure that human rights defenders are granted their right to the protection of the state and to conduct thorough, effective and impartial investigations into threats against them and others expressing dissenting views;
- To monitor all criminal investigations of human rights defenders and to halt all investigations launched for conduct that is protected by international standards.

Torture and other ill-treatment and impunity

- To acknowledge the increase in reported cases of torture and ill-treatment and to send a clear message that torture and other ill-treatment will not be tolerated in any circumstances;
- To ensure access to appropriate medical treatment as required for all persons in detention;
- To ratify the Optional Protocol to the Convention against Torture and to create an independent national monitoring mechanisms to carry out regular and unannounced visits to all places of detention;
- To ensure prompt, independent, impartial and thorough investigations of all allegations of human rights violations by members of the security forces;
- To develop an effective complaints mechanism to carry out prompt, independent, impartial and thorough investigations into human rights violations allegedly committed by law enforcement officials;
- To suspend from active duty officers under investigation for human rights violations and to ensure their dismissal if convicted;
- To revise Article 10 of the anti-terrorism law to prevent incommunicado detention;
- To revise Article 4 of the Law amending the Law on the Duties and Powers of Police to ensure that the use of lethal force by law enforcement officials complies with international standards;
- To take urgent steps to ensure that medical examinations of all detainees are carried out thoroughly, independently and impartially.

Fair trial

- To take steps to ensure the independence and impartiality of the judiciary and to ensure that all judges in the higher courts receive training on international human rights standards;
- To ensure respect for the rights of all persons charged with a criminal offence to trial without undue delay;
- To ensure that all persons detained pending completion of criminal proceedings are tried within a reasonable time, or released pending trial;
- To ensure that any prosecutions of children comply with international standards on juvenile justice and in particular that children are not prosecuted according to the same procedures as adults;
- To ensure that the courts investigate all allegations that evidence has been obtained by torture or other ill-treatment;
- To ensure that any evidence elicited as a result of torture or other ill-treatment is excluded at trial.

Rights of refugees and asylum-seekers

- To lift the geographical limitation to the Refugee Convention;
- To bring into force comprehensive national asylum legislation consistent with international standards on protection and reception to protect the rights of all refugees, asylum-seekers and other persons who may be in need of protection, without discrimination;
- To ensure that all persons who may be in need of protection within Turkey's jurisdiction, both within its territory and at its borders, are given access to a fair and effective refugee status determination procedure;

- To ensure that all persons in need of international protection, including persons excluded from refugee status, are not forcibly returned to a place where they are at risk of serious human rights abuses, and to establish the necessary procedures to examine their claims;
- To ensure that asylum-seekers and refugees reside in adequate conditions consistent with international standards on reception;
- To end the practice of detention of refugees and asylum-seekers for immigration purposes, in line with international human rights standards which required that such detention is only used in the most exceptional circumstances;
- In situations where detention is unavoidable, to ensure that refugees and asylum-seekers are held in adequate conditions and granted access to all procedural rights as defined under international law and standards.

Economic, Social and Cultural Rights

- To sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights recently adopted by the UN General Assembly.

International Criminal Court

- To promptly accede to the Rome Statute of the International Criminal Court and to implement it in national law in accordance with conventional and customary international law;
- To accede to the Agreement on the Privileges and Immunities of the International Criminal Court and to implement it in national law;
- In becoming parties to the Rome Statute, Turkey should not make any kind of unilateral statement which could defeat the object and purpose of the Statute or in any way undermine its text.