



Suggested recommendations to States considered in the ninth round of the Universal Periodic Review, November 2010

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Recommendations to the government of Andorra

Ratification of international human rights standards

- To ratify outstanding core international human rights treaties, in particular:
 - The International Covenant on Economic, Social and Cultural Rights and its Optional Protocol;
 - To ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
 - The International Convention for the Protection of All Persons from Enforced Disappearance, making the declarations set out in Articles 31 and 32 and to implement it in national law, in accordance with conventional and customary international law;
 - The Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making prohibited reservations and to implement it in national law in accordance with conventional and customary international law.

Recommendations to the government of Bulgaria

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 which was opened for signature in September 2009;
 - To ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
 - The International Convention for the Protection of All Persons from Enforced Disappearance, making the declarations set out in Articles 31 and 32 and to implement it in national law, in accordance with conventional and customary international law;

- The Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making prohibited reservations and to implement it in national law in accordance with conventional and customary international law.

Recommendations to the government of Croatia

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 which was opened for signature in September 2009;
 - The International Convention for the Protection of All Persons from Enforced Disappearance, signed by Croatia on 6 February 2007, and making the declarations set out in Articles 31 and 32 and to implement it in national law, in accordance with conventional and customary international law.

Recommendations to the government of Honduras

Impunity for human rights violations

- To ensure that immediate, independent, transparent and thorough investigations are conducted into all reports of human rights violations, including sexual violence, since 28 June 2009, bringing those responsible to justice in proceedings which meet international fair trial standards;
- To provide reparation to the victims of abuses, based on the principles of restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition;
- To ensure that police and military authorities cooperate fully with judicial investigations into human rights violations, including by providing full information and access to records and personnel;
- To strengthen the Office of the Special Prosecutor for Human Rights and other prosecutors with a mandate to investigate human rights violations;
- To ensure the strengthening and effectiveness of the witness protection programme;
- To ensure the armed forces return to their barracks, allowing law enforcement duties to be fully resumed by the police force;
- To improve policing methods by ensuring police officials are trained and accountability mechanisms strengthened in accordance with the UN Code of Conduct for Law Enforcement Officials and UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, including by ensuring
 - that police officials are accountable, responsive and representative of the communities that they serve,
 - that there is a clear separation of powers between the military and the police;
 - that there is a clear chain of command and a traceable “audit trail” for any decisions taken during the management of policing operations; and
 - that the military is not generally used in civilian policing activities;
- To reject any political or legal measures, such as amnesty provisions, which could prevent reparation for victims of human rights violations or perpetrators being held to account.

Harassment of members of the judiciary

- To ensure that unfounded disciplinary proceedings against judges perceived as critical of the *coup* are dropped;
- To establish training programmes for judges and judicial officials in the application of the 1985 UN Principles on the Independence of the Judiciary, as well as the application of legal duties

contained in international human rights treaties to which Honduras is a party;

- To ensure that judicial appointments are made in accordance with the UN Principles on the Independence of the Judiciary.

Human rights defenders

- To recognise and support the key role of human rights defenders in accordance with the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms ("UN Declaration on Human Rights Defenders").

Freedom of expression

- To fully restore freedom of expression, including by ensuring that journalists, opinion formers and members of the opposition are free to express their criticisms and views;
- To ensure an end to the intimidation of those who opposed the *coup*.

National human rights plan

- To establish a comprehensive national plan for human rights, covering economic, social and cultural rights as well as civil and political rights, and addressing discrimination and protection of the rights of vulnerable groups such as women, children, indigenous and LGBT people;
- To ensure that the national plan for human rights is developed with the participation of all sectors of civil society, including human rights organisations, organisations working to represent victims of human rights violations and those representing women, children, indigenous peoples and LGBT people.

Office of the Ombudsman

- To conduct an evaluation of the effectiveness of the Office of the Human Rights Ombudsman with a view to strengthening its independence and ability to contribute to respect for human rights. The evaluation should be conducted in liaison with an independent third party, such as the United Nations or the Inter-American Commission on Human Rights, and with the full participation of civil society.

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 which was opened for signature in September 2009.

Recommendations to the government of Jamaica

Update on human rights situation

Following an outbreak of violence in West Kingston in May 2010, in which armed supporters of alleged drug dealer Christopher "Dudus" Coke protested against his possible extradition to the USA, the Prime Minister declared a state of emergency in areas of Kingston and St Andrew, granting the security forces broad powers to restrict freedom of movement, search premises and detain persons suspected of involvement in unlawful activities without a warrant. During such operations by the security forces between 24 and 28 May in West Kingston, 76 persons were killed, including three members of the security forces. Reports suggest that some of the deaths may have been caused by unlawful conduct by the security forces. The Office of the Public Defender received over 700 complaints from residents in West Kingston of abuses by members of the security forces and the Office initiated an investigation into the killings. The state of emergency was extended for another month and ended on 22 July 2010.

Human rights violations by police

- To carry out prompt, thorough, independent and effective investigations into the killings in the context of the law enforcement operation by the security forces between 24 and 28 May 2010 in West Kingston, to make the findings public, and to bring those responsible to justice;
- To ensure, as a matter of priority, that adequate resources are allocated to the newly established

Independent Commission of Investigations to enable this new body to effectively perform its investigative tasks;

- To develop and fund a training strategy to ensure that the investigators of the Independent Commission of Investigations have the necessary competence and skills;
- To ensure that the Independent Commission of Investigations has access to adequate and independent ballistic and forensic expertise;
- To establish without delay the Office of the Special Coroner charged with investigating cases of fatal police shootings and to provide it with adequate resources;
- To adopt and implement without delay the Corruption Prevention Act establishing the office of the Special Prosecutor for Corruption;
- To fully and systematically implement the reform of the police and to ensure that the police force is representative, responsive and accountable to all the community and ensures respect and protection of human rights;
- To ensure that all police officers and other members of the security forces are trained in and follow at all times the provisions of the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;
- To ratify, without any prohibited reservations, and implement the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity.

Administration of justice

- To fully and systematically implement the reform of the justice system;
- To ratify the First Optional Protocol to the International Covenant on Civil and Political Rights.

Violence against women and girls

- To widely disseminate the Sexual Offences Act raise awareness among rights-holders and to ensure its effective application by all relevant authorities;
- To consider amending the Sexual Offences Act to criminalise marital rape in all circumstances;
- To ensure prompt and effective investigation and prosecution of cases of gender-based violence;
- To allocate more consistent resources to the Bureau of Women's Affairs to enable it to carry out awareness raising, education and prevention programmes;
- To ensure the immediate establishment of more shelters for women victims of physical and sexual violence;
- To ensure that all relevant government departments collect and publish disaggregated data and statistics on violence against women and girls;
- To ratify and implement the Optional Protocol to the Convention on the Elimination of Discrimination against Women.

The death penalty

- To repeal all provisions in national law allowing for the death penalty and to immediately declare a moratorium on executions;
- To commute all death sentences to terms of imprisonment;
- Pending abolition of the death penalty, to ensure rigorous application of international standards for fair trial in all death penalty cases;
- To ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.

Human rights of lesbian, gay, bisexual and transgender persons

- To repeal all provisions in national law that criminalize same sex relations;
- To fully and thoroughly investigate all incidents and acts of violence suspected of being motivated by homophobia;
- To take effective measures to reduce the climate of homophobia in Jamaica and to put an end to mob violence against lesbian, gay, bisexual and transgender persons.

Children in custody

- To fully implement the recommendations of the Armadale Commission of Inquiry;
- To immediately transfer children detained in lock-ups in police stations to safe and authorized juvenile detention facilities.

Social exclusion and lack of protection from violence in inner-city communities

- To adopt and implement a plan to combat the root causes of violence, in particular disparities and discrimination in access to economic, social and cultural rights;
- To coordinate social interventions in an effective manner and ensure that available resources are deployed in ways that maximize impact;
- To adopt and implement strategies to combat stigmatization and discrimination against inner-city communities, especially in public security policies, state institutions and policing;
- To ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights which was opened for signature in September 2009.

Charter of Rights

- To ensure that the new Charter of Fundamental Rights and Freedoms is the subject of wider and more effective consultation with civil society.

Recommendations to the government of Lebanon

National legislation affecting women

- To review existing legislation and to amend any discriminatory provisions relating to gender equality, including rights in marriage, divorce and inheritance, and the right of women to confer nationality to their children and spouses;
- To amend Law No. 15 of 1925 relating to nationality to give women equal rights with men to confer their nationality to their children and spouses in conformity with Articles 2, 3, 24 and 26 of the International Covenant on Civil and Political Rights and Article 7 on the Convention on the Rights of the Child;
- To lift all reservations to the Convention on the Elimination of All Forms of Discrimination against Women, including Article 9 paragraph 2.

National legislation affecting the rights of Palestinian refugees

- To review existing legislation and to amend any provisions that do not comply with Lebanon's obligations under international law, including:
 - To amend Law No. 296 of 3 April 2001 to enable Palestinians to exercise their right to own and inherit property, and to ensure that such amendment is in conformity with Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination and provisions proscribing discrimination in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights;
 - To amend provisions of the social security law to grant Palestinians and their children equal rights to public health services, medical care, social security and social services,

and to ensure that all amendments are in conformity with Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination, Article 26 of the Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights;

- To amend the Labour Law to allow Palestinians equal access to employment in jobs that were restricted to them prior to 2005, to equal wages as Lebanese citizens, and to attain job security; and also to remove the restrictions on the remaining 20 job categories and to make these amendments permanent in law;
- To make primary education compulsory, free and available to all children, and to ensure that the government respects its obligations under Article 28 of the Convention on the Rights of the Child and Article 13 of the International Covenant on Economic, Social and Cultural Rights.

Situation of Palestinian non-ID holders

- To take immediate steps to regularize the status of non-ID Palestinian refugees in Lebanon, including by:
 - Registering all non-ID Palestinian refugees under Lebanese jurisdiction, providing them with official identification documents, ensuring that all their current and future children are provided with the necessary registration and identification documents, and ensuring that the authorities comply with article 7(1) of the Convention on the Rights of the Child and article 24 of the International Covenant on Civil and Political Rights, which stipulates that every child has the right to be registered immediately after birth and the right to have a name and to acquire a nationality;
 - Allowing, with immediate effect, Palestinian refugee students who do not have identification documentations to sit the Lebanese state exams, which give access to higher education.

Abductions and enforced disappearances

- To ratify and implement in national law, in accordance with conventional and customary international law, the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity;
- To establish a body aimed at ensuring that the right to truth, justice and reparation of families of victims of abduction and enforced disappearance is upheld, and tasked to achieve the following:
 - Locating Lebanese citizens and foreign nationals who were abducted on Lebanese soil and transferred to other countries, and making every efforts to secure their release;
 - Locating and protecting mass graves in Lebanon believed to contain the remains of unidentified victims of abductions and enforced disappearances during the civil war, including the three mass graves in Beirut mentioned in the findings of the Official Commission of Investigation into the Fate of the Abducted and Disappeared Persons in 2000: St. Demetrious Cemetery in Achrafieh, the Martyrs' Cemetery in Horsh Beirut and the English Cemetery in Tahwita;
 - Locating and protecting other possible mass graves, including the site that was formerly used as a base by Fatah - the Revolutionary Council, where the remains of Alec Collett and another body were found, and investigating whether this site contains remains belonging to other victims of the 1975-1990 civil war;
 - Exhuming the human remains found in these and other mass graves in accordance with international standards, in particular the UN Model Protocol for Disinterment and Analysis of Skeletal Remains, which provides detailed guidelines for governments when exhuming human remains;
 - Setting up a DNA database to identify human remains and to allow the families of victims of abductions and enforced disappearances to finally know the fate of their loved

ones.

Situation of migrant domestic workers

- To ensure effective protection of the rights of women migrant domestic workers by:
 - Amending the labour law to improve labor standards and enforcement mechanisms in accordance with international standards;
 - Setting up the necessary inspection mechanisms to prevent abuse and ensure regular payment of wages and decent working conditions for migrant domestic workers.

Economic, social and cultural rights

- To ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights which was opened for signature in September 2009.

Torture and other ill-treatment

- To take immediate measures to prevent torture by:
 - Expediting the establishment of a robust and independent national mechanism which would have access to all places of detention in Lebanon;
 - Amending articles in the Penal Code to criminalize all forms of torture, regardless of its objective, and to provide for penalties appropriate to the grave nature of the crime of torture;
 - Ensuring that all allegations of torture and other ill-treatment are effectively and promptly investigated by an independent and impartial body, and that those responsible for torture or other ill-treatment are brought to justice in fair trials and without recourse to the death penalty;
 - Ensuring that confessions extracted under torture are not used as evidence in courts.

The death penalty

- To take immediate measures leading to abolishing capital punishment by:
 - Establishing 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;
 - Commuting without delay all death sentences to terms of imprisonment;
 - Ensuring rigorous compliance in all death penalty cases with international standards for fair trial, 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.

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.

Recommendations to the government of Liberia

Disarmament, demobilization, rehabilitation and reintegration

- To review the disarmament, demobilization, rehabilitation and reintegration (DDRR) programme and to consider extending and expanding services to former combatants, with a focus on improved monitoring, reintegration, education, and vocational training;
- To stop flows of Liberian arms and fighters to Ivorian militia and rebel groups and Guinean security forces, including by staffing official crossing points and enhancing patrolling and intelligence gathering in border areas;
- To ensure a gender-based approach to the implementation of the DDRR programme, including by:
 - involving Liberian women's interest groups and women leaders in the design, implementation and evaluation of national and county-level strategies for the reintegration of persons associated with fighting forces;
 - ensuring that psycho-social counselling is widely known and available in local communities to all women, men and children,
 - making medical services accessible to women with particular health conditions resulting from the conflict;
 - ensuring that education and vocational training programmes are well funded, accessible and specifically designed to meet the needs of Liberian women and girls.

Independent Human Rights Commission

- To ensure the establishment and effective functioning of the Independent National Human Rights Commission;
- To ensure that the Commission is allocated sufficient funding and other resources.

Impunity for human rights violations

- To bring to justice anyone suspected of having committed extrajudicial executions, torture, other 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;
- To promptly ratify or accede to the International Convention for the Protection of All Persons from Enforced Disappearance, making the declarations set out in Articles 31 and 32, and to implement it in national law, in accordance with conventional and customary international law.

Corruption and human rights

- To ensure that the Liberian Anti-Corruption Commission is adequately funded and staffed to enable it to properly investigate and prosecute corruption cases;
- To implement the law requiring all elected officials to publicly disclose their finances.

Women's human rights

- To ensure prompt, impartial and effective investigation of all reports of sexual and domestic violence against women and that those responsible are brought to justice in fair trials, including by strengthening and monitoring the work of the Criminal Court E as well as the Sexual and Gender Based Violent Crimes Unit;
- To strengthen programs to recruit women police officers and train other staff to enable women to access administrative and judicial assistance;
- To build and ensure expert staffing for more shelters for women fleeing domestic violence;
- To criminalize spousal rape;
- To pass and implement laws to prohibit sexual harassment in schools and places of work;

- To reduce maternal mortality and morbidity by implementing the Roadmap for Accelerating the Reduction of Maternal and Newborn Morbidity and Mortality in Liberia as a national priority; to ensure that costs are not a barrier to essential health services, including emergency obstetric care and other reproductive health services; to improve the availability and accessibility of essential health services, including emergency obstetric care; to improve referral networks; and to enhance monitoring and accountability mechanisms.

Children's human rights

- To improve the quality of care in orphanages and to improve alternative care for orphans in Liberia;
- To criminalize female genital mutilation;
- To eradicate the worst forms of child labour, including by implementing the ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

Weaknesses in the justice sector

- To speed up reform of the justice sector, including by providing increased resources for the criminal justice system; by training judges, prosecutors, defence counsel and investigators; and by establishing Juvenile Courts throughout the country;
- To improve prison conditions, including in line with the UN Standard Minimum Rules for the Treatment of Prisoners;
- To enforce the law which criminalizes trials by ordeal;
- To prosecute ritual killings;
- To improve law enforcement, including by
 - giving 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;
 - ensuring 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.

Resettlement and land disputes

- To ensure that internally displaced people and returnees have their land and property restituted and to intervene effectively where they are unable to recover them.

Economic, social and cultural rights

- To ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights which was opened for signature in September 2009.

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, and to progressively reduce the number of crimes punishable by death with a view to the abolition of the death penalty;
- To ensure rigorous compliance in all death penalty cases with international standards for fair trial are respected.

Press freedom and free speech

- To review existing laws and repeal or amend those that are inconsistent with article 15 of the Constitution of Liberia guaranteeing freedom of expression – particularly those criminalizing anti-government statements such as the law on sedition, the Criminal Libel law; and the Criminal Malevolence law;
- To pass the Freedom of Information Act submitted by the Press Union of Liberia to the National Legislature more than a year ago.

Recommendations to the government of Libya

Freedom of expression, association and assembly

- To repeal all laws, including Law 71 of 1972 and Articles 178, 195, 206 and 207 of the Penal Code, which criminalize activities which merely amount to the peaceful exercise of the rights to freedom of expression and association;
- To grant official registration to the Organizing Committee of Families of Victims of Abu Salim and any other independent non-governmental organization seeking registration; and
- To immediately and unconditionally release all those imprisoned solely for the peaceful exercise of their rights to freedom of expression, association and assembly; and to guarantee that those who criticize the Libyan political system or Libyan officials, or seek to hold peaceful anti-government protests or create independent associations, are protected from any form of harassment or intimidation.

Administration of justice

- To amend relevant legislation, such as Article 13 of the Code of Criminal Procedure, to ensure that members of the security forces, including members of the Internal Security Agency, no longer have the authority to exercise the functions of the judicial police, including powers to arrest and detain suspects;
- To overhaul the system allowing for special courts and related institutions including the State Security Court and Prosecution Office, the proceedings of which lack transparency and the most basic judicial guarantees; and to repeal the laws related to the People's Court, including Law No. 5 of 1988, which continue to be applied to the State Security Court;
- Pending reform of proceedings in front of the State Security Court, to bring these in line with international standards, to transfer all cases pending before the State Security Court to the jurisdiction of the ordinary criminal court system;
- To immediately release all individuals detained without a legal basis, including those who have already served their sentences and those who have been cleared by the courts;
- To retry all those sentenced by the People's Court, the State Security Court and other special courts in proceedings that meet international standards for fair trial, or to release them;
- To investigate all allegations of torture or other ill-treatment and other violations committed by security forces, including enforced disappearances and extrajudicial executions, and to bring those responsible to justice in proceedings that meet international standards for fair trial;
- To end the practice of prolonged incommunicado detention and to ensure that detainees are granted prompt access to their families and lawyers and doctors of their own choice; and
- To ensure that all detention facilities are brought under the control of the General People's Committee for Justice and placed under the oversight of the Department of Public Prosecutions.

Torture or other cruel, inhuman degrading treatment or punishment

- To immediately cease the application of corporal punishment, including flogging and amputation, and to repeal legislation which allows for its application, including Law No. 70 of 1973, Law No. 52 of 1974 and Law No. 13 of 1425;
- To ensure that all allegations of torture or other ill-treatment are promptly, thoroughly, independently and impartially investigated and that the full findings of such investigations are

made public;

- To amend the Penal Code to include a definition of the crime of torture in line with the definition used by the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to prohibit all forms of cruel, inhuman or degrading treatment or punishment;
- To ensure that confessions or other evidence obtained under torture are not admissible in legal proceedings;
- To ensure that all those responsible for torture and other human rights violations, including members of the Internal Security Agency, are brought to justice, in proceedings that meet international standards for fair trial;
- To ensure that victims of torture and other human rights violations receive adequate reparation for the harm suffered; and
- To ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The death penalty

- To commute all death sentences;
- To immediately establish a moratorium on executions, with a view to the abolition of the death penalty;
- Pending steps towards total abolition of the death penalty, to ensure that in death penalty cases, the most rigorous internationally-recognized standards for fair trial are respected;
- In light of the disproportionately large number of foreign nationals on death row in Libya, to ensure that foreign nationals enjoy their right to be notified of the reasons for their arrest and charges in a language they understand, the right to communicate with and receive visits from representatives of their governments and to enjoy consular protection and the right to a competent interpreter free of charge; and
- To review all Libyan laws and the draft Penal Code to ensure that the death penalty is restricted to the “most serious crimes”, as required by the International Covenant on Civil and Political Rights, with a view to its abolition.

Impunity for human rights violations

- To publish a list of those killed in the 1996 Abu Salim Prison killings or who died in custody as a result of torture or other abuses. Such a list should contain the names of those killed, the circumstances of their arrest and subsequent disappearance, the information gathered in each case, and the exact circumstances of their death;
- To provide the families of victims of the Abu Salim Prison killings with accurate death certificates stating the place, date and exact cause of death;
- To clarify and make public without delay the mandate and the findings of the Committee established to investigate the 1996 Abu Salim Prison killings, as announced in September 2009;
- To establish a vetting system to ensure that those reasonably suspected of crimes under international law or human rights violations do not remain or are not placed in positions where they could repeat such violations; such a screening mechanism should work alongside independent and impartial investigations to identify suspected perpetrators and judicial proceedings to bring them to justice. It should comply with international law, in particular standards of fairness;
- To ensure that the families of victims of the Abu Salim killings are protected from any form of intimidation or harassment for demanding their rights or for holding public protests against government actions;

- To conduct full, impartial and independent investigations into all enforced disappearances, extrajudicial executions and deaths in custody possibly as a result of torture; including those of Jaballah Matar and Ezzat Youssef al-Maqrif; and
- To sign and ratify the International Convention for the Protection of all Persons against Enforced Disappearance and the Rome Statute of the International Criminal Court.

Gender-based discrimination

- To repeal all discriminatory legislation with regard to marriage, divorce and inheritance, including Law No. 10 of 1984 on Marriage, Divorce and their Consequences;
- To decriminalize sexual relations between consenting adults by amending Article 407 and 408 of the Penal Code and repealing Law No. 70 of 1973 on the Establishment of the *Had of Zina* and the Amendment of several Articles of the Penal Code; and
- To lift all reservations to Convention on the Elimination of All Forms of Discrimination against Women that contradict the object and purpose of the treaty.

The rights of refugees, asylum-seekers and migrants

- To ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, and to adopt asylum legislation consistent with international law and standards without further delay;
- To immediately sign a memorandum of understanding with UNHCR and ensure that it has access to all individuals potentially in need of international protection;
- To conduct full, independent and impartial investigations into allegations of torture or other ill-treatment of refugees, asylum-seekers and migrants by Libyan law enforcement officers and to bring those responsible to justice in accordance with international standards for fair trial;
- To not forcibly return refugees, asylum-seekers and others in need of international protection to a country where they are at risk of persecution or other serious human rights violations [the principle of *non-refoulement*] and to immediately cease all arbitrary or collective expulsions.

Cooperation with mechanisms of the Human Rights Council:

- To extend invitations to the Working Group on enforced or involuntary disappearances; the Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on torture and the Special Rapporteur on freedom of expression; and
- To facilitate the visit by the UN Working Group on arbitrary detention.

Ratification of human rights treaties

- To ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights which was opened for signature in September 2009.

Recommendations to the government of Malawi

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 which was opened for signature in September 2009, the Second Optional Protocol to the International Covenant on Civil and Political rights aiming at the abolition of the death penalty, and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
 - The International Convention for the Protection of All Persons from Enforced Disappearance, making the declarations set out in Articles 31 and 32 and to implement it in national law, in accordance with conventional and customary international law;

- The Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making prohibited reservations, and to implement it in national law in accordance with conventional and customary international law.

Recommendations to the government of Maldives

The death penalty

Maldives has not executed anyone for decades and no one is currently at risk of execution. By establishing a formal moratorium on executions, the Maldives would be sending a clear signal to people in Maldives and in other countries in Asia that the death penalty must be abolished. For this purpose, Amnesty International is urging the government of the Maldives:

- 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 immediately remove all provisions in national law which are in breach of international human rights law, including restricting the imposition of the death penalty to only the most serious crimes;
- To ensure rigorous compliance in all death penalty cases with international standards for fair trial, 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;

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 which was opened for signature in September 2009;
 - The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty;
 - The International Convention for the Protection of All Persons from Enforced Disappearance, signed on 6 February 2007, making the declarations set out in Articles 31 and 32, and to implement it in national law in accordance with conventional and customary international law;
 - The Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making prohibited reservations and to implement it in national law in accordance with conventional and customary international law.

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 ratify the Agreement on the Privileges and Immunities of the International Criminal Court, and implement it in national law;

Recommendations to the government of Marshall Islands

Ratification of international human rights standards

- To ratify the outstanding core international human rights treaties, in particular:

- The International Covenant on Economic, Social and Cultural Rights and its Optional Protocol and the International Covenant on Civil and Political Rights and its two Optional Protocols;
- The International Convention for the Protection of All Persons from Enforced Disappearance, making the declarations set out in Articles 31 and 32, and to implement it in national law in accordance with conventional and customary international law;
- The International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and implement it in national law in accordance with conventional and customary international law;
- The Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making prohibited reservations and to implement it in national law in accordance with conventional and customary international law.

International Criminal Court

- As a state party to the Rome Statute of the International Criminal Court, Marshall Islands should promptly ratify the Agreement on the Privileges and Immunities of the International Criminal Court, and to implement it in national law.

Recommendations to the government of Mauritania

Torture and other 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 prohibition of torture and other ill-treatment;
- To ensure that anyone placed in detention is brought promptly before a judicial authority and has the option of disputing the legality of the decision to imprison;
- To draw a plan of action against torture and other ill-treatment with a view to their eradication and bring to justice all suspected perpetrators of such acts, including by making acts of torture or ill-treatment a criminal offence and making provision for penalties that reflect the gravity of these acts;
- To inform members of the police and law enforcement officers, in unambiguous language, that violation of human rights, including torture and ill-treatment, will not be tolerated under any circumstances and that anyone committing such offences will be punished as provided for by law;
- To carry out prompt, impartial and effective investigations into all complaints and information concerning torture and other ill-treatment;
- To ensure that all judges, prosecutors and lawyers are informed that confessions and statements obtained other than in the presence of a member of the public prosecutor's office and the suspect's counsel may not be used in court;
- To extend an invitation to the UN Special Rapporteur on torture and to cooperate fully with him, including by allowing him free access to all official and unofficial places of detention;
- To ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Arbitrary arrests and detention

- To ensure that all detainees may contact their family, lawyer and doctor without delay after their arrest and regularly throughout the period of detention or imprisonment;
- To place the management of prison and penal institutions under the effective and appropriate control of the Ministry of Justice;

- To apply international standards on the treatment of prisoners and conditions of detention, in particular those set out in the UN Standard Minimum Rules for the Treatment of Prisoners and the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment;
- To create a mechanism to organize periodic visits and inspections of places of detention by a independent experts, including judges, prosecutors, doctors and lawyers, as well as members of civil society and human rights defenders.

Refugees, asylum-seekers and migrants' rights

- To protect the rights of migrants and asylum-seekers, including to liberty and freedom from arbitrary detention; to protection against torture and other ill-treatment; to access to a fair and satisfactory asylum procedure and to protection from return to a country or territory where they would be at risk of serious human rights violations, according to Article 6 of the African Charter on Human and Peoples' Rights;
- To ensure that detention of migrants is used only if it is demonstrated, in each individual case, that it is a necessary and proportionate measure that conforms with international law; criteria for detention should be clearly set out in law and alternative non-custodial measures, such as reporting requirements, should always be considered before resorting to detention.

Slavery

- To establish an independent and impartial enquiry into progress over the past 20 years and to consider further steps towards the complete eradication of slavery, slavery-like practices and related abuses and discrimination in Mauritania. The inquiry should involve religious leaders, traditional leaders, law enforcement officials and judicial officials as well as members of civil society, including NGOs working against slavery;
- To ensure that the 2007 law which makes slavery a criminal offence is effectively enforced and that all people suspected of practicing slavery are properly prosecuted;
- To develop mechanisms for granting full and fair reparations to victims of slavery, including compensation and rehabilitation.

Excessive use of force

- To respect the rights to freedom of expression and assembly, without the use of violence.

The death penalty

- To impose an immediate moratorium on executions, commute all death sentences with a view to the 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 and the two Optional Protocols to the International Covenant on Civil and Political Rights;
 - The International Convention for the Protection of All Persons from Enforced Disappearance, making the declarations set out in Articles 31 and 32, and to implement it in national law, in accordance with conventional and customary international law;
 - The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
 - The Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making prohibited reservations and to implement it in national law in accordance with conventional and customary international law.

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.

Recommendations to the government of Micronesia

Ratification of international human rights standards

- To ratify the outstanding core international human rights treaties, in particular:
 - The International Covenant on Economic, Social and Cultural Rights and its Optional Protocol and the International Covenant on Civil and Political Rights and its two Optional Protocols;
 - The International Convention for the Protection of All Persons from Enforced Disappearance, making the declarations set out in Articles 31 and 32, and to implement it in national law, in accordance with conventional and customary international law;
 - The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to implement it in national law, in accordance with conventional and customary international law;
 - The Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making prohibited reservations and to implement it in national law in accordance with conventional and customary international law.

International Criminal Court

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

Recommendations to the government of Mongolia

Human Rights Legislation

- To ratify, without making any prohibited reservation, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the 1951 Refugee Convention, and the International Convention for the Protection of All Persons from Enforced Disappearance;
- To amend national legislation to define torture as a crime in accordance with the definition in the UN Convention against Torture and to include a definition of racial discrimination in accordance with the definition in the Convention on the Elimination of all Forms of Racial Discrimination;
- To ensure that discrimination on the basis of sexual orientation and gender identity is explicitly prohibited in national legislation, including the Constitution of Mongolia;
- To abolish or review Article 44.1 of the Criminal Code so that there is no impunity for human rights violations;
- To enact legislation implementing its obligations under the Rome Statute of the International Criminal Court as a matter of priority and to ratify the Agreement on the Privileges and Immunities of the International Criminal Court;
- To make a declaration recognizing the competence of the Committee on Economic, Social and Cultural Rights to undertake inquiry and interstate procedures under the Optional Protocol to the

International Covenant on Economic, Social and Cultural Rights ratified by Mongolia in July 2010.

The death penalty

- To amend the Law on State Secrets and the Law on the List of State Secrets to end secrecy surrounding the death penalty and to make publicly available all information on the death penalty;
- To amend existing legislation with the aim of abolishing the death penalty in law and practice.

Prison conditions

- To review arrangements and resources, including funding, for the treatment and custody of all prisoners and detainees, to ensure that they are treated humanely and in conformity with national law as well as the UN Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment, the UN Standard Minimum Rules for the Treatment of Prisoners, and Article 10 of the International Covenant on Civil and Political Rights;
- To allow thorough, impartial and independent inspection of prisons and other detention facilities to assist in ensuring conditions meet international standards.

Torture and other ill-treatment

- To establish effective mechanisms for receiving complaints of torture or other ill-treatment, to provide timely and accessible information on the progress of cases, and to ensure that any person wishing to submit a complaint against law enforcement officials is not in any way obstructed from doing so. When a complaint is rejected as inadmissible, the complainant should be given clear and detailed reasons for the decision, in writing, and information on appeals mechanisms and alternative avenues of recourse;
- To ensure that the Special Investigation Unit of the State General Prosecutor's Office is provided adequate resources and funding to enable it to carry out prompt, independent, impartial and thorough investigations into allegations of offences involving human rights violations against officials;
- To take urgent steps to introduce video and audio monitoring and recording of all interrogations and in any other areas where torture or other ill-treatment are likely to occur. These recordings must be kept in a secure facility for a reasonable period of time in order to ensure they are available for viewing by investigators if required.

Use of force by law enforcement officials

- To ensure that police are trained to refrain from using force, except in exceptional circumstances as set out in the UN Basic Principles on the Use of Force and Firearms and other international standards. All police officers should be made aware, through the chain of command, that excessive use of force or other violation of human rights will result in investigation and corresponding sanctions;
- To prosecute those suspected of human rights violations in trials that meet international fair trial standards;
- To ensure that victims of crimes committed by law enforcement officials have access to an effective remedy and to receive adequate reparation, including restitution, compensation, rehabilitation, and guarantees of non-repetition in accordance with international standards.

Slums

- To combat direct and indirect discrimination against people living in *ger* districts by providing legislative and practical provisions to ensure their equal access to clean water, sanitation, healthcare, adequate housing, and education;
- To ensure the active participation of people living in *ger* districts in any upgrading, planning and budgeting processes that affect their lives directly or indirectly. Any upgrading initiatives or housing programmes and policies should be consistent with international human rights standards.

Discrimination against lesbian, gay, bisexual and transgender (LGBT) individuals

- To ensure thorough and impartial investigation into all allegations of attacks and threats against individuals targeted because of their sexual orientation or gender identity and to bring to justice those responsible in accordance with international standards of fair trial;
- To promote the rights to freedom of expression, association and assembly without discrimination of members of the LGBT community and the LGBT Centre.

Recommendations to the government of Panama

Ratification of international human rights standards

- To ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights which was opened for signature in September 2009, and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- To ratify the International Convention for the Protection of All Persons from Enforced Disappearance, signed on 25 September 2007, making the declarations set out in Articles 31 and 32, and to implement it in national law, in accordance with conventional and customary international law.

Recommendations to the government of United States

International law and standards

- To issue an Executive Order on human rights to ensure that the administration's Inter-Agency Working Group on Human Rights serves as a coordinating body among federal agencies and departments to enforce and implement the USA's human rights obligations; to make mandatory human rights impact assessments and studies to ensure government policies, pending legislation and regulations are consistent with US human rights obligations; to require that Inspectors General incorporate human rights obligations and analysis into their reviews and investigations of government agencies, policies and programmes; and to ensure collaboration between federal, state and local governments aimed at meeting the USA's human rights obligations;
- To embark upon a programme of ratification, and ensure implementation into domestic law, of human rights and other instruments, including the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, the Convention on the Rights of the Child, the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention for the Protection of All Persons from Enforced Disappearance, the Rome Statute of the International Criminal Court, the American Convention on Human Rights, and the Vienna Convention on the Law of Treaties;
- To review existing US ratifications, with a view to withdrawing all reservations, understandings and declarations that serve to undermine compliance with the treaties or undermine their object and purpose;
- To recognize the extraterritorial application of international human rights law to actions by US personnel vis-à-vis territories and individuals over which they exercise effective control, at all times, including during armed conflict;
- To review all outstanding recommendations from UN treaty bodies and experts with a view to implementing them.

Counter-terrorism

- To expressly reject the theory that the USA can detain any individual anywhere in the world at any time, and hold them in detention indefinitely, on the premise that it is involved in an all-

pervasive global and perpetual armed conflict against non-state actors, a theory that is inconsistent with international law;

- To rely on ordinary criminal offences and procedures alone to justify detention of individuals who are unconnected to any ongoing international armed conflict as recognized by international law and are accused of essentially criminal conduct;
- To achieve the closure of the Guantánamo detention facility without compromising human rights principles, including by bringing detainees to trial in independent and impartial courts applying international fair trial standards, or immediately releasing them;
- To abandon military commissions as a forum for trials, and to use existing federal courts for prosecutions;
- To ensure that detainees in US custody in Afghanistan have access to legal counsel and to courts to challenge the lawfulness of their detention, and that independent human rights monitors have access to the detainees;
- To ensure that all transfers of detainees to the custody or territory of another state fully comply with international law, particularly obligations of non-refoulement, and to apply definitions at least as protective as those applied under international law;
- To not rely on diplomatic assurances where there is a risk of human rights violations such as torture or other ill-treatment by the receiving state, and to ensure that effective independent judicial control of transfers is accessible to detainees and that recourse to their procedures has suspensive effect on any transfer, particularly where there is credible evidence that a detainee will face abuse after transfer;
- To set up an independent commission of inquiry into all aspects of the USA's detention and interrogation policies and practices since 11 September 2001. This must not block or delay the prosecution of any individuals against whom there is already sufficient evidence of wrongdoing;
- To initiate effective independent criminal investigations, including into crimes under international law such as torture and enforced disappearance, committed by individuals acting for or on behalf of the USA;
- To ensure that all victims of human rights violations have full access to remedy;
- To publicly identify the rules of international law the government considers provide a basis for targeted killings that it undertakes. The government should specify the bases for decisions to kill rather than capture and should specify the procedural safeguards in place to ensure in advance of targeted killings that it complies with international law, and the measures taken after any such killing to ensure that its legal and factual analysis was accurate and, if not, the remedial measures that it will take.

Discrimination

- To meet its obligations under international law in relation to eliminating racial and other discrimination in all its forms, including laws and practices that may not be discriminatory in purpose, but in effect;
- To address racial disparities in the criminal justice system, including through further studies to determine the scope and nature of the problem;
- To pass into law national legislation to bar racial profiling in law enforcement, with effective complaints and compliance procedures.

Ill-treatment in police custody, jails and prisons

- To suspend the use of Tasers and similar devices in law enforcement unless strictly regulated and limited to situations where they are necessary to protect life and avoid resort to firearms;
- To review conditions for those held in federal super-maximum security custody and to develop national standards to ensure humane conditions in high security units nationwide, with adequate review and monitoring procedures;

- To ensure that state and federal authorities ban the shackling of pregnant inmates, particularly women in labour, and to ensure that agencies that violate these laws are subject to appropriate sanctions;
- To increase investigations by the US Justice Department's Civil Rights Division of ill-treatment in prisons and jails, and of police departments accused of a "pattern or practice" of abuses.

Death penalty

- To ensure that state and federal authorities impose a moratorium on executions with a view to abolishing the death penalty nationwide; and that prosecutors in all jurisdictions cease pursuing death sentences.

Juvenile justice

- To end the use of life imprisonment without parole for offenders under 18 years old at the time of the crime, and to review all existing sentences in order to ensure that any such convicted offender has the possibility of parole.

Detention of migrants

- To detain migrants only in exceptional circumstances, with detention subject to judicial review and justified in each individual case;
- To ensure the adoption of enforceable human rights detention standards in all facilities that house immigration detainees, with effective oversight to ensure compliance;
- To restore to immigration judges the discretion to consider the individual circumstances of each person coming before the court and to waive deportation when circumstances warrant it.

Maternal mortality

- To ensure all women have equal access to timely and quality maternal health care services;
- To ensure that no-one is denied access to health care services by policies or practices that have the purpose or effect of discriminating on grounds such as gender, race, ethnicity, age, indigenous status, immigration status or ability to pay;
- To ensure that federal and state authorities implement programs to improve data collection and analysis in order to better identify and respond to issues contributing to maternal deaths.

Post-Katrina concerns

- To abide by the UN Guiding Principles on Internal Displacement and recognize that all internally displaced persons have the right to return to their homes or places of origin; and to ensure that the principles of equality and non-discrimination are applied to resettlement and return;
- To ensure that all Gulf Coast residents return to adequate housing and an environment consistent with the right to the highest attainable standard of health, and have equal access to education and the criminal justice system.