



## Suggested recommendations to States under review in the 40th session of the UPR Working Group 24 January - 4 February 2022

### Contents

Recommendations to the government of Iceland .....	2
Key Amnesty International Documents on Iceland for reference .....	4
Recommendations to the government of South Sudan .....	5
Key Amnesty International Documents on South Sudan for reference .....	8
Recommendations to the government of Timor Leste .....	10
Key Amnesty International Documents on Timor Leste for reference .....	12
Recommendations to the government of Togo .....	13
Key Amnesty International Documents on Togo for reference .....	16
Recommendations to the government of Uganda .....	18
Key Amnesty International Documents on Uganda for reference .....	20
Recommendations to the government of Venezuela.....	22
Key Amnesty International Documents on Venezuela.....	25
Recommendations to the government of Zimbabwe .....	27
Key Amnesty International Documents on Zimbabwe for reference .....	29

## Recommendations to the government of Iceland

### *Constitutional and legal framework*

- Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (CRPD), implement it into law and amend relevant legislation.
- Ratify the Convention for the Protection of all Persons from Enforced Disappearance.
- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (CESCR) and opt in to the inquiry and inter-state procedures, the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (CMW) and the third Optional Protocol to the Convention on the Rights of the Child.
- Incorporate other international human rights convention such as CEDAW and CRPD into domestic law and educate the Icelandic public on Iceland's international commitments relating to gender equality and the rights of people with disabilities in Iceland.
- Ratify the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity.
- Ratify ILO Conventions 149 (Nursing Personnel Convention), 189 (Domestic Workers Convention), 155 (Occupational Safety and Health Convention) and the ILO Violence and Harassment Convention of 2019.
- Safeguard all human rights provisions in the continuing work on revising the Constitution, as Iceland accepted to do at its first UPR review.
- As accepted at its second review, establish an NHRI fully compliant with the Paris Principles, including consultation with civil society as soon as possible and make use of the expertise, experience, know-how and network of the Icelandic Human Rights Centre ICEHR for this purpose.

### *Equality and Non-discrimination*

- Present a bill for the expansion of the Act on Equal Treatment irrespective of Racial and Ethnic origin to Parliament which would prohibit discrimination on additional grounds is included, for example, religion, philosophical conviction, disability, reduced working capacity, age, sexual orientation, gender identity, sexual characteristics or gender expression.
- Undertake an awareness raising campaign on Iceland's anti-discrimination legislation and the remedies available to victims of discrimination.
- Provide adequate levels of social security benefits and pensions and work opportunities to ensure all retired and people with disabilities are able to enjoy an adequate standard of living.

### *Women's Rights and Gender Equality*

- Address harassment in the police force and guarantee women's right to be free from harassment and to safety at work including in the police force including by increasing the number of women serving within the police.
- Conduct awareness-raising and public education campaigns and other concrete measures to eliminate gender stereotypes about the roles and obligations of women and men.
- Ensure adequate assistance is available to victims of sexual violence by providing adequate financial resources to the Icelandic Police and other institutions involved in assisting them.

- Continue providing support to migrant women in abusive relationships and keep up efforts to assist and empower such women.
- Provide adequate funding for the investigation and prosecution of sexual offences and domestic violence cases as well as for the training of police, prosecutors and judges on the legislative intent as regards penal stipulations on sexual offences and violence in abusive relationships, in particular as regards the Penal Code stipulation on rape which is based on voluntary consent.
- Establish education programs for the police, prosecutors and judges on methods for questioning victims with disabilities and other measures necessary to ensure as fair and thorough procedure as possible.
- Continue work to eradicate the gender pay gap, including by amending the legislation on gender quotas in the boards of corporations, so that it applies to companies with 25 employees or more and by fully implementing ÍST 85:2012 – Equal Pay Management System.
- Use relevant international forums and opportunities to introduce the Equal Pay Management System to other countries as an example of good practice.

#### *Children's Rights*

- Ensure adequate financing of the child protection services and to ensure that children are listened to and take part in decisions regarding their well-being, for example in custody cases.
- Ensure equal opportunities for children without discrimination, such as by ensuring adequate individualized financial support for families to promote equal access to resources and opportunities to enable all children, including children living in poverty, to enjoy their talents, and to be able to continue their education regardless of their parents' financial situation.
- Continue to support actions to diminish dropout rates for migrant and other students after they finish compulsory education.

#### *Promotion and Protection of the Rights of Specific Groups, Including Migrants, Minorities and Indigenous peoples*

- Adopt an action plan on migration as soon as possible and take further steps towards diminishing the unemployment rate among migrants.
- Increase safe and legal pathways to Iceland, for example through community sponsorship.
- In line with previous recommendations, amend the General Penal Code so that it includes racist motivation of an offence as a specific aggravating circumstance.
- Adequately fund actions for combatting human trafficking and issue a comprehensive action plan on trafficking in human beings which addresses the structural conditions which enable and perpetuate human trafficking, including lack of safe legal routes for refugees and migrants, poverty, and massive human rights violations in countries of origin.

#### *Climate Crisis and Human Rights*

- Urgently phase out all fossil fuels and continue the shift to renewable energy, ensuring it is produced in a manner consistent with human rights.
- Urgently scale up climate finance to lower-income countries, with the aim of delivering the amount of USD 600 billion between 2020 and 2025 promised by wealthier countries.

- Commit to providing additional dedicated funding for loss and damage in lower-income countries, following the example of Scotland and the Belgian region of Wallonia.

In future climate change negotiations:

- Work to ensure that human rights references included in the COP26 decisions on carbon markets and other cooperative approaches translate into concrete human rights protection measures and establish a fully independent grievance mechanism to provide redress to victims of human rights violations committed as a result of carbon offsetting projects or other non-market cooperative emission reduction activities.
- Support the creation of a new financial facility funded by new and additional finance in the formal process for dialogue on funding for loss and damage established at COP26.

#### *Covid-19/pandemic response*

- Continue to support global access to Covid-19 vaccines, treatments and tests by reallocating doses, providing financial and technical support to health system strengthening in countries that need it, supporting COVAX and respect the spirit of the Doha Declaration on the TRIPS Agreement and Public Health (2001) by supporting initiatives that increase access to Covid-19 health products, such as the proposed WTO TRIPS waiver.
- Insist that respect for human rights is front and foremost in the forthcoming discussions around a possible international pandemic convention, agreement or other international instrument, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and which should reaffirm the Siracusa Principles.

### ***Key Amnesty International Documents on Iceland for reference***

Joint submission on Iceland for the 40<sup>th</sup> session of the Universal Periodic Review  
[www.amnesty.org/en/documents/eur28/4908/2021/en/](http://www.amnesty.org/en/documents/eur28/4908/2021/en/)

*Stop burning our rights! What governments and corporations must do to protect humanity from the climate crisis*, 7 June 2021, Index: POL 30/3476/2021,  
[www.amnesty.org/en/documents/pol30/3476/2021/en/](http://www.amnesty.org/en/documents/pol30/3476/2021/en/)

*A Fair Shot: Ensuring Universal Access to Covid-19 Diagnostics, Treatments and Vaccines*, 8 December 2020, Index: POL 30/3406/2020, [www.amnesty.org/en/documents/pol30/3409/2020/en/](http://www.amnesty.org/en/documents/pol30/3409/2020/en/)

*Iceland: No shame in diversity*, 19 February 2019, Index: EUR 28/9498/2019,  
[www.amnesty.org/en/documents/eur28/9498/2019/en/](http://www.amnesty.org/en/documents/eur28/9498/2019/en/)

*Europe: Right to be free from rape – overview of legislation and state of play in Europe and international human rights standards*, 24 November 2018, Index: EUR 01/9452/2018,  
[www.amnesty.org/en/documents/eur01/9452/2018/en/](http://www.amnesty.org/en/documents/eur01/9452/2018/en/)

## Recommendations to the government of South Sudan

### *International legal framework*

- Speedily ratify without reservations and implement the ICCPR, ICESCR and their Optional Protocols, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol), the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights, the Convention on the Rights of Persons with Disabilities, the African Charter on the Rights and Welfare of the Child, the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), as well as consider ratifying other UN and regional human rights treaties.
- Implement the ACHPR, Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), Convention on the Rights of the Child (CRC), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and other UN and regional human rights treaties.
- Ratify ILO Conventions 149 (Nursing Personnel Convention), 189 (Domestic Workers Convention), 155 (Occupational Safety and Health Convention) and the ILO Violence and Harassment Convention of 2019.

### *Crimes under international law*

- As a matter of urgency, amend the definitions of crimes under international law currently incorporated in the 2015 Penal Code Amendment Bill in conformity with international law and include provisions on torture, enforced disappearance, command responsibility, the non-applicability of amnesties and immunities and amend the Penal Code to ensure conformity with human rights obligations and international standards of fairness.
- Pending independent, impartial and effective investigations, suspend public officials or prevent the appointment to public positions of individuals alleged to be responsible for violations of international humanitarian or human rights law.
- Initiate prompt, effective, independent and impartial investigations into allegations of crimes under international law and bring suspects to justice in fair trials in open civilian courts and without recourse to the death penalty.
- Adopt the Draft Statute of the Hybrid Court for South Sudan and ensure that the court is established and becomes rapidly operational, starting with its investigative branch, and implement all other transitional justice provisions of the peace agreement.

### *The 2014 National Security Service Act*

- Review and amend the 2014 NSS Act and the 2019 Amendment Bill to bring it in line with the NSS's constitutional mandate limited to "information gathering, analysis and advice to the relevant authorities"; to explicitly exclude from the NSS powers to arrest, detain, conduct searches, seize property and use force; to make judicial authorization and ongoing oversight of intelligence gathering activities, such as communications interception and physical surveillance, mandatory; and to ensure that the Act complies with international, regional and national human rights standards.

### *The death penalty*

- Immediately establish an official moratorium on executions with a view to abolishing the death penalty.

**Suggested recommendations to States under review in the 40th session of the UPR Working Group, 24 January – 4 February 2022**

- Ensure full compliance with international law and standards on the use of the death penalty, including the prohibition on the use of the death penalty against persons below 18 years of age at the time of the commission of the crime, and pregnant women or women caring for a child.

*Right to life*

- Immediately cease all violations of international humanitarian and human rights law, specifically, by ending all unlawful killings of civilians.

*Freedom of opinion and expression, of association and peaceful assembly*

- Issue clear instructions to all government officials and security forces, in particular the NSS, to stop harassing, threatening, arbitrarily arresting and detaining critics of the government and government officials and ensure that all government institutions respect, promote and protect the right to privacy, the right to freedom of expression and opinion, media freedoms and the right to peaceful assembly.
- End the NSS's practice of operating outside the law including the unlawful surveillance of journalists and human rights defenders and requiring public event organizers to seek permission.
- Issue a moratorium on the use of surveillance until a human rights compliant regulatory framework is in place. This human rights framework should include safeguards against unlawful surveillance including requirements in domestic law for transparency, judicial oversight, and adequate remedy.

*Arbitrary arrests and prolonged detention*

- Publicly condemn physical attacks, killings, threats, harassment, obstruction, intimidation, arbitrary arrests and detention of critics of the government and government officials, including journalists and human rights defenders.
- Release, or charge with internationally recognizable criminal offences and promptly bring to civilian courts, all remaining detainees arbitrarily held at the NSS and Military Intelligence detention facilities in Juba and the rest of the country in line with obligations under domestic and international law.

*Freedom from torture and other ill-treatment*

- Initiate prompt, effective, independent and impartial investigations into NSS and Military Intelligence detention practices, including enforced disappearances, deaths in custody, torture and other ill-treatment, and bring those suspected of criminal responsibility to justice in fair proceeding in open, accessible civilian courts and without recourse to the death penalty.

*Climate Crisis and Human Rights*

- Fully implement its Nationally Determined Contribution and take necessary action to rapidly phase out all fossil fuels and shift to renewable energy produced in a manner consistent with human rights
- Adopt and implement human rights-consistent adaptation and disaster risk reduction measures that will adequately protect people from the foreseeable and unavoidable impacts of the climate crisis.
- Identify South Sudan's exact needs in terms of technology transfer and financial resources needed from wealthier countries to complement its emissions reduction, adaptation efforts and

for loss and damage in a manner that fully protects human rights in the face of the climate crisis.

- Respect, protect and fulfil the rights to information, participation and remedy in climate action, using transparent and inclusive processes that leave no one behind and ensure that all human rights defenders, including climate activists and all those working to protect the environment, livelihoods and access to land, are allowed to continue their legitimate work, without fear of reprisals, in a safe and enabling environment.

In future climate change negotiations:

- Work to ensure human rights references included in the COP26 decisions on carbon markets and other cooperative approaches translate into concrete human rights protection measures and establish a fully independent grievance mechanism to provide redress to victims of human rights violations committed as a result of carbon offsetting projects or other non-market cooperative emission reduction activities.

*Pandemic preparedness and response*

- Insist that respect for human rights is front and foremost in the forthcoming discussions around a possible international pandemic convention, agreement or other international instrument, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and which should reaffirm the Siracusa Principles.

## **Key Amnesty International Documents on South Sudan for reference**

Amnesty International, *“Help has not reached me here”: Donors Must Step up Support for South Sudanese Refugees in Uganda*, 18 June 2017, (Index: AFR/59/6422/2017), [www.amnesty.org/en/documents/afr59/6422/2017/en/](http://www.amnesty.org/en/documents/afr59/6422/2017/en/)

Amnesty International, *‘It Was As If My Village Was Swept By a Flood’: Mass Displacement of The Shilluk Population From the West Bank of the White Nile*, 21 June 2017, (Index: AFR 65/6538/2017) [www.amnesty.org/en/documents/afr65/6538/2017/en/](http://www.amnesty.org/en/documents/afr65/6538/2017/en/)

Amnesty International, *‘If Men Are Caught, They Are Killed, If Women Are Caught, They Are Raped’ – Atrocities in Equatoria Region Turn Country’s Breadbasket Into A Killing Field*, 4 July 2017, (Index: AFR 65/6612/2017), [www.amnesty.org/en/documents/afr65/6612/2017/en/](http://www.amnesty.org/en/documents/afr65/6612/2017/en/)

Amnesty International, *‘Do Not Remain Silent’: Survivors of Sexual Violence in South Sudan Call for Justice and Reparations*, 24 July 2017, (Index: AFR 65/6469/2017) [www.amnesty.org/en/documents/afr65/6469/2017/en/](http://www.amnesty.org/en/documents/afr65/6469/2017/en/)

Amnesty International, *From London to Juba: A UK-Registered Company’s Role in one of the Largest Arms Deals to South Sudan*, 25 September 2017, (Index: ACT 30/7115/2017) [www.amnesty.org/en/documents/act30/7115/2017/en/](http://www.amnesty.org/en/documents/act30/7115/2017/en/)

Amnesty International, *Report 2017/18: The State of the World’s Human Rights*, 22 February 2017, (Index: POL 10/6700/2018), [www.amnesty.org/en/documents/pol10/4800/2017/en/](http://www.amnesty.org/en/documents/pol10/4800/2017/en/)

Amnesty International, *Death Sentences and Executions 2017*, 12 April 2018, (Index: ACT/50/7955/2018), [www.amnesty.org/en/documents/act50/7955/2018/en/](http://www.amnesty.org/en/documents/act50/7955/2018/en/)

Amnesty International, *Broken Promises: Arbitrary Detentions by South Sudan’s Intelligence Agencies Continues*, 4 September 2018, (Index: AFR 65/8823/2018), [www.amnesty.org/en/documents/afr65/8823/2018/en/](http://www.amnesty.org/en/documents/afr65/8823/2018/en/)

Amnesty International, *“Anything That Was Breathing Was Killed” – War Crimes in Leer and Mayendit, South Sudan*, 18 September 2018, (Index: AFR 65/8801/2018), [www.amnesty.org/en/documents/afr65/8801/2018/en/](http://www.amnesty.org/en/documents/afr65/8801/2018/en/)

Amnesty International, *‘I told the judge I was 15’: The Use of the Death Penalty in South Sudan, 7 December 2018*, (Index: AFR 65/9496/2018), [www.amnesty.org/en/documents/afr65/9496/2018/en/](http://www.amnesty.org/en/documents/afr65/9496/2018/en/)

Amnesty International, *Death Sentences and Executions 2018*, 10 April 2019, (Index: ACT/50/9870/2019) [www.amnesty.org/en/documents/act50/9870/2019/en/](http://www.amnesty.org/en/documents/act50/9870/2019/en/)

Amnesty International, *South Sudan: “We are at risk and on the run” - Security agents track down peaceful protesters*, 18 July 2019, (Index: AFR 65/0692/2019), [www.amnesty.org/en/documents/afr65/0692/2019/en/](http://www.amnesty.org/en/documents/afr65/0692/2019/en/)

Amnesty International, *“Do You Think We Will Prosecute Ourselves?” No Prospects for Accountability in South Sudan*, 7 October 2019, (Index: AFR/65/1105/2019), [www.amnesty.org/en/documents/afr65/1105/2019/en/](http://www.amnesty.org/en/documents/afr65/1105/2019/en/)

Amnesty International, *South Sudan: Execution spree continues as four people hanged in September*, 10 October 2019, (Index: AFR 65/1179/2019), [www.amnesty.org/en/documents/afr65/1179/2019/en/](http://www.amnesty.org/en/documents/afr65/1179/2019/en/)

Amnesty International, *Human Rights in Africa: Review of 2019*, 8 April 2020, (Index: AFR 01/1352/2020), [www.amnesty.org/en/documents/afr01/1352/2020/en/](http://www.amnesty.org/en/documents/afr01/1352/2020/en/)

**Suggested recommendations to States under review in the 40th session of the UPR Working Group, 24 January – 4 February 2022**

Amnesty International, *Exposed, Silenced Attacked: Failures to protect health and essential workers during the COVID-19 pandemic*, 13 July 2020, (Index: POL 40/2575/2020)

[www.amnesty.org/en/documents/pol40/2572/2020/en/](http://www.amnesty.org/en/documents/pol40/2572/2020/en/)

Amnesty International, *Systematic harassment of civil society, journalists, private sector and critics by South Sudan's intelligence agency*, 17 July 2020, (Index: AFR/65/2727/2020),

[www.amnesty.org/en/documents/afr65/2727/2020/en/](http://www.amnesty.org/en/documents/afr65/2727/2020/en/)

*A Fair Shot: Ensuring Universal Access to Covid-19 Diagnostics, Treatments and Vaccines*, 8 December 2020, Index: POL 30/3406/2020, [www.amnesty.org/en/documents/pol30/3409/2020/en/](http://www.amnesty.org/en/documents/pol30/3409/2020/en/)

Amnesty International, *South Sudan's Council of Minister's approval of plans to establish long-awaited hybrid court must be followed by action* 1 February 2021, (Index: AFR/65/3600/2021),

[www.amnesty.org/en/documents/afr65/3600/2021/en/](http://www.amnesty.org/en/documents/afr65/3600/2021/en/)

Amnesty International, *"These Walls Have Ears": The Chilling Effect of Surveillance in South Sudan*, 2 February 2021, (Index: AFR/65/3577/2021),

[www.amnesty.org/en/documents/afr65/3577/2021/en/](http://www.amnesty.org/en/documents/afr65/3577/2021/en/)

Amnesty International, *Report 2020/21: The State of the World's Human Rights*, 7 April 2021, (Index: POL10/3202/2021), [www.amnesty.org/en/documents/pol10/3202/2021/en/](http://www.amnesty.org/en/documents/pol10/3202/2021/en/)

Amnesty International, *Death Sentences and Executions 2020*, 21 April 2021, (Index: ACT/50/3760/2021), [www.amnesty.org/en/documents/act50/3760/2021/en/](http://www.amnesty.org/en/documents/act50/3760/2021/en/)

*Stop burning our rights! What governments and corporations must do to protect humanity from the climate crisis*, 7 June 2021, Index: POL 30/3476/2021,

[www.amnesty.org/en/documents/pol30/3476/2021/en/](http://www.amnesty.org/en/documents/pol30/3476/2021/en/)

*South Sudan: Human rights in review: Amnesty International submission for the UN Universal Periodic Review, 40th session of the UPR Working Group*, 30 September 2021, (Index: AFR 65/4530/2021),

[www.amnesty.org/en/documents/afr65/4530/2021/en/](http://www.amnesty.org/en/documents/afr65/4530/2021/en/)

South Sudan: Unfreeze civil society and political activist's bank accounts, 19 November 2021, (Index: AFR 65/5017/2021)

[www.amnesty.org/en/documents/afr65/5017/2021/en/](http://www.amnesty.org/en/documents/afr65/5017/2021/en/)

## Recommendations to the government of Timor Leste

### *The national human rights framework*

- Promptly ratify, without reservations, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment, the International Convention for the Protection of All Persons from Enforced Disappearance and recognize the competence of the Committee on Enforced Disappearances to consider individual communications, and the Convention on the Rights of Persons with Disabilities and incorporate these into domestic law.
- Ratify ILO Conventions 149 (Nursing Personnel Convention), 189 (Domestic Workers Convention), 155 (Occupational Safety and Health Convention) and the ILO Violence and Harassment Convention of 2019.
- Promptly ratify and implement the Arms Trade Treaty, with particular attention to Article 6 on Prohibitions and Article 7 on Export and Export Assessment, which prohibit the transfer of arms that could be used to commit or facilitate serious violations of international human rights and humanitarian law.
- Promptly ratify the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making any reservation, and implement it into national law.
- Ratify the Agreement on the Privileges and Immunities of the International Criminal Court.
- Issue a standing invitation to the United Nations Special Procedures and fully co-operate with all communications with them.
- Fulfil its existing obligations for treaty body reporting as a priority and ensure that future reports are submitted in a timely manner with appropriate civil society engagement and consultation.

### *Freedom of expression and peaceful assembly*

- Refrain from passing any new laws (such as the draft criminal defamation or the digital security laws) that criminalize the right to freedom of expression and ensure that any new laws are consistent with international human rights law and Article 40 and 41 of Timor Leste's Constitution (on the right to freedom of expression and a free media).

### *Violence against women and girls*

- Ensure all criminal complaints of violence against women and girls are thoroughly investigated and where there is sufficient evidence, promptly prosecuted in accordance with the law and the right to a fair trial, and that no preferential treatment is given to perpetrators based on their position or social status.
- Continue efforts to address violence against women and girls, including by ensuring access to justice and the right to a remedy through ongoing judicial and institutional training on gender-based violence awareness and responses, as well as increasing the availability of resources such as women's shelters and medical and psycho-social support.
- Ensure the relevant authorities, including family services, health care providers, police officers and the judiciary are adequately trained on sensitisation to violence against women and girls.

### *People with disabilities*

- Ratify as a priority, the Convention on the Rights of Persons with Disabilities, and implement this into domestic laws and policies.

**Suggested recommendations to States under review in the 40th session of the UPR Working Group, 24 January – 4 February 2022**

- Establish a National Council for People with Disabilities to advise and support Ministries on issues affecting people with disabilities.
- Uphold and protect the right to education for all persons with disabilities, beyond primary level education and ensure access to education without discrimination.

*Sexual orientation, gender identity and expression and sex characteristics*

- Ensure adequate and comprehensive gender awareness training within all Ministries.
- Formally recognise same sex sexual relationships as a matter of government policy so that no person is left behind or discriminated against because of their sexual orientation, gender identity and expression and sex characteristics, including in the provision of economic and social welfare support in relation to the COVID-19 pandemic and other disasters.
- Develop and adopt legal and administrative measures to investigate acts of discrimination, stigmatization and violence against people because of their sexual orientation, gender identity and expression and sex characteristics and ensure people are able to effectively access remedies when their rights are violated, including through criminal prosecutions, compensation, shelters, medical and psycho-social support.

*Adequate health care/pandemic response*

- Ensure that Covid-19 responses only impose such restrictions on rights that conform with the principles of legality, necessity, proportionality and non-discrimination and not use the State of Emergency to implement policies which are designed to undermine human rights.
- Empower and support people to comply with public health regulations, including by ensuring access to public health information and by enabling people who are marginalised to satisfy their essential needs, and ensure that penalties are only imposed after other alternatives have proven, or are clear to be, unsuccessful.
- Develop a plan to ensure that the public health system is adequately funded and staffed and increase budgetary allocations to the public health sector as necessary.
- Ensure that economic recovery packages protect the right to an adequate standard of living of all persons, including people on lower incomes, those working in the informal sector, based on a person's sexual orientation or gender identity, single-parent households and others who may be at risk and most affected by the Covid-19 crisis and set up monitoring and review mechanism to assess their impact and amend them as necessary.
- Prioritise cooperation with international mechanisms aiming to ensure global access to vaccines and treatments.
- Ensure national and international criteria to guides the allocation of vaccines are consistent with human rights standards, pay attention to the needs of marginalised groups, and reflect the WHO's Equitable Allocation Framework. Civil society should be represented in any national and international decision-making process.
- Insist that respect for human rights is front and foremost in the forthcoming discussions around a possible international pandemic convention, agreement or other international instrument, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and which should reaffirm the Siracusa Principles.

*The climate crisis and human rights*

- Develop ambitious, clear and measurable targets to reduce Timor Leste's emissions by levels consistent with keeping the global temperature rise below 1.5°C as soon as possible in line with their own respective capacity, while ensuring a just transition that enhances human rights.
- Re-negotiate the current bilateral agreement with the Australian government to ensure it promotes a shift to renewable energy through a human rights-consistent just transition rather than expansion of gas and oil production.
- Ensure any Covid-19 response measures facilitate the transition away from fossil fuels and towards human rights consistent renewable energy and a zero-carbon economy and also provide for greater social protection and the creation of green and other new jobs that deliver sustainable and decent employment (in line with Sustainable Development Goal 8) for all workers without discrimination of any kind.
- Adopt and implement human rights-consistent adaption and disaster risk reduction measures that provide adequate protection to people from the foreseeable and unavoidable impacts of the climate crisis.
- Respect, protect and fulfil the right to information, participation and to effective remedies, as well as the rights to freedom of expression and peaceful assembly in all climate policies and strategies in line with human rights law and Sustainable Development Goal 16 (peace, justice and strong institutions).
- Ensure that gender equality and the rights of members of marginalized groups receive adequate consideration in all climate and just transition policies and that people can participate in decisions affecting them.

***Key Amnesty International Documents on Timor Leste for reference***

*Timor Leste: Enhancing equality and inclusion: Amnesty International submission for the UN Universal Periodic Review, 40th session of the UPR Working Group, 23 July 2021, (Index: ASA 57/4499/2021)*  
[www.amnesty.org/en/documents/asa57/4499/2021/en/](http://www.amnesty.org/en/documents/asa57/4499/2021/en/)

*Stop burning our rights! What governments and corporations must do to protect humanity from the climate crisis, 7 June 2021, Index: POL 30/3476/2021,*  
[www.amnesty.org/en/documents/pol30/3476/2021/en/](http://www.amnesty.org/en/documents/pol30/3476/2021/en/)

*A Fair Shot: Ensuring Universal Access to Covid-19 Diagnostics, Treatments and Vaccines, 8 December 2020, Index: POL 30/3406/2020,* [www.amnesty.org/en/documents/pol30/3409/2020/en/](http://www.amnesty.org/en/documents/pol30/3409/2020/en/)

## Recommendations to the government of Togo

### *International legal framework and instruments*

- Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity and the Rome Statute; the Agreement on the Privileges and Immunities of the International Criminal Court and make the declaration under 34.6 of Protocol to the African Charter on Human and Peoples' Rights on the Establishment of the African Court on Human and Peoples' Rights to allow individuals and NGOs to have direct access to the Court.
- Ratify ILO Conventions 149 (Nursing Personnel Convention), 189 (Domestic Workers Convention), 155 (Occupational Safety and Health Convention) and the ILO Violence and Harassment Convention of 2019.
- Issue a standing invitation to the UN Special Procedures and specifically accept visits from the Working Group on Arbitrary Detention, the Special Rapporteur on the right to peaceful assembly and freedom of association and the Special Rapporteur on the rights to water and sanitation.
- Follow up on the communication from the Special Rapporteurs on the restrictions introduced in the Law on Peaceful Assembly and Demonstration in 2019.

### *National Human Rights Commission*

- Ensure that the National Human Rights Commission receives adequate funding and is independent and impartial.
- Ensure the independence of the National Mechanism for the Prevention of Torture, including by making it a separate unit or department, with its own staff and adequate budget to fulfil its responsibilities, in line with the guidelines of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Ensure that other public institutions and administrations are aware of the mandate and prerogatives of the National Human Rights Commission and collaborate with it.

### *Freedom of peaceful assembly and use of excessive force*

- Prohibit the deployment of military armed forces in situations of public disorder.
- Provide security forces with adequate resources for policing large-scale or hostile demonstrations or counter-demonstrations, as well as effective training in the appropriate and differentiated use of force and weapons, including riot control equipment.
- Amend legislation regulating the use of force, in particular Decree No. 2013-013 on the maintenance and restoration of public order, to bring it into line with international standards, such as the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, including by establishing clear rules for the use of force by security forces in maintaining order during demonstrations.
- Ensure that the order and use of excessive force by law enforcement officials are punishable as a criminal offence and make it clear that orders received cannot constitute an acceptable defence.
- Amend legislation that violates the right to freedom of peaceful assembly, such as the Penal Code and Law No. 2011-010 as amended by Law No. 2019-010 of 12 August 2019

establishing the conditions for the exercise of freedom of peaceful public assembly and demonstration, to bring them into line with international human rights standards.

- Establish an independent oversight body with adequate human and financial resources to investigate serious events involving the use of excessive force by the security forces and to establish individual and hierarchical responsibility, as well as institutional shortcomings and failures.
- Undertake prompt, thorough and impartial investigation including autopsy procedures where necessary into all allegations of excessive use of force and bring to justice in a fair trial all those suspected of being responsible, including senior officers if they failed to take the necessary steps to prevent the arbitrary use of force when it was within their power to do so.

#### *Freedom of expression*

- Amend legislation that violates the right to freedom of expression, namely the Penal Code, the Press and Communication Code, the Internal Security Law and the Cyber Security Law, to bring them into line with international human rights standards, including by decriminalizing defamation, offending a government official, publishing, disseminating or reproducing "false news" and "seditious shouting and singing", and by defining more precisely the offences related to terrorism.
- Amend the Internal Security Act, in particular those provisions that restrict freedom of expression by providing for the removal of online content or the blocking of access to it and the shutting down of all online communications without adequate judicial control.
- Refrain from Internet shutdowns and other disruptions to telecommunication services; and implement ECOWAS court decision ruling the state to pay compensation to the plaintiffs and also to enact and implement laws, regulations, and safeguards in order to meet its obligations to respect the right of freedom of expression in accordance with the international human rights instruments.
- Adopt and implement legislation to protect and facilitate the work of human rights defenders, journalists and bloggers and a law guaranteeing the legal recognition and protection of human rights defenders.
- Ensure that all individuals, including journalists, opposition leaders, real or perceived opponents of the government and human rights defenders, both men and women, are able to freely exercise their rights to express themselves without fear of arrest, detention, intimidation, threat, harassment or assault.
- Promptly, thoroughly and impartially investigate all allegations of arbitrary arrest and detention, intimidation, threats, harassment and attacks against human rights defenders, journalists or anyone expressing a dissenting opinion, and bring to justice in a fair trial anyone suspected of being responsible.

#### *Torture and other ill-treatment*

- Amend the Criminal Code to explicitly criminalize complicity in torture and attempts to commit torture and to ensure that superior officers are held criminally responsible when acts of torture are committed at their instigation or with their consent or acquiescence.
- Amend the Criminal Procedure Code to bring it in line with international standards, as Togo agreed to do at the 2016 UPR, including with a view to incorporating legal safeguards against torture, such as the right to be assisted by a lawyer as soon as a person is deprived of his or her

liberty, and the replacement of detention by non-custodial measures, except where strictly necessary.

- Undertake prompt, thorough and impartial investigations into all allegations of torture and other ill-treatment and bring to justice in a fair trial any person suspected of being responsible.
- Ensure that all victims of torture have access to justice and effective remedies including measures of restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.

#### *Prison conditions*

- Develop and implement effective strategy to reduce prison overcrowding, including by substituting detention with non-custodial measures.
- Ensure that all persons deprived of their liberty are detained in humane conditions, which include compliance with the UN Basic Principles for the Treatment of Prisoners, the Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the Rules for the Treatment of Prisoners and the Imposition of Non-custodial Measures on Women Offenders (the Bangkok Rules).
- Recruit new staff, including female staff for the corps of supervisors of the prison administration.

#### *LGBTI peoples' rights*

- Repeal the provisions of the Criminal Code which criminalize consensual same-sex sexual conduct and incitement to consensual same-sex sexual conduct.

#### *Climate Crisis and Human Rights*

- Fully implement its Nationally Determined Contribution and take necessary action to rapidly phase out all fossil fuels and shift to renewable energy produced in a manner consistent with human rights.
- Adopt and implement human rights-consistent adaptation and disaster risk reduction measures that will adequately protect people from the foreseeable and unavoidable impacts of the climate crisis.
- Identify Togo's exact needs in terms of technology transfer and financial resources needed from wealthier countries to complement its emissions reduction, adaptation efforts and for loss and damage in a manner that fully protects human rights in the face of the climate crisis.
- Respect, protect and fulfil the rights to information, participation and remedy in climate action, using transparent and inclusive processes that leave no one behind and ensure that all human rights defenders, including climate activists and all those working to protect the environment, livelihoods and access to land, are allowed to continue their legitimate work, without fear of reprisals, in a safe and enabling environment.

In future climate change negotiations:

- Work to ensure the human rights references included in the COP26 decisions on carbon markets and other cooperative approaches translate into concrete human rights protection measures and establish a fully independent grievance mechanism to provide redress to victims of human rights violations committed as a result of carbon offsetting projects or other non-market cooperative emission reduction activities.

*Pandemic preparedness and response*

- Insist that respect for human rights is front and foremost in the forthcoming discussions around a possible international pandemic convention, agreement, or other international instrument, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and which should reaffirm the Siracusa Principles.

## **Key Amnesty International Documents on Togo for reference**

Togo: Critical voices muffled: Amnesty International submission for the UN Universal Periodic Review, 40th session of the UPR Working Group, 23 July 2021, Index: AFR 57/4221/2021, [www.amnesty.org/en/documents/afr57/4221/2021/en/](http://www.amnesty.org/en/documents/afr57/4221/2021/en/)

Amnesty International Annual Report 2016/2017, (POL 10/4800/2017) [www.amnesty.org/en/documents/pol10/4800/2017/en/](http://www.amnesty.org/en/documents/pol10/4800/2017/en/)

*Togo: Le retrait des fréquences de deux médias est une attaque contre la liberté d'expression* (Press release, 6 February 2017), [amnesty.org/fr/press-releases/2017/02/togo-le-retrait-des-frequences-de-deux-medias-est-une-attaque-contre-la-liberte-d-expression/](http://amnesty.org/fr/press-releases/2017/02/togo-le-retrait-des-frequences-de-deux-medias-est-une-attaque-contre-la-liberte-d-expression/)

*Togo: One shot dead and several injured in protest dispersed by army* (Press release, 1 March 2017) [www.amnesty.org/fr/press-releases/2017/03/togo-un-mort-par-balle-et-plusieurs-blesses-lors-d-une-manifestation-dispersee-par-l-armee/](http://www.amnesty.org/fr/press-releases/2017/03/togo-un-mort-par-balle-et-plusieurs-blesses-lors-d-une-manifestation-dispersee-par-l-armee/)

*Togo: Authorities must refrain from unjustified or excessive use of force during opposition protests* (press release, 6 September 2017) [www.amnesty.org/fr/latest/news/2017/09/togo-les-autorites-doivent-sabstenir-de-tout-recours-injustifie-ou-excessif-a-la-force-lors-des-manifestations-de-lopposition/](http://www.amnesty.org/fr/latest/news/2017/09/togo-les-autorites-doivent-sabstenir-de-tout-recours-injustifie-ou-excessif-a-la-force-lors-des-manifestations-de-lopposition/)

*Togo: Nine-year-old shot dead during protests* (Press release, 20 September 2017) [www.amnesty.org/fr/press-releases/2017/09/togo-un-enfant-de-neuf-ans-tue-par-balle-lors-des-manifestations/](http://www.amnesty.org/fr/press-releases/2017/09/togo-un-enfant-de-neuf-ans-tue-par-balle-lors-des-manifestations/)

*Togo: the authorities must put an end to the judicial harassment of prodemocracy activists and human rights defenders*, (Index: AFR 57/7906/2018), [www.amnesty.org/en/documents/afr57/7906/2018/en/](http://www.amnesty.org/en/documents/afr57/7906/2018/en/)

*Togo: Spiraling violence and repressive cybersecurity law hit the country ahead of contested parliamentary elections* (Press release, 13 December 2018) [www.amnesty.org/en/latest/news/2018/12/togo-spiraling-violence-and-repressive-cybersecurity-law/](http://www.amnesty.org/en/latest/news/2018/12/togo-spiraling-violence-and-repressive-cybersecurity-law/)

Amnesty International Annual Report 2017/2018, (POL 10/6700/2018), [www.amnesty.org/en/documents/pol10/6700/2018/en/](http://www.amnesty.org/en/documents/pol10/6700/2018/en/)

*Togo: Shadow report to the African Commission on Human and Peoples Rights – 63<sup>rd</sup> Ordinary Session: 24 October – 13 November 2018* (Index: AFR 57/8202/2018), [www.amnesty.org/en/documents/afr57/8202/2018/en/](http://www.amnesty.org/en/documents/afr57/8202/2018/en/)

*Togo: Submission to the United Nations Human Rights Committee 128<sup>th</sup> Session -2 March- 27 March 2020*, (Index: AFR 57/1653/2020) [www.amnesty.org/en/documents/afr57/1653/2020/en/](http://www.amnesty.org/en/documents/afr57/1653/2020/en/)

*Togo: Suspension of newspaper puts freedom of expression under severe strain* (Press release, 31 March 2020)

[www.amnesty.org/fr/latest/news/2020/03/togo-la-suspension-dun-journal-met-la-liberte-dexpression/](http://www.amnesty.org/fr/latest/news/2020/03/togo-la-suspension-dun-journal-met-la-liberte-dexpression/)

Amnesty International, *Togo: New arrests of opponents' part of growing crackdown on dissenting voices* (Press release, 1 December 2020)

[www.amnesty.org/fr/latest/news/2020/12/togo-les-nouvelles-arrestations-dopposants/](http://www.amnesty.org/fr/latest/news/2020/12/togo-les-nouvelles-arrestations-dopposants/)

*A Fair Shot: Ensuring Universal Access to Covid-19 Diagnostics, Treatments and Vaccines*, 8 December 2020, [www.amnesty.org/en/documents/pol30/3409/2020/en/](http://www.amnesty.org/en/documents/pol30/3409/2020/en/)

Amnesty International, *Annual Report 2020/2021* (Index: POL 10/3202/2021)

[www.amnesty.org/en/documents/pol10/3202/2021/en/](http://www.amnesty.org/en/documents/pol10/3202/2021/en/)

Amnesty International, *Forgotten behind bars*, (Index: POL 40/3818/2021)

[www.amnesty.org/en/documents/pol40/3818/2021/en/](http://www.amnesty.org/en/documents/pol40/3818/2021/en/)

*Stop burning our rights! What governments and corporations must do to protect humanity from the climate crisis*, 7 June 2021, Index: POL 30/3476/2021,

[www.amnesty.org/en/documents/pol30/3476/2021/en/](http://www.amnesty.org/en/documents/pol30/3476/2021/en/)

## Recommendations to the government of Uganda

### *Right to health*

- Ensure that Covid-19 prevention measures comply with the government's obligations to the right to health under various international human rights treaties.
- Ensure that through the National Deployment Vaccination Plan (NDVP), Uganda's Covid-19 response prioritizes priority groups and that Covid-19 vaccines are available, accessible, affordable and of good quality for all persons, free from discrimination.
- Provide access to quality maternal healthcare services in public health facilities.
- Insist that respect for human rights is front and foremost in the forthcoming discussions around a possible international pandemic convention, agreement, or other international instrument, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and which should reaffirm the Siracusa Principles.

### *Lesbian, gay, bisexual, transgender, and intersex people*

- Protect LGBTI people and uphold their human rights without discrimination, including by not putting in place laws or using government agencies to deny LGBTI people their rights.
- Amend the Sexual Offences Act 2021 to ensure that it is compliant with international human rights standards.

### *Right to life, liberty, and security of person*

- Carry out prompt, impartial, thorough, and effective investigations into all allegations of extrajudicial killings, excessive use of force, torture and other ill-treatment by the security forces and ensure that suspected perpetrators are brought to justice in fair trials.
- Ensure full reparation, including fair and adequate compensation in cases of torture, extrajudicial executions, and other unlawful killings by the police, for the relatives of the victims.

### *Freedom of expression, association and peaceful assembly*

- Thoroughly, transparently, and effectively investigate the allegations of attacks against HRDs, civil society actors, bloggers, journalists, and others before, during and after the last presidential elections and hold those suspected to be responsible to account.
- End the intimidation and harassment HRDs, civil society actors, bloggers, journalists and others and ensure that they operate freely and independently, and do their work without fear of reprisals, including through removing all obstacles to the right to freedom of expression and media freedom.

### *Right to adequate housing*

- End forced evictions and put in place procedures that ensure that there are guarantees against forced evictions and that the right to adequate housing is met in law and practice.
- Ensure that all victims of forced evictions have access to effective remedies and reparations, which includes restitution, rehabilitation, compensation, satisfaction and guarantees of non-repetition.

**Suggested recommendations to States under review in the 40th session of the UPR Working Group, 24 January – 4 February 2022**

- Enact legislation and provide the infrastructure to ensure Indigenous Peoples can access their ancestral lands to enjoy their rights to land, food, education, health and freedom from violence and poverty.

*Refugees and asylum seekers*

- Continue to seek international cooperation and support for funds, humanitarian aid, and peaceful resolution to conflicts in neighbouring countries to ensure that refugees and their host communities are provided with shelter and protection among other urgent needs.

*The death penalty*

- Commute all death sentences, with a view to abolishing the death penalty for all crimes.

*Climate Crisis and Human Rights*

- Fully implement its Nationally Determined Contribution and take necessary action to rapidly phase out all fossil fuels and shift to renewable energy produced in a manner consistent with human rights.
- Adopt and implement human rights-consistent adaptation and disaster risk reduction measures that will adequately protect people from the foreseeable and unavoidable impacts of the climate crisis.
- Identify Uganda's exact needs in terms of technology transfer and financial resources needed from wealthier countries to complement its emissions reduction, adaptation efforts and for loss and damage in a manner that fully protects human rights in the face of the climate crisis.
- Respect, protect and fulfil the rights to information, participation and remedy in climate action, using transparent and inclusive processes that leave no one behind and ensure that all human rights defenders, including climate activists and all those working to protect the environment, livelihoods and access to land, are allowed to continue their legitimate work, without fear of reprisals, in a safe and enabling environment.

In future climate change negotiations:

- Work to ensure the human rights references included in the COP26 decisions on carbon markets and other cooperative approaches translate into concrete human rights protection measures and establish a fully independent grievance mechanism to provide redress to victims of human rights violations committed as a result of carbon offsetting projects or other non-market cooperative emission reduction activities.

*Ratification of Treaties*

- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt in to the inquiry and inter-state procedures.
- Promptly ratify, without reservations, the International Convention for the Protection of All Persons from Enforced Disappearance, signed on 6 February 2007, and recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims and other states parties.
- Ratify the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity

- Ratify ILO Conventions 149 (Nursing Personnel Convention), 189 (Domestic Workers Convention), 155 (Occupational Safety and Health Convention) and the ILO Violence and Harassment Convention of 2019.
- Promptly accede to and implement the Arms Trade Treaty, with particular attention to Article 6 on Prohibitions and Article 7 on Export and Export Assessment, which prohibit the transfer of arms that could be used to commit or facilitate serious violations of international human rights and humanitarian law.

### **Key Amnesty International Documents on Uganda for reference**

"Help has not reached me here" - Donors must step up support for South Sudanese refugees in Uganda, 18 June 2017, [amnesty.org/en/documents/AFR59/6422/2017/en/](https://www.amnesty.org/en/documents/AFR59/6422/2017/en/)

Uganda: "Arrest of dozens for attending peaceful meetings is absurd", 21 July 2017, [amnesty.org/en/latest/news/2017/07/uganda-arrest-of-dozens-for-attending-peaceful-meetings-is-absurd/](https://www.amnesty.org/en/latest/news/2017/07/uganda-arrest-of-dozens-for-attending-peaceful-meetings-is-absurd/)

Uganda: "Opposition MPs must not be tried in military court", 16 August 2018, [amnesty.org/en/latest/news/2018/08/uganda-opposition-mps-must-not-be-tried-in-military-court/](https://www.amnesty.org/en/latest/news/2018/08/uganda-opposition-mps-must-not-be-tried-in-military-court/)

Uganda: *Opposition politician detained; signs of torture*, 17 August 2018, [amnesty.org/en/documents/afr59/8963/2018/en/](https://www.amnesty.org/en/documents/afr59/8963/2018/en/)

Uganda: "President's misguided death penalty vow threatens a decade of progress", 19 January 2018, [amnesty.org/en/latest/news/2018/01/uganda-presidents-misguided-death-penalty-vow-threatens-a-decade-of-progress/](https://www.amnesty.org/en/latest/news/2018/01/uganda-presidents-misguided-death-penalty-vow-threatens-a-decade-of-progress/)

Uganda: *Hundreds left homeless by forced evictions*, 15 May 2018, [amnesty.org/en/documents/afr59/8409/2018/en/](https://www.amnesty.org/en/documents/afr59/8409/2018/en/)

Uganda: "Scrap social media tax curtailing freedom of expression", 2 July 2018, [amnesty.org/en/latest/news/2018/07/uganda-scrap-social-media-tax-curtailing-freedom-of-expression/](https://www.amnesty.org/en/latest/news/2018/07/uganda-scrap-social-media-tax-curtailing-freedom-of-expression/)

Uganda: Further information: Akaa communities attacked, forcibly evicted, 30 April 2019, [amnesty.org/en/documents/AFR59/0262/2019/en/](https://www.amnesty.org/en/documents/AFR59/0262/2019/en/)

Uganda: "Parliament must reject bill imposing death penalty for gay sex", 11 October 2019, [amnesty.org/en/latest/news/2019/10/uganda-parliament-must-reject-bill-imposing-death-penalty-for-gay-sex/](https://www.amnesty.org/en/latest/news/2019/10/uganda-parliament-must-reject-bill-imposing-death-penalty-for-gay-sex/)

Uganda: *Activist arrested for criticising the President: Kakwenza Rukirabashaija*, 20 April 2020, [amnesty.org/en/documents/afr59/2158/2020/en/](https://www.amnesty.org/en/documents/afr59/2158/2020/en/)

*Ugandan authorities must ensure adequate compensation for Stella Nyanzi over wrongful conviction and travesty of justice*, 21 February 2020, [amnesty.org/en/documents/afr59/1850/2020/en/](https://www.amnesty.org/en/documents/afr59/1850/2020/en/)

Uganda: "Constitutional Court nullifies law used to prohibit protests", 27 March 2020, [amnesty.org/en/latest/news/2020/03/uganda-constitutional-court-nullifies-law-used-to-prohibit-protests/](https://www.amnesty.org/en/latest/news/2020/03/uganda-constitutional-court-nullifies-law-used-to-prohibit-protests/)

*A Fair Shot: Ensuring Universal Access to Covid-19 Diagnostics, Treatments and Vaccines*, 8 December 2020, [www.amnesty.org/en/documents/pol30/3409/2020/en/](https://www.amnesty.org/en/documents/pol30/3409/2020/en/)

*Amnesty International Report 2020/2: The state of the world's human rights*, 7 April 2021, [amnesty.org/en/documents/pol10/3202/2021/en/](https://www.amnesty.org/en/documents/pol10/3202/2021/en/)

**Suggested recommendations to States under review in the 40th session of the UPR Working Group, 24 January – 4 February 2022**

Uganda: “Stop killings and human rights violations ahead of election day”, 14 December 2020, [amnesty.org/en/latest/news/2020/12/uganda-stop-killings-and-human-rights-violations-ahead-of-election-day/](https://www.amnesty.org/en/latest/news/2020/12/uganda-stop-killings-and-human-rights-violations-ahead-of-election-day/)

Uganda: “Authorities must lift social media block amid crackdown ahead of election”, 13 January 2021, [amnesty.org/en/latest/news/2021/01/uganda-authorities-must-lift-social-media-block-amid-crackdown-ahead-of-election/](https://www.amnesty.org/en/latest/news/2021/01/uganda-authorities-must-lift-social-media-block-amid-crackdown-ahead-of-election/)

Uganda: “Museveni’s latest government must reverse decline on human rights”, 12 May 2021, [amnesty.org/en/latest/news/2021/05/uganda-musevenis-latest-government-must-reverse-decline-on-human-rights/](https://www.amnesty.org/en/latest/news/2021/05/uganda-musevenis-latest-government-must-reverse-decline-on-human-rights/)

*Stop burning our rights! What governments and corporations must do to protect humanity from the climate crisis*, 7 June 2021, Index: POL 30/3476/2021, [www.amnesty.org/en/documents/pol30/3476/2021/en/](https://www.amnesty.org/en/documents/pol30/3476/2021/en/)

*Uganda: Guarantee human rights: Amnesty International submission for the UN Universal Periodic Review, 40th session of the UPR Working Group*, 30 July 2021, [amnesty.org/en/documents/afr59/4539/2021/en/](https://www.amnesty.org/en/documents/afr59/4539/2021/en/)

## Recommendations to the government of Venezuela

### *National Human Rights Framework*

- Promptly accede to the American Convention on Human Rights and recognize the jurisdiction of the Inter-American Court of Human Rights.
- Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt in to the inquiry and inter-state procedures.
- Promptly ratify, without reservation, the International Convention for the Protection of All Persons from Enforced Disappearance and recognize the competence of the Committee on Enforced Disappearances to consider individual communications.
- Promptly ratify and implement the Arms Trade Treaty, with particular attention to Article 6 on Prohibitions and Article 7 on Export and Export Assessment, which prohibit the transfer of arms that could be used to commit or facilitate serious violations of international human rights and humanitarian law.
- Ratify, without reservations, the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity and implement it into national law.
- Ratify ILO Conventions 155 (Occupational Safety and Health Convention), 189 (Domestic Workers Convention), and the ILO Violence and Harassment Convention of 2019.
- Accept and facilitate a permanent presence of the OHCHR.
- Refrain from issuing, and rescind, legal or administrative regulations (such as 002/2021) that threaten the functioning of NGOs and survivors of human rights violations.

### *International monitoring*

- Extend a standing invitation to UN Special Procedures and agree to visits by the UN Special Rapporteurs on torture, on the situation of human rights defenders, on freedom of expression, and on freedom of peaceful assembly and of association, and the Working Group on Arbitrary Detentions.
- Allow access to the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela to the country.

### *Human rights defenders*

- Ensure human rights defenders and humanitarian workers can conduct their work in a safe and enabling environment, including by explicitly and publicly recognizing their legitimacy.
- Halt ongoing attacks and smear campaigns by high-ranking officials against human rights defenders.

### *Impunity for human rights violations*

- Undertake independent, thorough, and prompt investigations into all cases of human rights violations, including chain of command responsibility, and analysis as to whether they may amount to crimes under international law; bring those suspected of criminal responsibility to justice; and ensure that those convicted receive a punishment appropriate to the seriousness of the crime.

**Suggested recommendations to States under review in the 40th session of the UPR Working Group, 24 January – 4 February 2022**

- Abrogate military jurisdiction for trying civilians or military personnel allegedly responsible for human rights violations or crimes under international law.

*Excessive use of force and extrajudicial executions by the security forces*

- Follow OHCHR recommendations to dissolve FAES and reform the police.
- Ensure police compliance with UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials when carrying out their duties, including when policing protests.
- Ensure that the armed forces act solely in support of, and under the control of, the civilian authorities, and are subject to the same training, accountability mechanisms and sanctions as the police.

*Repression of dissent*

- Refrain from using the judicial system against dissidents, such as representatives to the National Assembly and other opponents.
- Stop the implementation of the policy of repression and condemn the human rights violations, such as extrajudicial executions, that occurred with the aim to silence critical voices.
- Stop using the Law against Hatred and the Law against Organized Crime and the Financing of Terrorism to silence dissent and criminalize opposition.

*Freedom of expression*

- End and condemn attacks against media outlets and journalists.
- Refrain from arbitrarily detaining and charging journalists in relation to their work.
- Remove any judicial restrictions on journalists who have been arbitrarily detained and are subjected to undue restrictions on their freedom of expression.

*Refugees, asylum seekers, migrants and returnees*

- Implement a plan to welcome returnees which follows international human rights standards, especially in the context of state-run quarantine facilities due to the pandemic of Covid-19.

*Independence of the judiciary*

- Guarantee the independence and impartiality of the judiciary, in accordance with international human rights law and standards, by condemning and halting any interference with the judiciary.
- End the misuse of the criminal? justice system to harass dissidents and drop any politically motivated charges against them.
- Stop the use of the military jurisdiction to try civilians or former military officials.
- Release immediately and unconditionally all detainees who are held arbitrarily for politically motivated reasons.

*Economic, social and cultural rights*

- Urgently work with international agencies and local humanitarian workers to design and effectively implement a national plan to address the ongoing humanitarian emergency, without resorting to political discrimination and reprisals, prioritising groups in a vulnerable and

marginalised situation such as women, Indigenous Peoples, and returnee refugees.

- Make public, and regularly update, disaggregated statistics about the enjoyment of economic, social and cultural rights, including health services and epidemiological information, food distribution, poverty rates, impact of hyperinflation and access to housing, water and sanitation.
- Ensure that the vaccination plan against Covid-19 is accessible, fair, inclusive and non-discriminatory, in line with human rights laws and standards.
- Ensure all treatments and vaccines used have been deemed safe and effective by objective and independent regulatory agencies.

#### *Women's rights*

- Ensure that the necessary resources are allocated to women's shelters in every state and that they are properly functioning.
- Guarantee access to sexual and reproductive health services, including maternal health care, for all women.
- Collect and publish statistics related to violence against women and develop a national plan to tackle such violence.
- Conduct prompt, independent and comprehensive investigations into cases of gender-based human rights violations, including into reports of sexual and gender-based violence and other forms of torture and ill-treatment in detention.

#### *Indigenous Peoples' rights*

- Condemn, and implement a plan to dismantle, illegal mining in the Orinoco Mining Arc and other parts of the country.
- Conduct prompt, independent and comprehensive investigations into the reports of exploitation, trafficking, and other forms of violence around the Orinoco Mining Arc and take all necessary, appropriate steps, in compliance with human rights standards, to make such acts cease.
- Consult with Indigenous Peoples and obtain their free, prior and informed consent for a culturally adequate plan to respond to the humanitarian emergency.

#### *Prison conditions*

- Ensure that prisons and other detention centres meet international human rights standards, including the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the Rules for the Treatment of Prisoners and the Imposition of Non-custodial Measures on Women Offenders (the Bangkok Rules).

#### *Climate Crisis and Human Rights*

- Fully implement Venezuela's Nationally Determined Contribution and take the necessary action to rapidly phase out the use and production of all fossil fuels and shift to renewable energy produced in a manner consistent with human rights
- Adopt and implement human rights-consistent adaptation and disaster risk reduction measures that will adequately protect people from the foreseeable and unavoidable impacts of the climate crisis.

- Identify Venezuela's exact needs in terms of technology transfer and financial resources needed from wealthier countries to complement its emissions reduction, adaptation efforts and for loss and damage in a manner that fully protects human rights in the face of the climate crisis.
- Respect, protect and fulfil the rights to information, participation and remedy in climate action, using transparent and inclusive processes that leave no one behind and ensure that all human rights defenders, including climate activists and all those working to protect the environment, livelihoods and access to land, are allowed to continue their legitimate work, without fear of reprisals, in a safe and enabling environment.

In future climate change negotiations:

- Work to ensure the human rights references included in the COP26 decisions on carbon markets and other cooperative approaches translate into concrete human rights protection measures and establish a fully independent grievance mechanism to provide redress to victims of human rights violations committed as a result of carbon offsetting projects or other non-market cooperative emission reduction activities.

#### *Pandemic prevention and response*

- Insist that respect for human rights is front and foremost in the forthcoming discussions around a possible international pandemic convention, agreement or other international instrument, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and which should reaffirm the Siracusa Principles.

## ***Key Amnesty International Documents on Venezuela for reference***

*Venezuela: Human rights lose whilst impunity prevails: Amnesty International submission for the UN Universal Periodic Review, 40th session of the UPR Working Group, 23 July 2021, Index: AMR 53/4488/2021, [www.amnesty.org/en/documents/amr53/4488/2021/en/](http://www.amnesty.org/en/documents/amr53/4488/2021/en/)*

*Stop burning our rights! What governments and corporations must do to protect humanity from the climate crisis, 7 June 2021, Index: POL 30/3476/2021, [www.amnesty.org/en/documents/pol30/3476/2021/en/](http://www.amnesty.org/en/documents/pol30/3476/2021/en/)*

*Amnesty International Report 2020/21: The State of the World's Human Rights: Venezuela (Index: POL 10/3202/2021), p 390, 7 April 2021, [www.amnesty.org/en/documents/pol10/3202/2021/en/](http://www.amnesty.org/en/documents/pol10/3202/2021/en/)*

*A Fair Shot: Ensuring Universal Access to Covid-19 Diagnostics, Treatments and Vaccines, 8 December 2020, [www.amnesty.org/en/documents/pol30/3409/2020/en/](http://www.amnesty.org/en/documents/pol30/3409/2020/en/)*

*Americas: When protection becomes repression: Mandatory quarantines under COVID-19 in the Americas, 21 September 2020, Index: AMR 01/2991/2020 [www.amnesty.org/en/documents/pol10/3202/2021/en/](http://www.amnesty.org/en/documents/pol10/3202/2021/en/)*

*Human Rights in the Americas. Review of 2019: Venezuela, 27 February 2020, Index: AMR 01/1353/2020, p89, [www.amnesty.org/en/documents/amr01/1353/2020/en/](http://www.amnesty.org/en/documents/amr01/1353/2020/en/)*

*Hunger for justice: Crimes against humanity in Venezuela, 14 May 2019, Index: AMR 53/0222/2019, [www.amnesty.org/en/documents/amr53/0222/2019/en/](http://www.amnesty.org/en/documents/amr53/0222/2019/en/)*

*Amnesty International Report 2017/18: The state of the world's human rights 22 February 2018, Index: POL 10/6700/2018, [www.amnesty.org/en/documents/pol10/6700/2018/en/](http://www.amnesty.org/en/documents/pol10/6700/2018/en/)*

**Suggested recommendations to States under review in the 40th session of the UPR Working Group, 24 January – 4 February 2022**

*Silenced by Force: Politically Motivated Arbitrary Detentions in Venezuela*, 26 April 2017, Index: AMR 53/6014/2017, [www.amnesty.org/en/documents/amr53/6014/2017/en/](http://www.amnesty.org/en/documents/amr53/6014/2017/en/)

## Recommendations to the government of Zimbabwe

### *Restrictions on Freedom of Assembly and use of Force*

- Conduct prompt, thorough, impartial, independent, and transparent investigation into all reports of harassment and intimidation of activists by security agents with the view to holding suspected perpetrators accountable.
- Ensure security forces act in accordance with international human rights law on the use of force, including 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.

### *Sexual Violence by Security Forces*

- Establish an independent, impartial and transparent investigation into all accounts of sexual and gender-based violence allegedly committed by security forces and the Ferret Team.
- Establish an external and independent oversight mechanism, such as an independent police complaints commission or similar unit, to investigate and ensure accountability for unlawful actions, including related to abuses allegedly committed by state actors.

### *Freedom of Expression*

- Allow journalists, human right defenders and activists to do their work without fear of harassment, intimidation and attacks from authorities.

### *Abductions, Torture and Enforced Disappearances*

- Take measures to stop abductions and enforced disappearances and thoroughly, impartially, independently, and transparently investigate all outstanding cases of disappearance.
- Ratify without reservations the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, and the International Convention for the Protection of All Persons from Enforced Disappearance and recognize the competence of the Committee against Torture and the Committee on Enforced Disappearances to consider individual communications.
- Take effective measures to address past human rights violations, including abductions and enforced disappearances by security agents, with a view to establishing the truth, giving access to justice to the victims, bringing suspected perpetrators to account, and providing access to justice and effective remedies to victims, including adequate compensation and treatment.

### *Administration of Justice*

- Respect the right to fair trial, adhere to the rule of law and uphold independence of the judiciary and national prosecuting authority.
- Ensure that all those detained on recognizably criminal charges are tried in proceedings that fully conform with international fair trial standards.

### *Sexual and Reproductive Rights, and Maternal Health*

- Review and revise all laws related to adolescents' sexual and reproductive health and rights in Zimbabwe to ensure that there are no inconsistencies related to the age at which adolescents can access sexual and reproductive health information, education, and services. This includes the Public Health Act; the Children's Act; the Sexual Offences Act; the Criminal Law Codification Act; and the Termination of Pregnancy Act.

- Fully fund and operationalize the free maternal health care policy. Include post-natal care, including health services related to maternal morbidities, within this policy.

*Humanitarian Assistance and Climate Change*

- Ensure that people affected by Cyclone Idai and recurrent droughts in Zimbabwe are provided assistance to access adequate food, housing and other essential services, as well as support mechanisms to cope with the destruction of livelihoods.
- Adopt and implement human rights-consistent adaptation and disaster risk reduction measures that will adequately protect people from the foreseeable and unavoidable impacts of climate crises.
- Fully implement its Nationally Determined Contribution and take necessary action to rapidly phase out all fossil fuels and shift to renewable energy produced in a manner consistent with human rights
- Identify Zimbabwe's exact needs in terms of technology transfer and financial resources needed from wealthier countries to complement its emissions reduction, adaptation efforts and for loss and damage in a manner that fully protects human rights in the face of the climate crisis.
- Respect, protect and fulfil the rights to information, participation and remedy in climate action, using transparent and inclusive processes that leave no one behind and ensure that all human rights defenders, including climate activists and all those working to protect the environment, livelihoods and access to land, are allowed to continue their legitimate work, without fear of reprisals, in a safe and enabling environment.

In future climate change negotiations:

- Work to ensure the human rights references included in the COP26 decisions on carbon markets and other cooperative approaches translate into concrete human rights protection measures and establish a fully independent grievance mechanism to provide redress to victims of human rights violations committed as a result of carbon offsetting projects or other non-market cooperative emission reduction activities.

*Pandemic prevention and response*

- Insist that respect for human rights is front and foremost in the forthcoming discussions around a possible international pandemic convention, agreement, or other international instrument, which should aim to ensure non-discrimination in access to pandemic tools, gender equality, transparency, accountability and participation, as well as protecting essential workers and privacy rights, including in Digital Health, and which should reaffirm the Siracusa Principles.

*Death Penalty*

- Immediately establish an official moratorium on all executions.
- Abolish the death penalty in national legislation for all crimes.
- Commute, without delay, all death sentences to terms of imprisonment.
- Ratify, without reservation, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty.

*Ratification of Treaties*

- Ratify without reservations the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt in to the inquiry and inter-state procedures
- Ratify, without reservation, the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity and implement it into national law.
- Ratify and implement the Arms Trade Treaty, with particular attention to Article 6 on Prohibitions and Article 7 on Export and Export Assessment, which prohibit the transfer of arms that could be used to commit or facilitate serious violations of international human rights and humanitarian law.
- Ratify ILO Conventions 149 (Nursing Personnel Convention), 189 (Domestic Workers Convention), 155 (Occupational Safety and Health Convention) and the ILO Violence and Harassment Convention of 2019.

***Key Amnesty International Documents on Zimbabwe for reference***

Zimbabwe: Entrenched Repression: Amnesty International submission for the UN Universal Periodic Review, 40th session of the UPR Working Group, 29 July 2021, (Index: AFR 46/4521/2021) [amnesty.org/en/documents/afr46/4521/2021/en/](https://www.amnesty.org/en/documents/afr46/4521/2021/en/)

“Open for Business, Closed for Dissent, Crackdown in Zimbabwe during the National Stay-Away, 14-16 January 2019”, February 2019, (Index: AFR 46/9824/2019) [amnesty.org/en/documents/afr46/9824/2019/en/](https://www.amnesty.org/en/documents/afr46/9824/2019/en/)

*Lost without knowledge: Barriers to Sexual and Reproductive Health Information in Zimbabwe*, January 2018, (Index: AFR46/7700/2018) [amnesty.org/en/documents/afr46/7700/2018/en/](https://www.amnesty.org/en/documents/afr46/7700/2018/en/)

“Zimbabwe: Rein in security forces and stop mass arrests in wake of disputed vote”, 3 August 2018, [amnesty.org/en/latest/news/2018/08/zimbabwe-rein-in-security-forces-and-stop-mass-arrests-in-wake-of-disputed-vote/](https://www.amnesty.org/en/latest/news/2018/08/zimbabwe-rein-in-security-forces-and-stop-mass-arrests-in-wake-of-disputed-vote/)

“Zimbabwe: Urgently End Gross Human Rights Violations”, 8 February 2019 (Index: AFR/46/9820/2019) [amnesty.org/en/documents/afr46/9820/2019/en/](https://www.amnesty.org/en/documents/afr46/9820/2019/en/)

“Zimbabwe: Ruthless crackdown on freedom of assembly exposes intolerance for dissent”, 8 February 2019, [amnesty.org/en/latest/news/2019/02/zimbabwe-ruthless-crackdown-on-freedom-of-assembly/](https://www.amnesty.org/en/latest/news/2019/02/zimbabwe-ruthless-crackdown-on-freedom-of-assembly/)

“Zimbabwe: One year on, no justice for those killed by soldiers in post-election demonstrations”, 1 August 2019, [amnesty.org/en/latest/news/2019/08/zimbabwe-one-year-on-no-justice-for-those-killed-by-soldiers-in-post-election-demonstrations](https://www.amnesty.org/en/latest/news/2019/08/zimbabwe-one-year-on-no-justice-for-those-killed-by-soldiers-in-post-election-demonstrations)

“Zimbabwe: Violent Crackdown on activists underway ahead of opposition protests”, 15 August 2019, [amnesty.org/en/latest/news/2019/08/zimbabwe-violent-crackdown-on-activists-underway-ahead-of-opposition-protests/](https://www.amnesty.org/en/latest/news/2019/08/zimbabwe-violent-crackdown-on-activists-underway-ahead-of-opposition-protests/)

“Zimbabwe: Persecution of tortured female opposition leaders continues as they are denied bail”, 15 June 2020, [amnesty.org/en/latest/news/2020/06/zimbabwe-persecution-of-tortured-female-opposition-leaders-continues-as-they-are-denied-bail/](https://www.amnesty.org/en/latest/news/2020/06/zimbabwe-persecution-of-tortured-female-opposition-leaders-continues-as-they-are-denied-bail/)

**Suggested recommendations to States under review in the 40th session of the UPR Working Group, 24 January – 4 February 2022**

“Zimbabwe: Authorities continue their crackdown on dissent with arrest of investigative journalist and activist”, 20 July 2020, [amnesty.org/en/latest/news/2020/07/zimbabwe-authorities-continue-their-crackdown-on-dissent-with-arrest-of-investigative-journalist-and-activist](https://www.amnesty.org/en/latest/news/2020/07/zimbabwe-authorities-continue-their-crackdown-on-dissent-with-arrest-of-investigative-journalist-and-activist)

*A Fair Shot: Ensuring Universal Access to Covid-19 Diagnostics, Treatments and Vaccines*, 8 December 2020, [www.amnesty.org/en/documents/pol30/3409/2020/en/](https://www.amnesty.org/en/documents/pol30/3409/2020/en/)

“Zimbabwe: Authorities must use drop malicious charges against opposition leaders and journalists”, 13 January 2021, [amnesty.org/en/latest/news/2021/01/zimbabwe-authorities-must-drop-malicious-charges-against-opposition-leaders-and-journalist/](https://www.amnesty.org/en/latest/news/2021/01/zimbabwe-authorities-must-drop-malicious-charges-against-opposition-leaders-and-journalist/)

*Death Sentences and Executions 2020*, 21 April 2021, (Index: ACT 50/3760/2021), [amnesty.org/en/documents/act50/3760/2021/en/](https://www.amnesty.org/en/documents/act50/3760/2021/en/)

*Stop burning our rights! What governments and corporations must do to protect humanity from the climate crisis*, 7 June 2021, Index: POL 30/3476/2021, [www.amnesty.org/en/documents/pol30/3476/2021/en/](https://www.amnesty.org/en/documents/pol30/3476/2021/en/)