



**Suggested recommendations to states considered in the sixth round of
Universal Periodic Review, November-December 2009**

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Recommendations to the government of Albania

With regard to the duty to protect women from domestic violence

- To take active steps to amend the Criminal Code and introduce a specific offence of domestic violence;
- To ensure that a nation-wide system of recording reports of domestic violence is established and implemented, that such statistics are disaggregated to establish the geographical incidence of these reports and the main categories of victim and perpetrator (gender/adult/child /relationship), and to record whether these reports resulted in the initiation of criminal proceedings or petitions for civil protection orders, as well as the outcome of these. This information should to be used to inform government policy in combating domestic violence.
- To ensure, in partnership with other ministries and municipal authorities, awareness of the provisions in the Domestic Violence Law for the issuance of protection orders;
- To take steps to investigate why petitions for protection orders have been withdrawn and to adopt measures to ensure that the protection order mechanism is more effective, including by issuing statistics on the number of such orders requested, granted and of any prosecutions relating to breaking of such orders;
- To ensure the completion and introduction of all remaining supporting legislation required to implement the Domestic Violence Law;
- To make funds available to centres providing legal and other assistance to victims of domestic violence.

With regard to the right of adult orphans to adequate housing

- To take prompt and effective measures to ensure that orphans, on attaining adulthood, are granted their right to adequate housing, in accordance with national law and international human rights treaties to which Albania is party;
- To devise strategies and take measures for the progressive fulfilment of the right to adequate housing of all disadvantaged groups, including by allocating funding, in accordance with the requirement of Article 2.1 of the International Covenant on Economic, Social and Cultural Rights, to the maximum of available resources, in cooperation with international partners, where necessary;
- To support by funding, training and monitoring, the capacity of municipal councils to implement social housing programmes, in accordance with the government's decentralization policy;
- To declare that Albania considers itself bound by Articles 16 (the right of the family to social, legal and economic protection), 30 (the right to protection against poverty and social exclusion) and 31 (the right to housing) of the Revised European Social Charter.

With regard to the right of orphans to "special protection"

- To fulfil the rights of orphans to "special protection" throughout their childhood (that is, up to age of 18), as well as their other rights, including to education, and to protection from neglect, ill-treatment and sexual abuse or exploitation, as set out in the Convention on the Rights of the Child.

Recommendations to the government of Bhutan

International Criminal Court

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

Recommendations to the government of Brunei Darussalam

Immigration laws

- To repeal or amend all provisions in the Immigration Act which criminalise migrant workers for administrative offences, so as to allow imprisonment only in extraordinary, narrowly defined circumstances.

Cruel, inhuman or degrading punishments

- To repeal or amend all provisions in domestic laws which provide for caning, whipping or any other cruel, inhuman or degrading punishment.

Administrative detention laws

- To repeal or amend the Internal Security Act so as to abolish all forms of administrative detention currently contained therein.

Laws curtailing freedom of expression

- To repeal or amend the Sedition Act to ensure that it conforms with international human rights standards, including by guaranteeing the right to freedom of expression;
- To repeal or amend the Newspaper Act 1958 to ensure that it respects and protects the right to freedom of expression in accordance with international human rights standards.

Freedom of assembly

- To repeal or amend the Societies Order to ensure that it does not violate the right to peaceful association or assembly.

The death penalty

- To immediately establish a moratorium on executions with a view to abolishing the death penalty, as provided by UN General Assembly resolution 62/149, adopted on 18 December 2007, and resolution 63/168, adopted on 18 December 2008;
- To commute without delay all death sentences to terms of imprisonment;
- To repeal or amend the Penal Code, Internal Security Act 1982, the Misuse of Drugs Enactment 1978 as amended by the Emergency (Misuse of Drugs) Amendments Order 1984, Criminal Procedure Code 1951 and the Public Order Act 1983, so as to replace the death penalty with other penalties, which do not include cruel, inhuman or degrading punishments.
- Pending steps towards total abolition of the death penalty, to immediately ensure compliance of domestic law with international human rights standards, including by:
 - Abolishing all provisions in legislation which provide for mandatory death sentences;
 - Prohibiting the imposition of the death penalty on anyone suffering from a mental disability;
 - Prohibiting executions of pregnant women and mothers with dependent infants.
- Pending the abolition of the death penalty, to ensure rigorous application of international fair trial standards in all death penalty cases;
- To ratify the International Covenant on Civil and Political Rights and its Second Optional Protocol aiming at abolition of the death penalty.

Rape

- To revise Section 375 of the Penal Code so as to criminalize all acts of rape without exception and irrespective of the marital status of the victim and his or her gender.

Discrimination based on sexual orientation or identity

- To repeal or amend Section 377 of the Penal Code, so as to ensure that it does not discriminate against lesbians, gays, bisexuals and transsexuals.

Labour Laws

- To ratify the seven core ILO Conventions and to repeal or amend Brunei's domestic labour laws to ensure compliance with these.

Children's rights

- To remove all reservations to the Convention on the Rights of the Child.

Women's rights

- To remove all reservations to the Convention on the Elimination of All Forms of Discrimination against Women.

Ratification of international treaties:

- To ratify the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the 1951 UN Convention Relating to the Status of Refugees, and its 1967 Protocol;
- To accede to the Rome Statute of the International Criminal Court and implement it in national law;
- To accede to the Agreement on the Privileges and Immunities of the International Criminal Court and implement it in national law.

Recommendations to the government of Cambodia

Protection of human rights in national legislation

- To complete the process of judicial reform and to enact key pieces of legislation, such as a new Penal Code, an anti-corruption law, and legislation to guarantee and safeguard the independence and impartiality of the court system, court personnel and judges in accordance with international standards;
- To ensure the independence of the Supreme Council of Magistracy, the body charged with guaranteeing the independence of the judiciary, by excluding members of the executive and legislative branches of government.

The Extraordinary Chambers in the Courts of Cambodia

- To guarantee the independence of the Extraordinary Chambers so that its prosecutors and judges can impartially and urgently pursue a comprehensive investigation strategy to bring to justice more alleged perpetrators than the five already charged. These cases should be representative of the scope of crimes

- committed, taking into account the types of crimes committed and the communities and groups affected;
- To cooperate fully with the UN to ensure that all corruption allegations are promptly and thoroughly investigated by an independent and impartial mechanism and that, where misconduct is found to have occurred, cases are submitted to the authorities for prosecution. Effective mechanisms must also provide for the protection of court staff who report misconduct;
 - To enhance the ability of the Extraordinary Chambers to fulfil Cambodia's obligations to the victims of gross human rights violations, including their families, by ensuring that the Victims Unit receives the resources and cooperation from all organs of the Extraordinary Chambers it requires to perform its role, such as outreach to victims and provision of legal services;
 - To cooperate with the Extraordinary Chambers, the UN and international donors, and in consultation with civil society, to develop a legacy strategy to ensure that the national courts benefit from the experience and capacity of the Extraordinary Chambers.

Forced eviction

- To immediately end all forced evictions;
- To enact and enforce legislation clearly prohibiting forced evictions;
- To develop and adopt guidelines on evictions based on the Basic Principles and Guidelines on Development-Based Evictions and Displacement and in compliance with international human rights law;
- To ensure that all victims of forced eviction have access to minimum essential levels of shelter, clean water, sanitation, health services and education, including where necessary through the provision of humanitarian assistance;
- To respect the rights of all victims of forced eviction to an effective remedy, including access to justice and the right to reparations, including restitution, rehabilitation, compensation, satisfaction and guarantees of non-repetition;
- To develop and adopt concrete and effective measures to ensure to the Cambodian people a degree of security of tenure sufficient to protect them from forced evictions, and other threats and harassment.

Human rights defenders

- To respect and protect the right of human rights defenders, including those working on economic, social and cultural rights, to conduct their work without hindrance, intimidation or harassment, in line with the UN Declaration on Human Rights Defenders;
- To ensure that those who seek to promote and protect the right to adequate housing and other rights associated with forced evictions and land disputes are able to work freely;

- To publicly condemn attacks against human rights defenders, and make public commitments that human rights defenders or other individuals will not be arrested purely for engaging in the peaceful exercise of their rights to freedom of expression, association and assembly;
- To ensure that all human rights abuses against human rights defenders, including community representatives, lawyers and human rights monitors, are promptly, impartially and effectively investigated, and the suspected perpetrators brought to justice;
- To invite the Special Rapporteur on Human Rights Defenders to undertake an official visit to Cambodia to investigate alleged violations against human rights defenders, including in the context of forced evictions and land rights.

Freedom of expression, association and assembly

- To ensure that the rights to freedom of expression, association and assembly provided for in the Constitution and in relevant international human rights instruments, are fully guaranteed in practice;
- To issue clear guidelines to law enforcement officials on the rights to freedom of expression, assembly and association, in line with international standards, and to inform law enforcement personnel, at all levels, of their obligations to respect and protect human rights, and make clear that they will be held accountable for human rights violations perpetrated by them.

Sexual violence against women

- To ensure prompt, impartial and effective investigation of all reports of sexual violence against women, that those responsible are brought to justice in fair trials, and that victims are granted reparations;
- To publicly condemn violence against women and to exercise due diligence to prevent, investigate and punish such acts, whether perpetrated by state agents or by private individuals;
- To ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;
- To ensure greater awareness across the country of sexual violence against women and the means to end such violence.

International Criminal Court

- To implement the Rome Statute into national law ensuring that Cambodia can cooperate fully with the Court and investigate and prosecute genocide, crimes against humanity and war crimes before its national courts in accordance with the principle of complementarity;
- To accede to the Agreement on the Privileges and Immunities of the International Criminal Court and implement it in national law.

Recommendations to the government of Costa Rica

International Criminal Court

- To implement the Rome Statute of the International Criminal Court, ratified on 7 June 2001, in national law;
- To ratify the Agreement on the Privileges and Immunities of the International Criminal Court, signed on 16 September 2002, and implement it in national law.

Recommendations to the government of Cote d'Ivoire

Sexual violence against women

- To ensure that laws, rules, regulations and military orders prohibit violence against women and are fully implemented;
- To ensure prompt, impartial and effective investigation of all reports of sexual violence against women committed since the beginning of the armed uprising in 2002, that those responsible are brought to justice in fair trials, and that victims are granted reparations;
- To establish, with the assistance of the UN, donors, and national and international non-governmental organizations, programmes of humanitarian assistance to victims of rape and other forms of violence against women, including emergency health care programmes and rehabilitation.

Ratification and implementation of international treaties

- To ratify the Rome Statute of the International Criminal Court, signed on 30 November 1998, and implement it in national law;
- To accede to the Agreement on the Privileges and Immunities of the International Criminal Court and implement it in national law;
- To ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and to adopt the necessary implementing legislation;
- To submit all overdue reports to international and regional treaty monitoring bodies, in particular to the Committee on the Elimination of Discrimination against Women.

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

Human rights legislation

- To Implement, as a matter of urgency, the recommendations of UN human rights treaty bodies and charter-based bodies, including to ensure that adequate human rights legislation is introduced and implemented;
- To ratify, incorporate into domestic legislation and implement in policy and practice the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, the Convention on

the Rights of Persons with Disabilities, the International Convention on the Elimination of All Forms of Racial Discrimination, and the International Convention for the Protection of All Persons from Enforced Disappearances.

Denial of access to North Korea

- To grant access to all UN Special Procedures and other independent monitors, in particular the Special Rapporteur on the situation of human rights in the DPRK.

Torture and other ill-treatment

- To take immediate action to stop the use of torture and other ill-treatment of prisoners, and forced labour in prison camps, and to ensure that international standards are applied in the treatment of prisoners;
- To improve conditions in prison camps and detention facilities to meet minimum international standards.

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;
- Pending steps towards total abolition of the death penalty, to immediately ensure compliance of domestic law with international human rights standards, including by:
 - Prohibiting public executions,
 - Restricting the imposition of the death penalty to only the most serious crimes,
 - Abolishing all provisions in legislation which provide for mandatory death sentences;
 - Prohibiting the imposition of the death penalty on anyone suffering from a mental disability,
 - Prohibiting execution of pregnant women and mothers with dependent infants;
- Pending the abolition of the death penalty, to ensure rigorous application of international fair trial standards in all death penalty cases.

Right to food

- To grant immediate and unfettered access to the World Food Programme to ensure that food reaches those most in need.

Right to freedom of movement

- To amend its Criminal Code so that leaving the country without permission does not constitute a criminal offence;
- To abolish the requirement for permission to travel internally and abroad.

Abductions and enforced disappearances

- To publicly condemn and immediately stop all abductions and enforced disappearances;
- To thoroughly, independently and impartially investigate past and current allegations of abductions and enforced disappearances;
- To make public official, accurate and conclusive information on the fate and whereabouts of all persons subjected to abduction or enforced disappearance;
- To ensure that all persons subjected to abduction or enforced disappearance be free to leave the country in accordance with international law, unless they are charged with a recognizable criminal offence.

Right to freedom of opinion and expression

- To lift restrictions on the right to freedom of the press and freedom of expression;
- To lift restrictions on the right to freedom of religion.

International Criminal Court

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

Recommendations to the government of Democratic Republic of Congo

Justice and impunity

- To ensure that individuals, including members of the FARDC,¹ police and intelligence services, suspected of committing crimes under international law or other serious human rights abuse are brought to justice in fair trials that exclude the death penalty;
- To establish an independent vetting mechanism to exclude suspected perpetrators of gross human rights violations from the army, police and intelligence services, starting with the senior officer corps, pending judicial investigation;
- To undertake a programme of reform and rehabilitation of the justice system to enable it to effectively investigate and prosecute violations of human rights;
- To establish an independent transitional justice mechanism, in consultation with national and international bodies, to address grave human rights violations committed in the DRC since 1993;
- To promptly incorporate the provisions of the Rome Statute of the International Criminal Court into national law;

¹ *Forces Armées de la République Démocratique du Congo*

- To arrest General Bosco Ntaganda and surrender him to the International Criminal Court.

Sexual and gender-based violence

- To ensure that all victims of sexual violence enjoy equal and effective protection under the law and have equal access to justice;
- To implement the 2006 laws on sexual violence and train judicial officials in their application;
- To establish, including with international support, emergency programmes of appropriate medical and psycho-social care for rape survivors, which should be free of charge;
- To develop effective mechanisms, in consultation with groups representing women's interests, to prevent violence against women and girls, to facilitate prosecution of perpetrators and to provide full reparation for victims and survivors, in line with UN Security Council resolutions 1325 and 1820.

Recruitment and use of child soldiers

- To release all children still serving in the FARDC or police forces into the care of an appropriate child protection agency;
- To ensure that relevant UN agencies and NGOs have access to all military installations to identify and remove child soldiers;
- To thoroughly investigate cases of abduction, recruitment and use, torture and other ill-treatment of children in order to identify, apprehend and bring the perpetrators to justice;
- To ensure that children released or escaping from armed groups and forces are protected and that DDR programmes² cater adequately for their long-term support and reintegration into the community, including by providing appropriate and gender-sensitive psycho-social rehabilitation, and educational and vocational opportunities;
- To implement the 2009 Child Protection Code (*Code de Protection de l'Enfant*).

Torture, enforced disappearance and other detention-related violations

- To provide unrestricted and unhindered access to all detention facilities for national human rights NGOs and international human rights monitors;
- To deposit with the UN its instruments of ratification of the Optional Protocol to the Convention against Torture and to establish an independent national monitoring mechanism for all detention centers, as required by the Optional Protocol;
- To ensure that all detainees are transferred promptly and at the latest within 48 hours to a competent judicial authority to determine the legality of their arrest and detention;

² Disarmament, Demobilization and Reintegration programmes

- To close all unofficial military, police and intelligence service detention centres that are outside the supervision of a competent and legally-established judicial authority;
- To introduce legislation defining and criminalizing acts of torture and other cruel, inhuman or degrading treatment or punishment.

Political prisoners and detention without trial

- To bring detainees to trial promptly before courts that meet international standards of fairness and without recourse to the death penalty;
- To reform military judicial legislation in line with Constitutional guarantees so that the military no longer has the power to arrest and try civilians.

Human rights defenders

- To respect and protect the right of human rights defenders and lawyers to conduct their work without hindrance, intimidation or harassment, in line with the UN Declaration on Human Rights Defenders;
- To ensure that violations of the human rights of journalists, human rights defenders and independent civil society activists are fully and promptly investigated and that those found responsible are brought to justice in trials that meet international standards of fairness.

Freedom of expression

- To ensure that members of the political opposition, the media and civil society are able to exercise freely their rights to freedom of expression, association and assembly as guaranteed in international human rights instruments, as well as the Constitution;
- To end arrest and detention of those who peacefully express and publish their opinions.

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;
- Pending steps towards total abolition of the death penalty, to immediately ensure compliance of domestic law with international human rights standards;
- Pending the abolition of the death penalty, to ensure rigorous application of international fair trial standards in all death penalty cases;
- To ratify the International Covenant on Civil and Political Rights and its Second Optional Protocol aiming at abolition of the death penalty.

Recommendations to the government of Dominica

International Criminal Court

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

Recommendations to the government of Dominican Republic

Human rights violations by police and security forces

- To ensure that all reports of human rights violations by members of the security forces are fully and impartially investigated, and that those suspected of involvement in violations are suspended from active duty and brought to justice;
- To strengthen the coordination between the National Police and the Public Prosecutor's Offices to ensure investigations into human rights violations are conducted promptly, independently and impartially;
- To establish a fully independent oversight body to receive and investigate complaints of police misconduct and reports of human rights violations;
- 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 and implement the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Violence against women and girls

- To establish Units for the Integrated Assistance for Victims of Violence against Women in each of the country's 32 provinces;
- To establish national coordination of policy from the Attorney General's Office with all public prosecutors' offices to ensure access to justice for women and girl victims of violence throughout the country;
- To ensure satisfactory prosecution of cases of gender-based violence, in particular by increasing the number of competent personnel in the Public Prosecutor's Office working to combat violence against women and girls;
- To fund and implement compulsory training programmes for officials – including police, lawyers, judges, forensic and medical personnel, social workers, immigration officials and teachers – in how to identify cases of violence against women and girls both in the home and the community, how to deal with victims and ensure the safety of survivors, and how to effectively collect, safeguard, consider and present evidence;
- To ensure that women are not coerced or forced to enter into reconciliation proceedings and that such proceedings are not used as a substitute for the effective investigation of reports of violence against women and girls;

- To ensure that all relevant government departments collect and publish disaggregated data and statistics on violence against women and girls;
- To ensure the immediate establishment of a minimum of one shelter for each of the country's nine regions;
- To elaborate and implement a plan for the prevention of gender-based violence, in conjunction with civil society;
- To ensure that women are not imprisoned or subjected to other criminal sanction for seeking or having an abortion;
- To take all necessary measures, including reform of the criminal law, to ensure that counseling, information and safe and legal abortion services are available, accessible, acceptable and of good quality, as part of comprehensive medical and psycho-social care, for all women who require them in cases of unwanted pregnancy as a result of rape, sexual assault or incest, and pregnancy which poses a risk to the life or grave risk to the health of the woman.

Discrimination against and ill-treatment of Haitian migrant workers and their descendents

- To fully comply with the judgment and findings of the Inter-American Court of Human Rights in the case of *Yean and Bosico vs. the Dominican Republic*;
- To withdraw Circular 17 and introduce effective measures to stop discriminatory practices linked to granting citizenship and civil status registration, including identity documents;
- To ensure that any denial of a request to issue identity-related documents is recorded and accompanied by a full written explanation;
- To stop mass arbitrary expulsions and ensure that the human rights of migrant workers are respected in all deportation processes;
- To take effective measures to reduce the climate of racism and xenophobia against Haitians and Dominicans of Haitian descent in the Dominican Republic and to prevent mob violence against them;
- To implement migration policies that protect human rights, including by ratifying and implementing the International Convention on the Protection of the Rights of all Migrant Workers and Their Families;
- To ensure equal and non-discriminatory access for children to documentation and nationality, in particular for children of Haitian origin born on Dominican soil, and to repeal any legal provision which perpetuates the lack of legal status of the parents.

Trafficking in persons

- To ensure effective implementation of Law No. 137-03 which prohibits smuggling of migrants and trafficking of persons;
- To create a task force, with participation of civil society, to detect and investigate reports of trafficking;
- To prioritize action aimed at detecting trafficking and exploitation of children.

Attacks on freedom of the press

- To ensure effective investigation of threats and intimidation aimed at journalists and to hold to account those suspected of being responsible for the killings of journalists;
- To reform national laws regulating criminal libel, slander, and defamation to ensure that only civil penalties may be applied for any offenses against public officials.

Forced evictions

- To adopt and implement the necessary legislative and policy measures to enhance security of tenure, particularly for women and vulnerable groups, to reduce vulnerabilities, and to ensure equal access to housing resources;
- To ensure that evictions occur only in exceptional circumstances and only after all possible alternatives have been fully exhausted;
- To ensure that evictions are carried out in accordance with the guidelines, drawn up by the UN Special Rapporteur on Adequate Housing, on development-based evictions and displacements.³ In particular, to ensure that all potentially affected groups and persons have the right to relevant information, full consultation and participation throughout the process; to provide immediate compensation, resettlement and rehabilitation for those subject to evictions; and to ensure that all persons threatened with or subject to forced evictions have access to timely remedy;
- To ensure that no one is subject to direct or indiscriminate attacks or other acts of violence, especially against women and children, and that those responsible for human rights violations during the process of evictions are brought to justice.

Right to health in the context of HIV/AIDS

- To develop strategies to combat stigma and social exclusion in the context of the HIV/AIDS epidemic;
- To ensure equal and adequate access to health care and treatment for those living with HIV/AIDS.

International Criminal Court

- To implement the Rome Statute of the International Criminal Court in national law.

³ A/HRC/4/18.

Recommendations to the government of Equatorial Guinea

Ratification of human rights treaties

- To ratify all outstanding human rights treaties, in particular the Second 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;
- To incorporate the provisions of international human rights standards into domestic law.

Arbitrary arrest

- To ensure that nobody is arrested for exercising their rights to freedom of expression, association and assembly, and that arrests are carried out in accordance with the law, by law enforcement officials.

Detention without charge or trial/ habeas corpus

- To ensure that detainees are brought before judge within 72 hours to have their detention legalized, in accordance with law, or released;
- To ensure that *habeas corpus* is an effective resource and that writs of *habeas corpus* are dealt with as a matter of urgency.

Incommunicado detention

- To immediately end the practice of incommunicado and secret detention;
- To ensure prisoners have access to their families and lawyers and to reinstate regular family visits.

Abductions/enforced disappearances

- To thoroughly investigate all reports of abduction of political opponents from neighbouring countries and to bring those responsible to justice;
- To publicly acknowledge the detention of those held and to disclose their whereabouts;
- To introduce an effective registry of prisoners to ensure that they can be promptly traced;
- To allow unrestricted inspections by national and international organizations to all places of detention.

Torture, ill-treatment, death in detention

- To implement Law 6/2006 banning torture and other ill-treatment and to bring to justice all police officers or other law enforcement officials suspected of being responsible for acts of torture or other ill-treatment, in accordance with international standards for fair trial;
- To ensure reparation, including fair and adequate compensation, for victims of torture and other ill-treatment inflicted by state agents;

- To remove immediately handcuffs and shackles from prisoners and to abandon their further use.

Unfair trials

- To ensure that military courts are not used to try civilians and used to try military personnel only for purely military matters;
- To ensure that all trials are conducted in accordance with international standards for fair trial.

Administration of justice system

- To carry out the necessary reforms to ensure the independence of the judiciary;
- To amend the Penal Code and the Penal Procedures Code, to bring them into conformity with international human rights law;
- To provide systematic training to all law enforcement officials on their responsibility to promote and protect human rights;
- To carry out reform of the security forces to clearly define the responsibilities of each branch and end their interference with the judicial system;
- To improve conditions of detention, particularly in police stations, including by providing food, water, sanitation and washing facilities and by reducing overcrowding.

International Criminal Court

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

Recommendations to the government of Eritrea

Religious and political prisoners:

- To immediately end the practice of torture and other ill-treatment;
- To establish independent and impartial investigations into all allegations of torture and other ill-treatment of prisoners, and to bring the perpetrators to justice in accordance with international standards of fair trial;
- To immediately and unconditionally release all prisoners detained solely because of their political, religious or other conscientiously held beliefs;
- To charge all other prisoners with a recognisable criminal offence and to try them in court in accordance with international standards for fair trial;
- To confirm the names, locations and health status of all detainees, and to confirm any deaths which have occurred in detention;
- To allow the ICRC immediate, full and unconditional access to all detainees;

- To provide all detainees immediate access to a lawyer of their choice, to their families and to any medical treatment they may require.

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;
- Pending steps towards abolition of the death penalty, to immediately ensure compliance of domestic law provisions with international human rights standards;
- Pending abolition of the death penalty, to ensure rigorous application of international fair trial standards in all death penalty cases;
- To ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty.

International Criminal Court

- To ratify the Rome Statute of the International Criminal Court, signed on 7 October 1998, and implement it in national law;
- To accede to the Agreement on the Privileges and Immunities of the International Criminal Court and implement it in national law.

Recommendations to the government of Ethiopia

Charities and Societies Proclamation

- To immediately amend the Charities and Societies Proclamation to omit provisions which violate the rights of freedom of expression, association and assembly, including for human rights defenders;
- To provide guarantees that all international and national non-governmental organizations operating in Ethiopia can do so freely and without fear of harassment, intimidation or arbitrary arrest, in accordance with the UN Declaration on Human Rights Defenders.

Human rights violations in the context of armed conflict

- To immediately allow an independent international investigation into reports of mass arrests, torture and other ill-treatment, rape and extrajudicial executions of civilians in the Somali region by government forces and to bring those responsible to justice in accordance with international fair trial standards;
- To charge detainees suspected of support for the Oromo Liberation Front (OLF) or the Ogaden National Liberation Front (ONLF) with a recognizable criminal offence or to release them immediately and unconditionally.

Political prisoners and prisoners of conscience

- To immediately end torture and other ill-treatment of prisoners, to initiate independent and impartial investigations into all such allegations, and to bring perpetrators to justice in accordance with international fair trial standards;
- To immediately and unconditionally release all prisoners detained solely because of their political, religious or other conscientiously held beliefs, including Birtukan Mideksa;
- To charge all other prisoners with a recognisable criminal offence or to release them immediately and unconditionally;
- To provide all detainees, including those arrested in 2009 in relation to an attempted plot against the government, immediate access to a lawyer of their choice and to their families, and to provide any medical treatment they may require;
- To guarantee all detainees a fair trial in a timely manner in accordance with international standards;
- To clarify the terms of the pardon under which the defendants in the CUD⁴ and related trials were released in 2007 and 2008.

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;
- Pending steps towards abolition of the death penalty, to immediately ensure compliance of domestic law provisions with international human rights standards;
- Pending abolition of the death penalty, to ensure rigorous application of international fair trial standards in all death penalty cases;
- To ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty.

International Criminal Court

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

⁴ *Coalition for Unity and Democracy*

Recommendations to the government of Norway

Violence against women

- To conduct regular national surveys on the incidence of sexual violence and rape in Norway to obtain reliable information on the most effective policies and practices to prevent and address sexual violence and rape;
- To adopt a legal definition of rape based on international human rights principles on sexual integrity and autonomy, including by linking the question of guilt in rape cases to the lack of genuine and freely-given consent and to the exercise of sexual autonomy, rather than to the presence of violence;
- To establish sexual offences teams with technical, tactical and legal expertise in relation to sexual offences, in every police district in Norway;
- To establish an autonomous central unit for sexual violence within the police, including to contribute to the development and dissemination of competence and knowledge, and to enhance the status of police work on sexual offences at the national level. In order to fulfill its functions, the central unit for sexual violence should be open and accessible 24 hours a day;
- To provide and fund specialized training and guidelines for police, judges, prosecutors, defense lawyers, legal counsellors and others involved in dealing with women exposed to rape and other sexual crimes. Such training and guidelines should involve professional and other organizations with expertise on violence against women, and should cover the nature of violence against women, particularly in relation to these crimes, in order to eliminate prejudices and stereotypes about both victims and perpetrators;
- To reinforce and develop preventive work against rape and sexual violence in society at large, in accordance with the state's obligations under Article 5(a) of CEDAW, which requires taking measures to modify the social and cultural patterns of conduct of men and women and to eliminate prejudices and customary and other practices based on stereotyped roles for men and women. Preventive measures should include the education of children and young people about mutual respect in relationships, as well as the promotion of equality in public education messages, within the context of working towards substantive gender equality between men and women in all areas of life.

Treatment of mentally ill persons held in prisons

- To ensure that all detainees and prisoners, including those that are mentally ill, have access to appropriate health care, including where necessary by being transferred to specialized institutions for the provision of psychiatric health care.

Rights of refugees and asylum-seekers

- To act on UNHCR's recommendations to cease transfers of asylum-seekers to Greece in view of the lack of adequate procedural safeguards in the asylum process in Greece, the risk of *refoulement* of persons in need of international protection from Greece, and the poor reception conditions that fall short of European and international standards;

- To stop the transfer of asylum-seekers to any state where there are inadequate asylum procedures or otherwise a risk of non-compliance with international refugee law or human rights law, particularly the principle of *non-refoulement*;
- To ensure that its policy on the granting of residence permits on humanitarian grounds is in line with its international obligations, notably non-discrimination, prohibition of inhuman treatment and respect for family life.

Ratification of human rights instruments

- To ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

Recommendations to the government of Portugal

Ratification of international human rights standards

- To ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance.

Ill-treatment and excessive use of force and firearms by the police

- To ensure a clear definition in the law on internal security of appropriate and proportionate use of force by law enforcement officials, in line with international standards such as the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;
- To conduct prompt, thorough, impartial and effective investigations into all allegations of ill-treatment or excessive use of force by law enforcement officials, in order to bring those responsible for such acts to justice.

Counter-terrorism measures

- To conduct a full, effective and independent investigation into the possible role of Portuguese officials and the use of state territory in connection with human rights violations associated with the programme of CIA renditions or other unlawful transfers and to make its findings public;
- To ensure that no part of Portuguese territory, including its airspace, airports and military bases, is used to carry out or to facilitate renditions and other unlawful transfers, including through the implementation of effective preventive measures.