

POLOGNE. ÉROSION DES DROITS HUMAINS ET DE L'ÉTAT DE DROIT

AMNESTY INTERNATIONAL. COMMUNICATION POUR LA 41^E SESSION DU GROUPE DE TRAVAIL SUR L'EPU, NOVEMBRE 2022 (ANNEXES EN ANGLAIS)

RÉSUMÉ

La présente communication a été préparée en vue du prochain Examen périodique universel (EPU) de la Pologne, qui doit se tenir en novembre 2022. Amnesty International y évalue la mise en œuvre des recommandations adressées à la Pologne au cours de son EPU précédent, concernant notamment la liberté de réunion pacifique, la législation en matière d'asile, les droits des enfants, les droits des personnes LGBTI, les droits des femmes et l'état de droit.

L'organisation examine également le cadre national des droits humains concernant les obligations internationales de la Pologne, l'indépendance de la justice et l'Institution nationale des droits humains (INDH).

En ce qui concerne la situation des droits humains sur le terrain, Amnesty International exprime ses préoccupations concernant la discrimination, le droit d'asile, les droits des femmes, les droits sexuels et reproductifs, de liberté de réunion pacifique et de liberté d'expression.

Le document se termine par une série de recommandations à l'intention de la Pologne qui, si elles étaient mises en œuvre, contribueraient à améliorer la situation des droits humains.

LE PRÉCÉDENT EXAMEN ET SES SUITES

1. La Pologne a accueilli favorablement 144 des 185 recommandations¹. Des progrès ont été faits concernant les droits des personnes en situation de handicap, avec notamment l'élaboration d'une nouvelle stratégie à leur intention et à celle de leurs aidants pour 2021-2030 qui est axée sur l'indépendance financière et l'inclusion scolaire.
2. La Pologne a pris note de recommandations essentielles concernant la protection des droits humains, notamment sur le droit de réunion pacifique, la participation au programme de relocalisation des réfugiés, le droit d'asile, les droits des enfants, la reconnaissance des unions civiles entre personnes de même sexe et la séparation des fonctions entre le ministère de la Justice et le parquet². Ces recommandations portent sur des problèmes brûlants en Pologne : la discrimination des personnes LGBTI³, les restrictions de la liberté de réunion pacifique, les coups portés à l'indépendance de la justice⁴ et les violations des droits des migrant-e-s et des réfugié-e-s.

CADRE NATIONAL DE PROTECTION DES DROITS HUMAINS

3. La Pologne n'a toujours pas ratifié la Convention internationale pour la protection de toutes les personnes contre les disparitions forcées⁵. Les autorités ont annoncé leur intention de se retirer de la Convention du Conseil de l'Europe sur la prévention et la lutte contre la violence à l'égard des femmes et la violence domestique (Convention d'Istanbul)⁶.
4. La Pologne n'a pas mis en œuvre les 16 recommandations acceptées⁷ concernant l'indépendance de la justice, et notamment celle de la Cour constitutionnelle. Le gouvernement a continué d'exercer un contrôle politique sur la justice, notamment sur les juridictions de droit commun, le Conseil national de la magistrature et la Cour suprême.
5. Le médiateur a joué le rôle d'Institution nationale des droits humains (NHRI), dans le respect des Principes de Paris, et a été considéré comme un acteur important de la protection des droits humains dans le pays. Il est actuellement doté d'un statut A d'après l'organe de supervision. Cependant, l'indépendance du médiateur a subi des attaques systématiques : coupes annuelles dans le budget de son bureau ; attaques verbales régulières de la part de représentants de l'État ; et procès intenté contre lui par une chaîne de télévision publique en raison de ses déclarations légitimes (classé sans suite par le tribunal)⁸.
6. À la demande du parti au pouvoir, la Cour constitutionnelle a rejeté une disposition permettant au médiateur actuel de continuer à exercer ses fonctions après la fin de son mandat en attendant que son successeur soit élu. Les candidat-e-s au poste ont été rejetés cinq fois, ce qui compromet la protection des droits humains en Pologne. Le nouveau médiateur a finalement été élu au bout de neuf mois⁹.

Indépendance de la justice

7. La modification apportée en juillet 2017 à la Loi relative aux tribunaux communs donnait au ministre de la Justice le pouvoir de nommer et de démettre les présidents et les vice-présidents de ces tribunaux¹⁰. En décembre 2017, le Parlement a fait passer l'âge de la retraite des juges de la Cour suprême de 70 à 65 ans, ce qui avait pour but de mettre fin aux mandats d'un grand nombre d'entre eux et de permettre la sélection de nouveaux juges pour les remplacer¹¹. En janvier 2018, le Parlement a adopté un nouveau règlement sur la composition du Conseil national de la magistrature, qui a débouché sur l'interruption forcée du mandat de quatre ans du bureau et a politisé l'élection de nouveaux membres de cette institution¹².

8. La chambre disciplinaire de la Cour suprême, créée en 2018, comprend des membres élus par le Conseil national de la magistrature, qui est politisé. En décembre 2019, une modification de la loi qui étend et renforce les responsabilités disciplinaires des juges a été adoptée¹³. Le régime disciplinaire modifié a été utilisé pour sanctionner les juges qui critiquent les réformes du système judiciaire. La chambre disciplinaire continue d'agir malgré plusieurs avertissements de la Commission européenne, de mesures provisoires et de pénalités financières pour non-respect des décisions de la Cour de justice de l'Union européenne (CJEU)¹⁴.
9. Les autorités polonaises continuent de renvoyer des affaires devant la Cour constitutionnelle, soumise à l'influence du pouvoir politique, pour contester les décisions de la CJEU et de la CEDH et empêcher ainsi leur application dans le pays. En octobre 2021, la Cour constitutionnelle a estimé que la législation polonaise prévalait sur la législation européenne et que certaines dispositions du Traité sur l'UE étaient inconstitutionnelles.
10. Les fonctions du ministre de la Justice et du parquet ne sont pas séparées. Le parquet est toujours soumis à l'influence du pouvoir politique, ce qui explique que les procureurs qui défendent l'état de droit aient subi des représailles simplement pour avoir fait leur travail. Certains ont reçu un préavis de 48 heures leur enjoignant de prendre un nouveau poste, parfois à des centaines de kilomètres¹⁵.

SITUATION EN MATIÈRE DE DROITS HUMAINS SUR LE TERRAIN

Discrimination

11. La Pologne a accepté six des recommandations relatives à la modification du Code pénal visant à enquêter sur les crimes motivés par la haine sur la base de l'âge, du handicap, de l'orientation sexuelle et de l'identité de genre et à poursuivre ces agissements, mais n'a rien fait en ce sens. De même, aucune mesure nécessaire visant à lutter contre la discrimination fondée sur la race, le sexe, la nationalité, l'ethnicité et la religion n'a été prise¹⁶.
12. Pourtant, la situation des personnes LGBTI en Pologne s'est considérablement aggravée depuis le dernier examen. Une campagne électorale du gouvernement ciblant les personnes LGBTI a entraîné une augmentation incontestable de l'homophobie, de la transphobie et de la biphobie¹⁷, notamment avec l'introduction de « zones sans idéologie LGBT » dans des zones de gouvernement local (au nombre de 94 en juin 2020)¹⁸, de campagnes répétées de diffamation, de harcèlement, de profilage et de surveillance des défenseur·e·s des droits humains des personnes LGBTI ¹⁹.
13. Depuis 2019, le Code des infractions mineures est de plus en plus instrumentalisé par les autorités pour cibler et sanctionner les gens et notamment les militant·e·s LGBTI, en limitant leurs possibilités de participer à la vie et aux événements publics.
14. Le 20 juillet 2019, Amnesty International Pologne a recueilli des informations sur l'inadaptation de la protection policière apportée aux 1000 participant·e·s à la Marche pour l'égalité à Białystok, violemment agressés par 4000 contre-manifestants qui leur ont lancé des pétards et des pavés²⁰. Deux des agresseurs les plus violents ont été inculpés pour coups et blessures et condamnés à une peine d'un an de prison et une amende, assortie de trois ans de mise à l'épreuve.
15. L'accès à l'éducation aux droits humains et à l'éducation sexuelle est en danger. En mars 2022, le président polonais a opposé son veto à une proposition de modification de la législation sur l'éducation qui cherchait à bannir des écoles les ONG (comme Amnesty International) considérées comme hostiles au programme de sape des droits humains par le parti au pouvoir. Cet amendement est encore à l'examen²¹.

Droit d'asile

16. Depuis 2015, des informations nous parviennent régulièrement qui font état de renvois forcés illégaux (push-back) de demandeurs et demandeuses d'asile aux frontières, principalement à Terespol. En 2017, le Comité des droits de l'homme des Nations unies et la CEDH ont été informés de cas où les gardes-frontières ne permettaient pas aux demandeurs d'asile de soumettre un dossier de demande d'asile, et que ceux-ci se voyaient régulièrement refuser le droit d'entrée pour rechercher une protection internationale, ce qui viole l'obligation internationale de « non-refoulement »²².
17. En août 2021, la crise à la frontière polono-bélarussienne s'est aggravée, avec 32 demandeurs d'asile afghans refoulés au Bélarus par les gardes-frontières polonais²³. En dépit de deux mesures provisoires décidées par la CEDH, la Pologne ne leur a fourni ni nourriture, ni eau, ni abri, ni assistance médicale ni possibilité de consulter un avocat²⁴.
18. Des milliers de demandeurs et demandeuses d'asile et de migrant-e-s ont essayé de franchir la frontière entre le Bélarus et la Pologne à partir d'août 2021, à la suite des actions coordonnées du Bélarus visant à amener des gens à la frontière et à les forcer à la passer²⁵.
19. Les autorités polonaises ont fermé les frontières aux personnes essayant d'entrer dans le pays et leur ont ordonné de quitter immédiatement le territoire²⁶. En octobre 2021, le Parlement a adopté plusieurs modifications de la Loi relative aux étrangers et de la Loi relative à l'octroi d'une protection aux personnes étrangères. En vertu de ces modifications, les personnes qui passent la frontière « de manière irrégulière » doivent quitter le territoire polonais et « ne peuvent plus y revenir »²⁷, ce qui empêche les personnes étant entrées illégalement de demander l'asile en Pologne.
20. Le 2 septembre 2021, le président de la République a déclaré l'état d'urgence à la frontière avec le Bélarus, interdisant ainsi aux journalistes, aux médias et aux ONG d'accéder à la zone frontalière²⁸. La modification apportée en novembre 2021 à la Loi relative à la protection des frontières a donné au ministre de l'Intérieur le pouvoir d'interdire l'entrée dans la zone frontalière sans limitation de durée, ce qui empêche tout suivi et toute activité d'information²⁹. Le nombre de personnes se trouvant dans des centres de rétention fermés a considérablement augmenté, et on trouve parmi elles des familles avec enfants³⁰.

Droits des femmes

21. Bien que la Pologne ait accueilli favorablement dix recommandations³¹ sur la violence familiale ou sexiste, dont deux recommandations³² sur la mise en œuvre de la Convention d'Istanbul, le gouvernement a annoncé prendre les premières mesures permettant de se retirer de cette Convention³³.
22. Le 30 juillet 2020, le Premier ministre a demandé à la Cour constitutionnelle de vérifier la conformité de la Convention d'Istanbul avec la Constitution polonaise³⁴. Le 20 août 2020, le parquet a soutenu ce retrait³⁵. Les deux processus sont en cours.
23. Comme la définition légale de la violence familiale n'englobe toujours pas la violence économique, les initiatives systémiques visant à prévenir et à sanctionner la violence familiale ne s'attaquent pas à ce problème. Ce phénomène n'était pas non plus inclus dans le Programme national pour la prévention de la violence familiale 2014-2020³⁶.
24. La définition légale du viol n'est pas basée sur la notion de consentement mais sur l'emploi de la force, de la menace ou de la tromperie illégales dans le but d'outrepasser la volonté d'une personne, ce qui signifie qu'un rapport sexuel non consenti qui a lieu sans recours à la menace, à la tromperie ou à la violence n'est pas considéré comme un viol³⁷. Pour la jurisprudence établie, si une victime ne résiste pas physiquement, alors l'acte n'est pas un viol³⁸.

Droits sexuels et reproductifs

25. Depuis le dernier examen, les droits sexuels et reproductifs (DSR) n'ont cessé d'être restreints et ont fait l'objet d'attaques incessantes ; c'est notamment le cas de l'accès à l'avortement, à la contraception et à l'éducation sexuelle complète³⁹.
26. Le 22 octobre 2020, en réponse à une motion des députés du parti au pouvoir, la Cour constitutionnelle a estimé que l'avortement dans des cas de malformations graves ou mortelles du fœtus était inconstitutionnel et devait être interdit. Cette décision limite encore davantage l'accès à l'avortement en Pologne, qui était déjà fortement restreint, et rend illégaux la plupart des avortements dans le pays (plus de 90 % des cas étaient dus à ces motifs)⁴⁰.
27. Cette décision a provoqué une forte réaction sociale et donné lieu à d'énormes manifestations, qui se sont heurtées à la violence policière. De fait, les femmes ayant besoin d'avorter doivent se rendre à l'étranger. Si les statistiques officielles n'ont recensé qu'environ 1000 interruptions de grossesse par an⁴¹, des données issues de la société civile indiquent que plus de 30 000 femmes ont avorté en se rendant à l'étranger ou en se procurant des pilules abortives en dehors du pays⁴². Quatre projets de loi examinés au Parlement restreindraient davantage encore l'accès à l'avortement⁴³.
28. En 2017, le Parlement s'est prononcé pour la fin de la disponibilité et de l'accès sans ordonnance à la contraception d'urgence ⁴⁴. Cet événement, ajouté à de nombreuses autres restrictions dans l'accès à la contraception, ainsi qu'au manque d'accès à une éducation complète sur la contraception et la sexualité, constitue une grave violation des droits humains et met la population en danger. Il a également fait de la Pologne le pays européen où l'accès à la contraception est le plus difficile⁴⁵.
29. En avril 2020, un projet de loi criminalisant la fourniture d'informations sur la sexualité à des mineurs (personnes de moins de 18 ans) a été examiné au Parlement et adopté en première lecture⁴⁶.
30. Les défenseur-e-s des droits humains travaillant sur les droits sexuels et reproductifs (DSR) sont harcelés et persécutés à la fois par l'État et par des acteurs non étatiques qui s'opposent à l'existence de services d'avortement sûrs et légaux. En mars 2021, une menace d'attentat à la bombe a été envoyée à de nombreuses ONG œuvrant pour les droits des femmes. Les femmes défenseuses des droits humains et les personnes qui défendent les droits liés au genre (FDDH) ont été ciblées par des campagnes de dénigrement très néfastes et stigmatisantes : elles ont été qualifiées de « meurtrières » et leurs visages ont été diffusés publiquement⁴⁷. Des dizaines de militant-e-s font l'objet d'enquêtes voire sont poursuivis pour avoir participé à des manifestations contre la restriction du droit à l'avortement ou pour avoir fourni des informations relatives à cette pratique⁴⁸.

Liberté de réunion pacifique

31. Les manifestations organisées par des opposant-e-s au gouvernement et celles organisées par ses soutiens n'obtiennent pas le même accès à l'espace public, et ne sont pas protégées de la même manière par la police⁴⁹.
32. En juillet 2017, dans plus d'une centaine de villes du pays, des milliers de personnes sont descendues dans la rue pour protester contre la réforme de l'appareil judiciaire. La police a répondu par des mesures de sécurité brutales dans les quartiers du Parlement et du palais présidentiel, ce qui a entravé la capacité des manifestant-e-s à protester à portée de vue et de voix du public visé. La police a arrêté des dizaines de manifestant-e-s pacifiques et a multiplié les formes de surveillance permanente ; elle a notamment contrôlé leur identité au cours de l'événement et les a menacés de poursuites pénales. Après les manifestations, de nombreux manifestant-e-s ont été inculpés pour atteinte à l'ordre public et violation de la loi relative aux rassemblements⁵⁰.
33. Les personnes LGBTI ayant organisé des marches des fiertés ont rencontré des difficultés particulières. En octobre 2021, le Parlement a examiné un projet de loi soumis par l'organisation non gouvernementale « Stop

LGBT », qui a pour but de faire interdire toute forme de « promotion » des relations sexuelles entre personnes de même sexe⁵¹.

34. En mai 2020, pendant la campagne présidentielle, la police a procédé à des centaines d'arrestations de manifestant-e-s pacifiques dont le seul tort avait été de s'exprimer pacifiquement dans la rue. De lourdes amendes ont également été imposées, tout particulièrement aux personnes qui demandaient le respect de l'indépendance du pouvoir judiciaire ou qui dénonçaient le manque de soutien accordé aux petites entreprises pendant le confinement décrété face à la pandémie de COVID-19⁵².
35. En novembre 2020, la décision de la Cour constitutionnelle en vertu de laquelle le recours à l'avortement serait anticonstitutionnel a déclenché d'immenses manifestations. La police a répondu par un recours à la force excessif et inutile contre les manifestant-e-s et les journalistes : elle les a frappés avec des matraques et les a aspergés de gaz poivre. La publication de cette décision, en janvier 2021, a déclenché de nouvelles manifestations. La police a arrêté 20 manifestant-e-s lors des rassemblements qui se sont tenus à Varsovie le 27 janvier et a en outre porté devant la justice 250 affaires concernant des infractions administratives présumées. Les manifestant-e-s interpellés ont été conduits dans des commissariats situés en dehors de Varsovie, ce qui a restreint leurs possibilités de bénéficier des services d'un avocat⁵³.

Liberté d'expression

36. Les personnes considérées comme critiques à l'égard du gouvernement, comme certains juges, procureur-e-s, journalistes, militant-e-s des droits humains (particulièrement les femmes), des personnes LGBTI et écologistes ont été victimes de harcèlement, de poursuites stratégiques contre la mobilisation publique (ou procès-bâillons), de procédures disciplinaires, de calomnie, de campagnes de diffamation et de menaces. La situation est exacerbée par le fait que les autorités ne diligenter pas d'enquêtes sérieuses sur ces faits⁵⁴.
37. En janvier, le tribunal de district de Płock a acquitté trois militantes accusées en 2019 d'« offenses à des croyances religieuses » pour avoir détenu et distribué des affiches et des autocollants représentant la Vierge Marie auréolée des couleurs arc-en-ciel du mouvement LGBTI⁵⁵.
38. En novembre 2021, le tribunal de district de Varsovie a déclaré la journaliste Ewa Siedlecka coupable de diffamation pour des articles écrits en 2019 et l'a condamnée à une amende. Ewa Siedlecka avait révélé les actes de celui qui était alors vice-ministre de la Justice et qui, d'après elle, ciblait les juges s'opposant à des réformes et sapait ainsi l'indépendance de la justice⁵⁶.
39. La chaîne de télévision publique TVP a fait douter de son indépendance après avoir soutenu le discours haineux du parti au pouvoir et fortement critiqué l'opposition et les minorités, essentiellement les migrant-e-s et la communauté LGBTI⁵⁷.

RECOMMANDATIONS À L'ÉTAT SOUMIS À L'EXAMEN

Amnesty International appelle le gouvernement polonais à prendre les mesures suivantes :

Droit international

40. Ratifier la Convention internationale pour la protection de toutes les personnes contre les disparitions forcées.

Indépendance de la justice

41. Mettre fin au harcèlement des juges et des procureur-e-s qui critiquent les réformes de la justice et défendent l'état de droit.

Défenseur-e-s des droits humains

42. Mettre fin au harcèlement des militant-e-s ayant prétendument offensé les croyances religieuses et cesser d'employer cette expression à mauvais escient.
43. Cesser l'instrumentalisation des infractions mineures et des poursuites judiciaires contre les militant-e-s et les manifestant-e-s pacifiques.
44. Diligenter sans délai des enquêtes approfondies, indépendantes et impartiales sur les menaces et les agressions subies par les défenseur-e-s des droits humains.

Discrimination

45. Comme recommandé précédemment⁵⁸, modifier le Code pénal pour faire en sorte que les infractions motivées par la discrimination fondée sur l'orientation sexuelle ou l'identité de genre fassent l'objet d'enquêtes et soient poursuivis en tant qu'infractions motivées par la haine.
46. Mettre pleinement en œuvre la Convention d'Istanbul sur la prévention et la lutte contre la violence à l'égard des femmes et la violence domestique, et notamment adopter une législation en matière de viol fondée sur la notion de consentement ainsi que donner une définition de la violence économique.

Droits des femmes

47. Modifier la définition légale du viol dans le Code pénal pour en faire un rapport sexuel non consenti.
48. Modifier la définition actuelle de la violence familiale pour inclure la violence économique.

Droits sexuels et reproductifs

49. Assurer un accès rapide, légal et efficace à un avortement sécurisé ainsi qu'à la contraception à toutes les personnes qui en ont besoin, conformément au droit et aux normes internationaux relatifs aux droits humains. À cette fin, décriminaliser tous les aspects de l'avortement et ne pas pénaliser la fourniture de services et d'informations relatifs à la santé sexuelle et génésique⁵⁹ ainsi que mettre en évidence et supprimer toutes les barrières en la matière.
50. Ne pas pénaliser l'éducation sexuelle complète et faire en sorte qu'elle soit proposée à tous les enfants et adolescent-e-s à la fois au sein de l'école et en dehors, conformément aux normes et au droit internationaux.

Droit d'asile

51. Mettre fin aux renvois forcés illégaux (push-back) et aux expulsions collectives de personnes demandeuses d'asile, migrantes et réfugiées.
52. Garantir l'accès au territoire aux personnes en quête de protection et l'évaluation individuelle de toute demande d'asile.
53. Lever l'interdiction faite aux médias et aux organisations humanitaires ou de la société civile d'accéder à la zone interdite pour apporter leur aide.

Liberté d'expression

54. Mettre fin au harcèlement et aux actes d'intimidation des personnes perçues comme critiques à l'égard des politiques gouvernementales, dont des journalistes, des défenseur-e-s des droits humains, des juges et des procureurs.

55. Dépénaliser la diffamation et veiller à ce qu'elle soit traitée exclusivement au civil.
56. Garantir l'indépendance et la liberté éditoriale des services audiovisuels publics pour permettre l'expression d'une vaste gamme d'opinions.

Liberté de réunion pacifique

57. Veiller à ce que les marches des fiertés ne soient pas arbitrairement interdites et garantir que les personnes LGBTI puissent jouir de leur droit à la liberté de réunion pacifique sans craindre de représailles.
58. Veiller à ce que toutes les manifestations bénéficient du même accès à l'espace public et que tous les manifestants soient protégés par la police de la même manière.
59. Veiller à ce que toute restriction pesant sur les rassemblements publics soit nécessaire et proportionnée à un objectif légitime. La décision d'interdire une manifestation ne doit être prise qu'en dernier recours, après une évaluation approfondie ayant établi qu'aucune mesure moins restrictive ne pourrait permettre d'atteindre l'objectif visé.
60. Former correctement les responsables de l'application des lois au maintien de l'ordre dans le cadre de rassemblements, et notamment les informer sur les normes internationales en matière d'usage de la force.
61. Faire en sorte que les responsables de l'application des lois n'arrêtent pas et ne harcèlent pas les manifestant-e-s simplement pour avoir participé à un rassemblement pacifique.
62. Libérer immédiatement toutes les personnes détenues simplement pour avoir exercé leur droit à la liberté de réunion pacifique et abandonner toutes les poursuites engagées contre elles.

¹ A/HRC/36/14/Add.1, Recommandations : 120.64-5 (Kirghizistan, Israël).

² A/HRC/36/14/Add.1, Recommandations : 120.75 (Espagne) ; 120.178 (Turquie) ; 120.99-100 (Haïti, Espagne) ; 120.110 (Canada) ; 120.182 (Argentine).

³ En 2018-2021, les rapports annuels de l'ILGA ont placé la Pologne à la dernière position (ou proche de la dernière position) du classement des pays de l'UE en matière d'égalité des personnes LGBTI.

⁴ La Cour de justice de l'Union européenne (CJUE) et la Cour européenne des droits de l'homme (CEDH) ont dénoncé à multiples reprises l'impact des réformes judiciaires. Elles ont estimé que la Cour constitutionnelle et la chambre disciplinaire de la Cour suprême ne respectaient pas les exigences minimales qui garantiraient l'indépendance de la justice. En mai 2021, dans son arrêt rendu dans l'affaire Xero Flor c. Pologne, la CEDH a estimé que l'attitude des pouvoirs législatif et exécutif lors de l'élection de trois juges à la Cour constitutionnelle en 2015 avait constitué une ingérence extérieure illégale. En juillet 2021, dans son arrêt rendu dans l'affaire Reczkowicz c. Pologne, cette même cour a estimé que la chambre disciplinaire n'était pas un tribunal indépendant, car les irrégularités relevées dans la nomination de ses juges en compromettaient gravement la légitimité.

⁵ A/HRC/36/14/Add.1, Recommandations 120.12-15 (Albanie, Irak, Sierra Leone, Monténégro, Tchéquie).

⁶ Rzeczpospolita, *Minister rodziny Marlena Małag: Przygotowujemy się do wypowiedzenia konwencji stambulskiej*, 17 juillet 2020, <https://www.rp.pl/polityka/art616191-minister-rodziny-marlena-malag-przygotowujemy-sie-do-wypowiedzenia-konwencji-stambulskiej>.

⁷ A/HRC/36/14/Add.1, Recommandations 120.84-98 (Ukraine, Suède, Guatemala, États-Unis, Belgique, Suisse, Autriche, Chili, Espagne, Canada, Tchéquie, Danemark, France, Allemagne) ; 120.101 (Pays-Bas).

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ANNEX 2

MATRIX OF RECOMMENDATIONS FROM THE PREVIOUS CYCLE, WITH COMMENTS ON PROGRESS

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
Theme: A12 Acceptance of international norms			
120.24 Ensure comprehensive implementation of the international human rights instruments ratified during the past several years (Ukraine); Source of position: A/HRC/36/14/Add.1	Supported	A12 Acceptance of international norms Affected persons: - general	Not implemented – compliance with human rights obligations has declined in many areas, particularly regarding the obligations to respect, protect and fulfill women's rights, fair trial, rights of minorities, protection of HRDs, freedom of assemblies and freedom of speech, migrants and refugees' rights

120.12 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Albania) (Iraq); Source of position: A/HRC/36/14/Add.1	Supported	A12 Acceptance of international norms D32 Enforced disappearances Affected persons: - disappeared persons	Not implemented
120.13 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and integrate it into national norms (Sierra Leone); Source of position: A/HRC/36/14/Add.1	Supported	A12 Acceptance of international norms D32 Enforced disappearances Affected persons: - disappeared persons	Not implemented
120.14 Finalize the procedure to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Montenegro); Source of position: A/HRC/36/14/Add.1	Supported	A12 Acceptance of international norms D32 Enforced disappearances Affected persons: - disappeared persons	Not implemented
120.15 Ratify, before the next review cycle, the International Convention for the Protection of All Persons from Enforced Disappearance (Czechia); Source of position: A/HRC/36/14/Add.1	Supported	A12 Acceptance of international norms D32 Enforced disappearances Affected persons: - disappeared persons	Not implemented
Theme: A44 Structure of the national human rights machinery			
120.33 Establish an independent body that is authorized to receive complaints on violence and abuses by the police (Russian Federation); Source of position: A/HRC/36/14/Add.1	Supported	A44 Structure of the national human rights machinery S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
Theme: A45 National Human Rights Institution (NHRI)			
120.27 Allocate the resources necessary to the Office of the Human Rights Commissioner (Timor-Leste); Source of position: A/HRC/36/14/Add.1	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented - continued reduction of the budget of the Ombudsman's Office,
120.28 Provide the Office of the Human Rights Commissioner with sufficient financing to fulfil its obligations (Norway); Source of position: A/HRC/36/14/Add.1	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented - continued reduction of the budget of the Ombudsman's Office
120.29 Provide the Office of the Human Rights Commissioner with all the support necessary for it to exercise effectively its mandate (Serbia); Source of position: A/HRC/36/14/Add.1	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented - independence of the Office has been attacked - unlawful termination of the Ombudsman's term of office and removal of Prof. Adam Bodnar from his post; lawsuits filed against the Ombudsman by public television (SLAPP)

120.30 Provide the Office of the Human Rights Commissioner with the means necessary to enable it to carry out its mandate in a full, efficient and independent manner (Guatemala); Source of position: A/HRC/36/14/Add.1	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented - independence of the Office attacked through - unlawful termination of the Ombudsman's term of office and removal of Prof. Adam Bodnar from his post; lawsuits filed against the Ombudsman by public television (SLAPP)
120.31 Enable the Office of the Human Rights Commissioner to receive and deal with complaints of victims of discrimination (Honduras); Source of position: A/HRC/36/14/Add.1	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partially Implemented - as regards the scope of official mandate, but the execution of the mandate is hindered in practice
120.32 Implement the recommendations made by the International Ombudsman Institute on its fact-finding mission to Poland with regard to the Human Rights Commissioner (Austria); Source of position: A/HRC/36/14/Add.1	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
Theme: B31 Equality & non-discrimination			
120.72 Amend the Criminal Code to provide that crimes motivated by discrimination on the grounds of sexual orientation or gender identity are investigated and prosecuted as hate crimes (Belgium); Source of position: A/HRC/36/14/Add.1	Supported	B31 Equality & non-discrimination A41 Constitutional and legislative framework B51 Right to an effective remedy B52 Impunity S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented
120.73 Amend the Penal Code to provide that crimes motivated by discrimination on any grounds, gender identity and expression and sexual orientation, are investigated and prosecuted as hate crimes (Iceland); Source of position: A/HRC/36/14/Add.1	Supported	B31 Equality & non-discrimination A41 Constitutional and legislative framework B51 Right to an effective remedy B52 Impunity S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented
120.74 Amend the Penal Code to ensure that lesbian, gay, bisexual, transgender and intersex persons are fully protected against discrimination, hate speech and hate crimes based on sexual orientation and gender identity (Canada); Source of position: A/HRC/36/14/Add.1	Supported	B31 Equality & non-discrimination A41 Constitutional and legislative framework B51 Right to an effective remedy B52 Impunity S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented

<p>120.48 Harmonize the Act on Equal Treatment with the international human rights instruments ratified by Poland (Honduras);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	<p>Supported</p>	<p>B31 Equality & non-discrimination B32 Racial discrimination F12 Discrimination against women F31 Children: definition; general principles; protection F41 Persons with disabilities: definition, general principles G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens A12 Acceptance of international norms S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - children - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) - persons with disabilities - refugees & asylum seekers - non-citizens - older persons 	<p>Not implemented</p>
<p>120.43 Strengthen efforts to prevent and combat all forms of discrimination, including by amending relevant legislation and launching awareness-raising campaigns (Italy);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	<p>Supported</p>	<p>B31 Equality & non-discrimination B32 Racial discrimination F12 Discrimination against women F31 Children: definition; general principles; protection F41 Persons with disabilities: definition, general principles G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens A41 Constitutional and legislative framework A54 Awareness raising and dissemination S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - children - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) - refugees & asylum seekers - non-citizens - older persons 	<p>Not implemented - ongoing regression</p>

<p>120.45 Take steps to ensure the acceptance and the general public knowledge of the existing law on anti-discrimination and to increase the practical use of the law (Sweden);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	<p>Supported</p>	<p>B31 Equality & non-discrimination B32 Racial discrimination F12 Discrimination against women F31 Children: definition; general principles; protection F41 Persons with disabilities: definition, general principles G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens A41 Constitutional and legislative framework A54 Awareness raising and dissemination S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - children - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) - persons with disabilities - refugees & asylum seekers - non-citizens - older persons 	<p>Not implemented - ongoing regression</p>
<p>120.44 Amend its anti-discrimination law in order to ensure that discrimination on any grounds is prohibited in all areas of life (Finland);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	<p>Supported</p>	<p>B31 Equality & non-discrimination B32 Racial discrimination F12 Discrimination against women F31 Children: definition; general principles; protection F41 Persons with disabilities: definition, general principles G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - children - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) - refugees & asylum seekers - non-citizens - older persons 	<p>Not implemented</p>

<p>120.47 Amend the Penal Code to provide that crimes motivated by discrimination on any grounds, including disability, gender identity and expression and sexual orientation, are included in the Code and therefore can be investigated and prosecuted as hate crimes (Norway);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	<p>Supported</p>	<p>B31 Equality & non-discrimination B32 Racial discrimination F12 Discrimination against women F31 Children: definition; general principles; protection F41 Persons with disabilities: definition, general principles G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - children - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) - persons with disabilities - refugees & asylum seekers - non-citizens - older persons 	<p>Not implemented</p>
<p>120.46 Improve further its non-discrimination legislation by criminalizing hate crimes on the grounds of age, disability, sexual orientation and gender identity, while taking the measures necessary to combat discrimination based on race, sex, nationality, ethnicity, religion or any other grounds (Brazil);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	<p>Supported</p>	<p>B31 Equality & non-discrimination B32 Racial discrimination F12 Discrimination against women F31 Children: definition; general principles; protection F41 Persons with disabilities: definition, general principles G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens D42 Freedom of thought, conscience and religion A41 Constitutional and legislative framework D6 Rights related to name, identity, nationality S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - children - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) - persons with disabilities - refugees & asylum seekers - non-citizens - older persons 	<p>Not implemented</p>

<p>120.41 Prevent and combat all forms of discrimination (Philippines);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	<p>Supported</p>	<p>B31 Equality & non-discrimination B32 Racial discrimination F12 Discrimination against women F31 Children: definition; general principles; protection F41 Persons with disabilities: definition, general principles G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - children - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) - persons with disabilities - refugees & asylum seekers - vulnerable persons/groups - non-citizens - older persons 	<p>Not implemented - with well-documented harmful actions from the authorities deliberately targeting specific minority groups (LGBTI, women, migrants).</p>
<p>120.42 Strengthen its fight against cases of violence, hate speech and discrimination (Bulgaria);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	<p>Supported</p>	<p>B31 Equality & non-discrimination B32 Racial discrimination F12 Discrimination against women G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - children - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) - persons with disabilities - refugees & asylum seekers - non-citizens - older persons 	<p>Not implemented - further regression</p>
<p>120.63 Give the appropriate training to the Polish police and other public bodies responsible for victim support services to assist the victims of hate crimes (Ireland);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	<p>Supported</p>	<p>B31 Equality & non-discrimination B32 Racial discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens A53 Professional training in human rights S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) - refugees & asylum seekers - non-citizens - law enforcement / police officials - public officials 	<p>N/A</p>

120.65 Develop effective law enforcement tools to monitor and prevent online hate crimes (Israel); Source of position: A/HRC/36/14/Add.1	Supported	B31 Equality & non-discrimination B32 Racial discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens D42 Freedom of thought, conscience and religion A53 Professional training in human rights S10 SDG 10 - inequality Affected persons: - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens - law enforcement / police officials	Not implemented
120.185 Investigate thoroughly all acts of vandalism against graves and monuments of Soviet soldiers who perished in the fight against Nazi Germany and bring the perpetrators to justice (Russian Federation). Source of position: A/HRC/36/14/Add.1	Supported	B31 Equality & non-discrimination G8 Non-citizens B51 Right to an effective remedy B52 Impunity S10 SDG 10 - inequality Affected persons: - general - non-citizens	N/A
120.71 Combat violence and discrimination against lesbian, gay, bisexual, transgender and intersex persons (United States of America); Source of position: A/HRC/36/14/Add.1	Supported	B31 Equality & non-discrimination S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented, further regress. Discriminatory actions and LGBTI-phobic violence rather supported than prevented by the government.
Theme: B32 Racial discrimination			
120.61 Adopt a comprehensive national action plan against racism and adopt clear measures to combat effectively racially motivated violence (Botswana); Source of position: A/HRC/36/14/Add.1	Supported	B32 Racial discrimination A46 National Plans of Action on Human Rights (or specific areas) B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens S10 SDG 10 - inequality Affected persons: - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens	N/A
120.67 Establish awareness campaigns on discrimination against members of the Roma community (Timor-Leste); Source of position: A/HRC/36/14/Add.1	Supported	B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities A54 Awareness raising and dissemination S10 SDG 10 - inequality Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	N/A

<p>120.68 Strengthen the legal framework and implement measures to combat racism and xenophobia and sanction hate crimes, in particular those against migrants in irregular situations (Chile);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens A41 Constitutional and legislative framework B51 Right to an effective remedy B52 Impunity S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens 	Not implemented
<p>120.58 Take an active stance in combating and raising awareness against racism and intolerant political rhetoric and strengthen legal and other measures to address bias-motivated crimes (Turkey);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens A41 Constitutional and legislative framework S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens 	Not implemented - further regress
<p>120.59 Ensure the effective enforcement of laws by which any party or organization that encourages or incites racial discrimination is declared illegal (Russian Federation);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens A41 Constitutional and legislative framework S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens 	Not fully
<p>120.57 Denounce publicly at the highest levels of Government anti-Semitic and other hate speech and acts, and support tolerance awareness-raising and training efforts (United States of America);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens A54 Awareness raising and dissemination A53 Professional training in human rights A41 Constitutional and legislative framework S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens 	Not implemented

<p>120.69 Continue to strengthen measures to prevent discrimination and hate crimes, especially against migrants, through training and dissemination programmes on obligations and commitments on human rights (Indonesia);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens A54 Awareness raising and dissemination S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens 	<p>Not implemented, further regress</p>
<p>120.66 Continue to collaborate with sporting associations with a view to promoting tolerance and diversity (Algeria);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens A61 Cooperation with civil society S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens 	<p>Not implemented, further regress</p>
<p>120.62 Strengthen legal and other measures to address bias-motivated crimes and ensure the prompt and effective prosecution of racist and xenophobic hate crimes (Islamic Republic of Iran);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens B51 Right to an effective remedy B52 Impunity S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens 	Not implemented
<p>120.55 Review its Criminal Code to enhance punishment to combat racially motivated crimes (Republic of Korea);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens B52 Impunity B51 Right to an effective remedy A41 Constitutional and legislative framework S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens 	Not implemented

<p>120.56 Amend its Criminal Code, specifically to make the racial motivation of a crime an aggravating circumstance and to allow for enhanced punishment to combat the occurrence of such acts (South Africa);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens B52 Impunity B51 Right to an effective remedy A41 Constitutional and legislative framework S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens 	Not implemented
<p>120.53 Highlight in its next report the measures against perpetrators in combating racist crimes (Bangladesh);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens B52 Impunity B51 Right to an effective remedy S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens 	No comment – next report not yet available
<p>120.54 Take measures to reduce the number of crimes committed based on xenophobia and racial intolerance (Russian Federation);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens B52 Impunity B51 Right to an effective remedy S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens 	Not implemented further regress
<p>120.64 Take additional serious measures to combat xenophobia, hate speech and discrimination based on race, nationality, ethnicity and religion (Kyrgyzstan);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens D42 Freedom of thought, conscience and religion S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens 	Not implemented further regress

120.51 Redouble efforts to combat racial discrimination, xenophobia and related intolerance (Angola); Source of position: A/HRC/36/14/Add.1	Supported	B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens S10 SDG 10 - inequality Affected persons: - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens	N/A
120.52 Adopt further measures to address racism and support community tolerance (Australia); Source of position: A/HRC/36/14/Add.1	Supported	B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens S10 SDG 10 - inequality Affected persons: - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens	Not implemented further regress
120.60 Strengthen and continue the national measures to combat racism, xenophobia and hate crimes (Egypt); Source of position: A/HRC/36/14/Add.1	Supported	B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens S10 SDG 10 - inequality Affected persons: - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens	Not implemented further regress
120.70 Strengthen measures aiming at combating discrimination, racism and xenophobia in the country, notably against migrants, asylum seekers and the Roma community (Côte d'Ivoire); Source of position: A/HRC/36/14/Add.1	Supported	B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens S10 SDG 10 - inequality Affected persons: - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens	Not implemented further regress
Theme: D25 Prohibition of torture and cruel, inhuman or degrading treatment			
120.81 Consider incorporating in its legal order the definition of torture according to international standards (Peru); Source of position: A/HRC/36/14/Add.1	Supported	D25 Prohibition of torture and cruel, inhuman or degrading treatment A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implement
Theme: D29 Domestic violence			

120.153 Provide adequate and stable funding for legal, psychological and medical assistance and shelter for victims of domestic violence (Denmark); Source of position: A/HRC/36/14/Add.1	Supported	D29 Domestic violence D21 Right to life A63 Budget and resources (for human rights implementation) B53 Support to victims and witnesses S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	N/A
120.156 Proceed with the implementation of the programme entitled "Prevention of Domestic Violence and Violence on the Grounds of Gender" (Israel); Source of position: A/HRC/36/14/Add.1	Supported	D29 Domestic violence D21 Right to life D28 Gender-based violence F12 Discrimination against women A42 Institutions & policies - General S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Not implemented – regression in the implementation of the programme
120.154 Continue its good efforts to address violence against women and domestic violence, including by increasing support for victims of domestic violence (Latvia); Source of position: A/HRC/36/14/Add.1	Supported	D29 Domestic violence D21 Right to life F13 Violence against women B53 Support to victims and witnesses Affected persons: - women	Partially implemented: some legal changes but regression in support of victims
120.151 Work to address the issue of domestic violence in Poland and ensure support for victims (Australia); Source of position: A/HRC/36/14/Add.1	Supported	D29 Domestic violence F13 Violence against women D21 Right to life B53 Support to victims and witnesses S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Partially implemented: some legal changes but regression in support of victims
120.152 Organize a national campaign to raise awareness on the specific needs of women victims of domestic violence and gender-based violence (Croatia); Source of position: A/HRC/36/14/Add.1	Supported	D29 Domestic violence F13 Violence against women D21 Right to life D28 Gender-based violence A54 Awareness raising and dissemination B53 Support to victims and witnesses S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Not implemented
120.155 Provide adequate and stable funding for care centres and shelters for women and children victims of domestic violence (Chile); Source of position: A/HRC/36/14/Add.1	Supported	D29 Domestic violence F13 Violence against women F31 Children: definition; general principles; protection B53 Support to victims and witnesses A63 Budget and resources (for human rights implementation) S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - children	Not implemented, further regression
Theme: D43 Freedom of opinion and expression			

120.103 Reconsider, with regard to concerns raised by the International Holocaust Remembrance Alliance, legislation that restricts open and honest scientific research and that can serve to intimidate researchers (Austria); Source of position: A/HRC/36/14/Add.1	Supported	D43 Freedom of opinion and expression A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented.
120.105 Guarantee freedom and independence of the media and ensure that rules regarding media ownership comply with European Union law (no discrimination and no retroactive legislation) (Germany); Source of position: A/HRC/36/14/Add.1	Supported	D43 Freedom of opinion and expression A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - media	Not implemented. - Further regression
120.106 Ensure that the implementation of its legislation in the field of media respects the independence and pluralism of the media, by, inter alia, applying the decision of the Constitutional Tribunal of 13 December 2016, which aims at restoring the competences of the National Broadcasting Council (Switzerland); Source of position: A/HRC/36/14/Add.1	Supported	D43 Freedom of opinion and expression A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - media	Not implemented. - Further regression
120.109 Guarantee freedom of expression and assembly, including by civil society organizations, notably in the context of public gatherings (France); Source of position: A/HRC/36/14/Add.1	Supported	D43 Freedom of opinion and expression D44 Right to peaceful assembly S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented. - Further regression
120.104 Take decisive steps to decrease political control over State-owned media and to ensure independence of private and State-owned media (Sweden); Source of position: A/HRC/36/14/Add.1	Supported	D43 Freedom of opinion and expression S16 SDG 16 - peace, justice and strong institutions Affected persons: - media	Not implemented. - Further regression
120.107 Promote the right of access to information by protecting the freedom of press and the use of mass communication (Holy See); Source of position: A/HRC/36/14/Add.1	Supported	D43 Freedom of opinion and expression S16 SDG 16 - peace, justice and strong institutions Affected persons: - media	Not implemented. - Further regression
Theme: D45 Freedom of association			
120.112 Ensure a transparent and enabling environment for non-governmental organisations that allows them to benefit from available support and contribute to the development of a vibrant civil society (Austria); Source of position: A/HRC/36/14/Add.1	Supported	D45 Freedom of association A61 Cooperation with civil society S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented – the space for NGO has been deliberately reduced, especially those working in area of human rights education and sexual education

120.113 Take concrete steps to enhance the broad and full participation of civil society in all political and societal life, by ensuring transparent distribution of NGO funding and by safeguarding that the freedoms of expression and association can, in line with the International Covenant on Civil and Political Rights, be exercised in practice, including by taking further steps to ensure prompt investigations of physical attacks and/or threats against civil society actors (Finland); Source of position: A/HRC/36/14/Add.1	Supported	D45 Freedom of association D43 Freedom of opinion and expression A61 Cooperation with civil society D1 Civil & political rights - general measures of implementation B51 Right to an effective remedy B52 Impunity S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented , the new institution has been established with clear preference for pro-government organizations, there have been threats against Womens' and LGBTI NGO not properly investigated
120.111 Ensure a legal and financial framework that allows non-governmental organizations to operate (Norway); Source of position: A/HRC/36/14/Add.1	Supported	D45 Freedom of association S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
Theme: D51 Administration of justice & fair trial			
120.88 Implement the recommendations of the Human Rights Committee regarding the full independence and impartiality of the judiciary (Belgium); Source of position: A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A23 Follow-up to treaty bodies S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors	Not implemented , further regression
120.84 Take into thorough consideration the recommendations of the Venice Commission in the process of elaborating national legislation (Ukraine); Source of position: A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A41 Constitutional and legislative framework A28 Cooperation with other international mechanisms and institutions S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
120.85 Implement the recommendations issued by the Venice Commission and the European Commission with regard to the rule of law (Sweden); Source of position: A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A41 Constitutional and legislative framework A28 Cooperation with other international mechanisms and institutions S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
120.97 Take into account the opinion formulated on 14 October 2016 by the Venice Commission of the Council of Europe on the Act on the Constitutional Tribunal (Switzerland); Source of position: A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A41 Constitutional and legislative framework A28 Cooperation with other international mechanisms and institutions S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors	Not implemented

<p>120.98 Protect the independence of the judiciary; respect the opinions of the Venice Commission, the Organization for Security and Cooperation in Europe Office for Democratic Institutions and Human Rights and the European Commission, especially regarding justice reform; and ensure that the independence of the Constitutional Tribunal and of judicial institutions is maintained (Germany);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>D51 Administration of justice & fair trial A41 Constitutional and legislative framework A28 Cooperation with other international mechanisms and institutions S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - judges, lawyers and prosecutors</p>	Not implemented , further regression
<p>120.90 Uphold the independence of the judiciary, including by maintaining the procedures of nominations and promotions of judges by decisions of the judiciary in accordance with the Polish Constitution and international standards (Austria);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>D51 Administration of justice & fair trial A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - judges, lawyers and prosecutors</p>	Not implemented , further regression
<p>120.91 Respect the integrity and independence of the Constitutional Court (Chile);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>D51 Administration of justice & fair trial A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - judges, lawyers and prosecutors</p>	Not implemented , further regression
<p>120.92 Adopt the measures necessary to protect and preserve the independence of the Constitutional Court and implementation of its judgments (Spain);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>D51 Administration of justice & fair trial A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - judges, lawyers and prosecutors</p>	Not implemented , further regression
<p>120.93 Take immediate measures to restore the independence, integrity and effective functioning of the Constitutional Tribunal and its judges, including by amending pertinent legislation (Canada);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>D51 Administration of justice & fair trial A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - judges, lawyers and prosecutors</p>	Not implemented , further regression
<p>120.94 Ensure the independent functioning and decision-making of the Constitutional Court free from any political interference as a fundamental pillar of democracy, rule of law and human rights protection (Czechia);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>D51 Administration of justice & fair trial A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - judges, lawyers and prosecutors</p>	Not implemented , further regression
<p>120.95 Ensure the independence of the judiciary in order to safeguard the rule of law by taking immediate steps to ensure that the Constitutional Tribunal is able to deliver effective constitutional reviews (Denmark);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>D51 Administration of justice & fair trial A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - judges, lawyers and prosecutors</p>	Not implemented , further regression

120.96 Guarantee, including within the draft constitutional reform announced on 3 May 2017, fundamental freedoms and the independence, integrity and efficiency of the justice system, in particular concerning the execution of the constitutional review (France); Source of position: A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors	Not implemented, further regression
120.101 Ensure that any reform of the justice system takes place only after careful consultation with the representatives of the legal professions, and that it is in line with international standards of judicial independence described by, for example, the International Covenant on Civil and Political Rights, the Basic Principles on the Independence of the Judiciary and the advisory bodies to the Council of Europe, particularly the Venice Commission and the Consultative Council of European Judges (Netherlands); Source of position: A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial D1 Civil & political rights - general measures of implementation A28 Cooperation with other international mechanisms and institutions S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors	Not implemented, further regression
120.86 Take measures to protect the independence and impartiality of the judiciary (Guatemala); Source of position: A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors	Not implemented, further regression
120.87 Ensure reform efforts respect and strengthen judicial independence and improve delivery of justice (United States of America); Source of position: A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors	Not implemented, further regression
120.89 Take the measures necessary in the context of the judicial reform and the reform of the national judicial council to guarantee the separation of powers and the independence of the judicial system (Switzerland); Source of position: A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors	Not implemented, further regression
Theme: E43 Access to sexual and reproductive health and services			
120.133 Ensure that safe legal abortions are available and accessible in practice, in keeping with the 1993 Act on Family Planning and consistent with Poland's obligations under articles 12 and 16 of the Convention on the Elimination of All Forms of Discrimination against Women (Canada); Source of position: A/HRC/36/14/Add.1	Supported	E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women A12 Acceptance of international norms S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented, further regression

<p>120.134 Implement fully and effectively the judgments of the European Court of Human Rights on access to abortion (Iceland);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women A29 Cooperation with regional mechanisms S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women</p>	Not implemented - further regression
<p>120.135 Implement fully and effectively the judgments of the European Court of Human Rights in the case of RR v. Poland and P&S v. Poland on the issue of women and girls' access to sexual and reproductive health-care and services (Netherlands);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women A29 Cooperation with regional mechanisms S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women</p>	Not implemented , further regression
<p>120.131 Ensure that women can have access to lawful abortions by creating clear, legally binding regulations for the implementation of the 1993 Family Planning Act (Norway);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women A41 Constitutional and legislative framework S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women</p>	Not implemented , further regression
<p>120.132 Ensure that safe and legal abortions are accessible in practice by creating clear, legally binding regulations for the implementation of the 1993 Act on Family Planning (Iceland);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women A41 Constitutional and legislative framework S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women</p>	Not implemented , further regression
<p>120.136 Expand the scope of the compulsory course on family life education to provide a comprehensive and age-appropriate education on sexual and reproductive health and rights and to ensure unimpeded access to sexual and reproductive health services, including to safe and legal abortions (Slovenia);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women E44 Health awareness raising, access to information S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - general</p>	Not implemented , sexuality education in danger of criminalization
<p>120.128 Ensure the full implementation of women's rights, in particular in relation to effective access to sexual and reproductive health and rights (France);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	Supported	<p>E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women</p>	Not implemented , further regression

120.129 Ensure the protection of the right of women to have access to abortions and for women (and couples) to decide freely and responsibly the number, spacing and timing of their children (Australia); Source of position: A/HRC/36/14/Add.1	Supported	E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented, further regression
120.130 Ensure that women are given the medical and professional services necessary to exercise their legal right to terminate a pregnancy, and ascertain that women have the right to decide over their own bodies (Sweden); Source of position: A/HRC/36/14/Add.1	Supported	E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented, further regression
Theme: F12 Discrimination against women			
120.138 Continue its efforts to put in place improved solutions and legislation aimed at eliminating all forms of discrimination against women (Cyprus); Source of position: A/HRC/36/14/Add.1	Supported	F12 Discrimination against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented
120.140 Continue its efforts to promote gender equality by focusing on the implementation of the National Action Programme for Equal Treatment (Pakistan); Source of position: A/HRC/36/14/Add.1	Supported	F12 Discrimination against women A46 National Plans of Action on Human Rights (or specific areas) S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented
120.137 Take further steps for the elimination of discrimination against women (Republic of Moldova); Source of position: A/HRC/36/14/Add.1	Supported	F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented,
120.139 Undertake further governmental initiatives and projects aimed at comprehensively combating discrimination against women (Romania); Source of position: A/HRC/36/14/Add.1	Supported	F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented,
Theme: F13 Violence against women			
120.146 Harmonize its national legislation with the provisions of the Istanbul Convention (Bosnia and Herzegovina); Source of position: A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life A41 Constitutional and legislative framework A29 Cooperation with regional mechanisms S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Partially implemented

120.147 Harmonize its national legislation with the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Turkey); Source of position: A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life A41 Constitutional and legislative framework A29 Cooperation with regional mechanisms S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Partially implemented
120.150 Amend the Criminal Code to criminalize domestic violence clearly and implement a comprehensive strategy to eliminate all forms of violence against women (Sierra Leone); Source of position: A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life A41 Constitutional and legislative framework A42 Institutions & policies - General S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	f Partially implemented
120.149 Strengthen the elimination of all forms of violence against women by criminalizing domestic violence and marital rape (Belgium); Source of position: A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Partially implemented
120.148 Continue its efforts to combat violence, including violence against women, and adopt a comprehensive strategy aimed at preventing and eliminating all forms of violence against women (State of Palestine); Source of position: A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life A42 Institutions & policies - General S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Not implemented, further regression
120.141 Take further effective measures to combat violence against women (China); Source of position: A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Partially implemented
120.142 Continue its efforts to prevent and eliminate all forms of violence against women (Timor-Leste); Source of position: A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Partially implemented
120.144 Adopt a comprehensive strategy aimed at preventing and eliminating all forms of violence against women (Republic of Moldova); Source of position: A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Not implemented

120.157 Strengthen the protection of migrant women from gender-based violence (Islamic Republic of Iran); Source of position: A/HRC/36/14/Add.1	Supported	F13 Violence against women D28 Gender-based violence D21 Right to life G4 Migrants S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - migrants	Not implemented,
120.145 Continue its efforts to eliminate violence against women, including domestic violence (Philippines); Source of position: A/HRC/36/14/Add.1	Supported	F13 Violence against women D29 Domestic violence D21 Right to life S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Partially implemented
120.158 Adopt measures to protect women's rights, including by strengthening of laws against sexual violence and ensuring the equal participation of women in political and public affairs (Botswana); Source of position: A/HRC/36/14/Add.1	Supported	F13 Violence against women F12 Discrimination against women D21 Right to life A41 Constitutional and legislative framework F14 Participation of women in political and public life S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality Affected persons: - women	Sexual violence – not implemented
120.143 Intensify its actions to combat violence against women and counter discrimination against women (Sri Lanka); Source of position: A/HRC/36/14/Add.1	Supported	F13 Violence against women F12 Discrimination against women D21 Right to life S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Partially implemented
Theme: G5 Refugees & asylum seekers			
120.180 Take measures towards respecting fully the principle of non-refoulement when it comes to a foreigner's refugee status (Greece); Source of position: A/HRC/36/14/Add.1	Supported	G5 Refugees & asylum seekers D25 Prohibition of torture and cruel, inhuman or degrading treatment D31 Liberty and security - general S16 SDG 16 - peace, justice and strong institutions Affected persons: - refugees & asylum seekers	Not implemented, further regression
120.183 Take measures to guarantee full access to education and health care for the most vulnerable persons, including refugees and asylum seekers (Holy See); Source of position: A/HRC/36/14/Add.1	Supported	G5 Refugees & asylum seekers E41 Right to health - General E51 Right to education - General S03 SDG 3 - health S04 SDG 4 - education Affected persons: - refugees & asylum seekers - vulnerable persons/groups	Not implemented
120.177 Increase attention to the integration process for refugees (Islamic Republic of Iran); Source of position: A/HRC/36/14/Add.1	Supported	G5 Refugees & asylum seekers S10 SDG 10 - inequality Affected persons: - refugees & asylum seekers	Not implemented

120.179 Consider issues related to the access of asylum seekers, taking into account obligations under the international treaties (Belarus); Source of position: A/HRC/36/14/Add.1	Supported	G5 Refugees & asylum seekers S16 SDG 16 - peace, justice and strong institutions Affected persons: - refugees & asylum seekers	Not implemented
Theme: A12 Acceptance of international norms			
120.7 Intensify measures and initiatives to support persons with disabilities and ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, which was signed in 2013 (Mongolia); Source of position: A/HRC/36/14/Add.1 & Annex to A/HRC/36/Add.1	Supported/Noted	A12 Acceptance of international norms F31 Children: definition; general principles; protection F41 Persons with disabilities: definition, general principles Affected persons: - children - persons with disabilities	Not implemented
Theme: B8 Human rights & counter-terrorism			
120.80 Review counter-terrorism legislation and ensure that any interference with the right to privacy therein complies with the principles of legality, necessity and proportionality (Greece); Source of position: A/HRC/36/14/Add.1 & Annex to A/HRC/36/Add.1	Supported/Noted	B8 Human rights & counter-terrorism D46 Right to private life, privacy A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
Theme: D43 Freedom of opinion and expression			
120.108 Guarantee the full right to freedom of expression, through amendments to laws adopted from 2015 that limit the independence of the media, undermine trust on its impartiality and, in anti-terrorism cases, could violate privacy (Mexico); Source of position: A/HRC/36/14/Add.1 & Annex to A/HRC/36/Add.1	Supported/Noted	D43 Freedom of opinion and expression A41 Constitutional and legislative framework B8 Human rights & counter-terrorism D46 Right to private life, privacy S16 SDG 16 - peace, justice and strong institutions Affected persons: - media	Not implemented , further regression
Theme: D46 Right to private life, privacy			
120.123 Review its procedures, practices and legislation to ensure that any interference with the right to privacy is consistent with international human rights standards, especially with the principles of legality, necessity and proportionality (Brazil); Source of position: A/HRC/36/14/Add.1 & Annex to A/HRC/36/Add.1	Supported/Noted	D46 Right to private life, privacy A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented ,

120.122 Ensure that regulations pertaining to the right to privacy are in line with the principles of legality, necessity and proportionality. Establish an independent and effective oversight mechanism (Germany); Source of position: A/HRC/36/14/Add.1 & Annex to A/HRC/36/Add.1	Supported/Noted	D46 Right to private life, privacy S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented.
Theme: G5 Refugees & asylum seekers			
120.181 Prepare a draft amendment to the Foreigners Act prohibiting the detention of families with minors and unaccompanied minors for the purposes of return and asylum proceedings (Kyrgyzstan); Source of position: A/HRC/36/14/Add.1 & Annex to A/HRC/36/Add.1	Supported/Noted	G5 Refugees & asylum seekers D26 Conditions of detention F31 Children: definition; general principles; protection F32 Children: family environment and alternative care A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - children - refugees & asylum seekers	Not implemented.
Theme: B31 Equality & non-discrimination			
120.75 Recognize civil unions between same-sex persons (Spain); Source of position: A/HRC/36/14/Add.1	Noted	B31 Equality & non-discrimination D46 Right to private life, privacy D8 Rights related to marriage & family S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented.
Theme: D44 Right to peaceful assembly			
120.110 Repeal the restrictive amendments on the Law on Assemblies to restore full freedom of peaceful assembly, in keeping with Poland's international obligations (Canada); Source of position: A/HRC/36/14/Add.1	Noted	D44 Right to peaceful assembly A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented.
Theme: D51 Administration of justice & fair trial			
120.99 Review and reform the Prosecution Office with a view to separating clearly the function of the Minister of Justice and Prosecutor General, in full consultation with key stakeholders (Haiti); Source of position: A/HRC/36/14/Add.1	Noted	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors	Not implemented.
120.100 Restructure the Office of the Attorney General in order to separate the functions of the Ministry of Justice and the Attorney General with a view to further guaranteeing the independence of the Attorney General (Spain); Source of position: A/HRC/36/14/Add.1	Noted	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors	Not implemented.

Theme: G5 Refugees & asylum seekers

<p>120.178 Consider participating in further burden sharing programmes, such as the European Union refugee relocation scheme and the refugee quota system (Turkey);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	<p>Noted</p>	<p>G5 Refugees & asylum seekers A29 Cooperation with regional mechanisms S17 SDG 17 - partnerships</p> <p>Affected persons: - refugees & asylum seekers</p>	<p>Not implemented.</p>
<p>120.182 Take urgent measures in order that asylum-seeking children are not deprived of their liberty (Argentina);</p> <p>Source of position: A/HRC/36/14/Add.1</p>	<p>Noted</p>	<p>G5 Refugees & asylum seekers F31 Children: definition; general principles; protection D31 Liberty and security - general S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - children - refugees & asylum seekers</p>	<p>Not implemented.</p>