

BURUNDI. LES PROMESSES NON TENUES DE LA NOUVELLE ADMINISTRATION POUR AMÉLIORER LES DROITS HUMAINS

COMMUNICATION D'AMNESTY INTERNATIONAL POUR
LA 43^E SESSION DU GROUPE DE TRAVAIL SUR L'EPU,
4 MAI 2023

RÉSUMÉ (+ ANNEXES EN ANGLAIS)

Ces informations ont été préparées en vue de l'Examen périodique universel (EPU) du Burundi, qui se tiendra le 4 mai 2023. Amnesty International y évalue la mise en œuvre des recommandations faites au Burundi lors de son précédent EPU, notamment en ce qui concerne les exécutions extrajudiciaires et illégales, les disparitions forcées, la torture et autres mauvais traitements, les arrestations arbitraires, les attaques contre les défenseur-e-s des droits humains et le rétrécissement de l'espace civique.

Elle évalue également le cadre national des droits humains en ce qui concerne les efforts déployés pour lutter contre la cybercriminalité, la violence sexuelle et de la violence liée au genre, les violations passées des droits humains par le biais de la Commission Vérité et Réconciliation, ainsi que la promotion et la protection des droits humains par le biais de la Commission nationale indépendante des droits de l'homme.

Amnesty International est préoccupée par les violations des droits à la liberté d'expression, d'association et de réunion pacifique, la torture, les arrestations arbitraires, la détention illégale, les mauvaises conditions de détention, les disparitions forcées, les exécutions extrajudiciaires et les homicides illégaux, les efforts en faveur de la vérité, de la justice et de l'obligation de rendre des comptes, ainsi que par la persécution persistante des défenseur-e-s des droits humains au Burundi.

La communication se termine par une série de recommandations au Burundi qui, si elles sont mises en œuvre, contribueront à améliorer la situation des droits humains dans le pays.

© Amnesty International 2022

Sauf exception dûment mentionnée, ce document est sous licence Creative Commons : Attribution-NonCommercial-NoDerivatives-International 4.0.

<https://creativecommons.org/licenses/by-nc-nd/4.0/legalcode>

[Pour plus d'informations, veuillez consulter la page relative aux autorisations sur notre site](http://www.amnesty.org/fr)

www.amnesty.org/fr.

Lorsqu'une entité autre qu'Amnesty International est détentrice du copyright, le matériel n'est pas sous licence Creative Commons.

L'édition originale de ce document a été publiée en 2020

par Amnesty International Ltd
Peter Benenson House, 1 Easton Street
London WC1X 0DW, Royaume-Uni.

Index : AFR 16/6092/2022 Résumé (+

Annexes en anglais)

Version originale : anglais

amnesty.org



SUITES DONNÉES AU DERNIER EPU

1. Sur les 242 recommandations reçues lors de l'examen précédent, le Burundi en a accepté 125 et a pris note de 117 autres. Malheureusement, le Burundi s'est contenté de prendre note des recommandations importantes qui, si elles avaient été mises en œuvre, auraient contribué à améliorer la situation en ce qui concerne le rétrécissement de l'espace civique, les disparitions forcées, la torture et les mauvais traitements, la coopération avec les mécanismes internationaux des droits humains, l'accès à la santé et à l'éducation, la violence sexuelle et la violence liée au genre, et les mesures visant à promouvoir les principes d'égalité et de non-discrimination.ⁱ De sérieuses préoccupations subsistent dans ces domaines et ces recommandations devraient être mises en œuvre dans les plus brefs délais.
2. Malgré les promesses du président Evariste Ndayishimiye d'améliorer la situation des droits humains au Burundi lors de son discours d'investiture en juin 2020ⁱⁱ, les autorités burundaises n'ont pas réussi à garantir efficacement la liberté d'expression, d'association et de réunion pacifique, conformément au Pacte international relatif aux droits civils et politiques et à la Charte africaine des droits de l'homme et des peuples.ⁱⁱⁱ Au cours de la période considérée, les autorités burundaises ont continué à restreindre la société civile organisée et les médias en limitant leurs activités, en poursuivant les défenseur·e·s des droits humains et les journalistes considérés comme des détracteurs du gouvernement et du parti au pouvoir. De nombreux défenseurs indépendants des droits humains sont toujours en exil. La loi de mars 2022 sur la cybercriminalité restreint encore davantage les droits humains en ligne et hors ligne.
3. Dans un geste positif, le Burundi a ratifié le Protocole facultatif à la Convention contre la torture et autres peines ou traitements cruels, inhumains ou dégradants, mais il doit encore établir un mécanisme national efficace de prévention de la torture.^{iv} Malheureusement, l'État a seulement pris note des recommandations d'enquêter sur les allégations d'exécutions extrajudiciaires, de disparitions forcées, de torture et de violences sexuelles commises par des acteurs étatiques et non étatiques.^v
4. Les autorités n'ont pas réussi à garantir efficacement un meilleur accès de la population aux soins de santé.^{vi} Pendant la crise sanitaire mondiale, les autorités n'ont pas réagi de manière adéquate face à la pandémie de COVID-19 pour protéger le droit à la santé. En 2021, alors qu'elles avaient donné leur feu vert pour la campagne de vaccination, avec le soutien de la Banque mondiale, elles ont refusé de s'engager à gérer les éventuels effets secondaires et les indemnités. Les médecins ont également contesté les chiffres officiels du COVID-19, affirmant que les chiffres réels étaient plus élevés que ceux publiés par les autorités.^{vii} En mai 2020, le Burundi a expulsé le représentant de l'Organisation mondiale de la santé dans le pays dans le but de dissimuler des faits et des statistiques sur le COVID-19. Les autorités n'ont pas pris de mesures rapides et efficaces pour protéger le droit de la population à accéder aux vaccins.
5. Le Burundi a accepté 14 recommandations visant à garantir l'accès universel à l'éducation.^{viii} En juin 2018, le ministre de l'Éducation a émis une directive à l'intention des établissements publics et privés qui interdit l'accès aux écoles aux adolescentes enceintes et aux jeunes mères, ainsi qu'aux garçons qui les ont mises enceintes.^{ix} La mesure a été annulée un mois plus tard après un tollé national et international. Le Burundi n'a pas encore ratifié la Convention concernant la lutte contre la discrimination dans le domaine de l'enseignement, bien qu'il ait accepté une recommandation en ce sens lors de l'examen précédent.^x
6. Le Burundi s'est engagé à assurer des enquêtes et des poursuites efficaces en matière de violence sexuelle et de violence liée au genre.^{xi} Au cours de la période examinée, l'État n'a pas pris de mesures pour enquêter sur les allégations de viols, d'agressions sexuelles et d'abus commis par ses forces de sécurité et les Imbonerakure.
7. Malheureusement, le Burundi s'est contenté de prendre note de neuf recommandations visant à garantir les principes d'égalité et de non-discrimination, notamment la dépénalisation des relations entre personnes de même sexe. Ces recommandations restent très pertinentes car l'État n'a pas pris de mesures efficaces pour protéger les victimes de violences fondées sur leur orientation sexuelle, leur identité et leur expression sexuelles,

réelles ou supposées. Le Burundi continue de criminaliser les relations entre personnes de même sexe, adultes et consentantes.^{xii}

CADRE NATIONAL DE PROTECTION DES DROITS HUMAINS

Loi sur la cybercriminalité

8. En mars 2022, le Burundi a adopté une loi sur la cybercriminalité. Si cette loi introduit des mesures importantes contre les crimes et abus en ligne, notamment des mesures visant à protéger le droit à la vie privée, elle contient également des clauses qui pourraient être utilisées pour limiter l'accès à l'information, comme la mise en place d'une « passerelle unique » (*unique gateway*) pour la connectivité à Internet. Elle pourrait faciliter la surveillance des autorités et limiter l'accès ou les activités en ligne des opposants. En outre, l'article 9 de la loi charge les opérateurs de réseau d'informer les utilisateurs du risque d'atteinte à l'ordre et à la sécurité publics, sans plus de détails. Le gouvernement a déjà justifié des arrestations arbitraires et des détentions illégales de voix dissidentes sur la base d'accusations forgées de toutes pièces de « menace à l'ordre public ». Il est également inquiétant de ne pas savoir exactement ce qui constitue une « activité en ligne illégale » et la manière dont cela pourrait s'appliquer aux travailleuses et travailleurs du sexe, aux minorités sexuelles et aux organisations travaillant sur ces questions.^{xiii}

Code pénal et loi sur la violence sexuelle et la violence liée au genre.

9. La loi de 2016 portant prévention, protection des victimes et répression des violences basées sur le genre se heurte à des difficultés d'application. En effet, les clauses auxquelles elle se réfère dans le Code pénal n'existent plus depuis la révision de ce texte en 2017. La loi ne prévoit pas non plus de réparations pour les victimes de violence sexuelle et de violence liée au genre.

Atteintes aux droits humains commises par le passé

10. Une loi de 2018 a renouvelé et modifié le mandat de la Commission Vérité et Réconciliation (CVR).^{xiv} Créée par une loi de 2014^{xv}, la CVR avait pour mandat d'enquêter et d'établir la vérité sur les violations des droits humains et du droit international humanitaire entre 1962 et 2008.^{xvi} La loi de 2018 a fait remonter cette période jusqu'en 1885. Ainsi, le gouvernement actuel continue d'exclure toute possibilité pour la CVR de mener des enquêtes et d'établir la vérité sur les violations des droits humains commises sous sa direction.

Commission nationale indépendante des droits de l'homme :

11. En novembre 2017, le Conseil des droits de l'homme des Nations unies a rétrogradé la Commission nationale indépendante des droits de l'homme (CNIDH) du statut « A » au statut « B » pour n'avoir pas prouvé sa conformité aux Principes de Paris en tant qu'institution indépendante et crédible depuis la crise de 2015. En juin 2021, le Sous-Comité de l'Alliance mondiale des institutions nationales des droits de l'homme a recommandé sa ré-accréditation au statut « A », citant l'amélioration des efforts de la CNIDH pour promouvoir et protéger les droits humains au Burundi ainsi que l'amélioration de ses interactions avec les systèmes internationaux des droits humains.^{xvii}

SITUATION DES DROITS HUMAINS SUR LE TERRAIN

Liberté d'expression, d'association et de réunion pacifique

12. Amnesty International est préoccupée par la répression continue des droits aux libertés d'expression, d'association et de réunion pacifique au Burundi. À l'approche du référendum de 2018, la Commission nationale

de la communication a interdit à la *BBC* et à *Voice of America* d'émettre.^{xviii} En mars 2022, les autorités burundaises ont levé l'interdiction contre ces deux médias internationaux, ainsi que contre les organes de presse burundais *Bonesha FM* et *Radio Isanganiro*. Toutefois, la *Radio publique africaine* (RPA) et *Télé Renaissance* restent fermées à ce jour.

13. Le 22 octobre 2019, quatre journalistes : Christine Kamikazi, Agnès Ndirubusa, Egide Harerimana, Térance Mpozenzi et Egide Harerimana ont été arrêtés avec leur chauffeur, Adolphe Masabarakiza, alors qu'ils allaient couvrir des affrontements entre les forces de sécurité et un groupe armé dans le district du nord-ouest de Musigati, dans la province de Bubanza.^{xix} Les quatre journalistes emprisonnés ont bénéficié d'une grâce présidentielle et ont été remis en liberté en décembre 2020.
14. Les autorités ont continué d'interférer avec le travail des organisations nationales et internationales en réprimant les opposants après la crise de 2015. En 2018 et 2019, le gouvernement a exigé des ONG qu'elles se conforment à l'exigence de la loi sur les ONG de 2017, aux termes de laquelle elles sont tenues de soumettre les informations personnelles, notamment les noms et les identités ethniques, de leurs employés.^{xx} Les autorités n'ont pas encore mis en place des garanties pour protéger la vie privée des employés ou pour éviter toute discrimination fondée sur l'appartenance ethnique.^{xxi}
15. En 2018, l'ancien chef rebelle Agathon Rwasa, aujourd'hui membre du Parlement, a fondé un nouveau parti politique, le Congrès national pour la liberté (CNL). Amnesty International a recueilli des informations sur plusieurs attaques contre des membres et des biens de ce parti politique nouvellement créé à l'approche des élections générales de 2020.^{xxii} En 2022, plusieurs réunions du CNL ont été perturbées par les forces de sécurité et les Imbonerakure, notamment dans la province de Gitega.^{xxiii} En juin, les célébrations du troisième anniversaire de la CNL ont été interdites dans plusieurs provinces.^{xxiv} Au moins deux bureaux de la CNL ont été incendiés.^{xxv}
16. Les autorités burundaises continuent d'imposer des restrictions à l'encontre de 10 organisations de défense des droits humains suspendues ou interdites à la suite de la crise de 2015. Les organisations indépendantes de défense des droits humains qui ont été autorisées à opérer dans le pays continuent de faire face à de multiples difficultés. En 2019, Parole et Actions pour le Réveil des Consciences et l'Évolution des Mentalités (PARCEM) a été suspendue par le ministère de l'Intérieur après avoir lancé une campagne sur des questions sociales et économiques, notamment la malnutrition, l'inflation et la pauvreté. L'interdiction a été levée en avril 2021. En mars 2022, la police a interrompu une conférence de presse organisée par le PARCEM et l'Observatoire de lutte contre la corruption et les malversations économiques (OLUCOME) pour dénoncer les mesures, jugées peu judicieuses, prises par le ministère de l'Intérieur pour interdire l'accès du centre-ville de Bujumbura aux vélos, tricycles et motos.

Arrestations arbitraires, torture et détention illégale

17. Le gouvernement n'a pas mis fin aux violations et aux abus commis par les membres du Service national de renseignement (SNR), la police et d'autres acteurs non étatiques, notamment les Imbonerakure. À l'approche des élections générales de 2020, Amnesty International a recueilli des informations sur les arrestations arbitraires et la détention de membres de la CNL. Selon la CNL, plus de 600 de ses membres ont été arrêtés avant et pendant le jour du scrutin, y compris certains candidats à des postes électifs.^{xxvi}
18. Amnesty International a recueilli des informations sur le recours systématique à la torture contre les membres de l'opposition et les critiques du gouvernement qui s'opposaient au troisième mandat du défunt président Pierre Nkurunziza.^{xxvii}
19. M. Christophe Sahabo, médecin, directeur et administrateur délégué de l'hôpital Kira à Bujumbura, a été arrêté en mars 2022 et est resté en détention au secret pendant plusieurs jours. Il a été détenu dans une cellule du SNR où il est resté plus de 30 jours avant d'être présenté à un magistrat et transféré à la prison de Mpimba. Le Dr Sahabo a été contraint de démissionner de son poste de directeur général de l'hôpital de Kira en raison d'accusations de fraude, de blanchiment d'argent et de falsification de documents. Il a nié ces allégations.^{xxviii}

Situation des prisons et droits des détenus

20. Depuis le dernier examen, les autorités ont continué à violer les droits des détenus. Les conditions de détention restent en-deçà des normes régionales et internationales. Les prisonniers et les défenseur-e-s des droits humains ont dénoncé la pénurie de nourriture, le manque d'eau et d'installations sanitaires adéquates. Les prisonniers sont détenus dans des conditions de surpopulation.^{xxxix} En décembre 2021, un incendie s'est déclaré dans la prison de Gitega et a fait au moins 38 morts, selon la version officielle. Toutefois, les autorités n'ont toujours pas mené une enquête approfondie, impartiale, indépendante, transparente et efficace sur cet épisode.^{xxx} L'établissement, prévu pour 400 détenus, en accueille aujourd'hui plus de 1 200.
21. En 2019, les autorités n'ont pas pris de mesures efficaces pour protéger les personnes détenues contre la propagation du COVID-19. ACAT-Burundi a cité la surcapacité des prisons, ainsi que les mauvaises conditions d'hygiène, comme les principaux défis à relever pour protéger les prisonniers du COVID-19.^{xxxi}

Disparitions forcées

22. Si le nombre de disparitions forcées a diminué depuis le dernier examen, les opposants du gouvernement et du parti au pouvoir restent très exposés au risque de disparition forcée. En 2021, la Ligue Iteka a signalé 62 cas de disparitions forcées.^{xxxii} Le 30 décembre 2021, Isaac Bamporubusa, un ancien soldat, a été porté disparu. Il avait été rapatrié du Rwanda au Burundi par l'Agence des Nations unies pour les réfugiés deux semaines auparavant. Isaac Bamporubusa aurait fui le Burundi en 2017 en raison des menaces qu'il avait reçues.^{xxxiii}

Exécutions extrajudiciaires et homicides illégaux :

23. En 2020, la Ligue Iteka a estimé que plus de 400 personnes avaient été tuées par les forces de sécurité et les groupes affiliés aux forces de sécurité et au parti au pouvoir.^{xxxiv} En juin 2022, un jeune responsable local du parti CNL, Jean Paul Ntirampeba, a été retrouvé mort près de la rivière Rusizi.^{xxxv} Amnesty International est préoccupée par le fait que le Burundi continue de ne pas mener d'enquêtes approfondies, transparentes et efficaces sur ces affaires et de ne pas engager de poursuites.

Vérité, justice et obligation de rendre des comptes.

24. Au mois de mars, la Commission Vérité et Réconciliation a proposé d'introduire un projet de loi sur la négation du génocide afin de punir toute personne qui nie le « génocide contre les Hutus au Burundi ». La méthodologie de la CVR et les exhumations de corps auxquelles elle procède continuent d'être contestées par les groupes de défense des droits humains. D'après de nombreux acteurs burundais et internationaux, la commission participe au récit de victimisation du parti au pouvoir.^{xxxvi}
25. Les autorités burundaises continuent de refuser aux mécanismes régionaux et internationaux des droits humains l'accès à leurs locaux pour documenter les violations des droits humains et surveiller la mise en œuvre des recommandations des organes régionaux et internationaux des droits humains, notamment la Commission africaine des droits de l'homme et des peuples et le Conseil des droits de l'homme des Nations unies. Dans son exposé au Conseil des droits de l'homme à Genève, Fortune Gaetan Zongo, le Rapporteur spécial des Nations unies sur la situation des droits de l'homme au Burundi, a lancé un appel à l'accès au pays, mais les autorités burundaises ne le lui ont toujours pas accordé afin qu'il puisse s'acquitter effectivement de son mandat.

Défenseur-e-s des droits humains

26. Les défenseur-e-s et militants-e-s des droits humains continuent d'être la cible d'attaques et de répression de la part de l'État. En février 2020, des défenseur-e-s des droits humains et des journalistes qui s'opposaient au troisième mandat du président Pierre Nkuruziza ont été jugés et condamnés par contumace sans avoir bénéficié d'une quelconque assistance juridique. En 2018, les défenseur-e-s des droits humains Germain Rukuki et Nestor Nibitanga ont été condamnés respectivement à 32 et 5 ans. Le 4 juin 2021, la peine de Germain Rukuki a été

réduite de 32 ans à un an avant d'être libéré à la fin du mois de juin. Nestor Nibitanga a purgé sa peine et a été libéré en août 2021.

27. En 2021, l'avocat et défenseur des droits humains Tony Germain Nkina^{xxxvii} a été condamné à cinq ans de prison et à une amende d'un million de francs burundais. Il a été arrêté le 13 octobre 2020 dans la province de Kayanza, dans le nord du Burundi, faussement accusé de collaborer avec le groupe armé d'opposition RED-Tabara (Résistance pour un État de droit au Burundi), que le gouvernement accuse d'être responsable d'une série d'attaques armées menées dans la province de Kayanza début octobre 2020. Tony Germain Nkina a été arrêté alors qu'il rendait visite à un client dans la commune de Kabarore, une localité qui avait été attaquée. Il a été interrogé et détenu au bureau du SNR à Kayanza puis placé en garde à vue avant d'être transféré à la prison de Ngozi, dans la province de Ngozi, où il est toujours en détention.

RECOMMANDATIONS À L'ÉTAT SOUMIS À L'EXAMEN

Amnesty International appelle le gouvernement du Burundi à prendre les mesures suivantes :

Systeme de defense des droits humains

28. Abroger les dispositions de la loi sur la cybercriminalité qui pourraient faciliter la surveillance gouvernementale et limiter l'accès ou les activités en ligne des dissidents.
29. Modifier la loi de 2016 visant à protéger les victimes, à prévenir et à réprimer les violences fondées sur le genre afin d'accorder des réparations aux victimes de ces violences.
30. Harmoniser la loi de 2016 sur la protection des victimes, la prévention et la répression des violences fondées sur le genre et le Code pénal.
31. Modifier la loi de 2018 sur la Commission Vérité et Réconciliation et étendre son mandat à la crise de 2015 et lui permettre de s'acquitter de son mandat sans aucune interférence politique.

Liberté d'expression, d'association et de réunion pacifique

32. Lever l'interdiction frappant RPA et *Télé Renaissance*, s'abstenir de toute menace et intimidation à l'encontre des journalistes et engager des poursuites à leur encontre afin de leur permettre de travailler librement sans crainte de représailles.
33. Cesser les demandes intrusives de renseignements à caractère ethnique qui portent atteinte au droit d'association et laisser toutes les ONG, nationales et internationales, mener leurs activités librement et en toute sécurité.
34. Lever l'interdiction qui frappe les organisations burundaises de défense des droits humains et faciliter leur retour au Burundi par le biais d'un processus de dialogue efficace et inclusif.
35. Mettre fin aux attaques ciblées contre les membres du Congrès national pour la liberté (CNL) et traduire en justice les personnes soupçonnées d'être responsables de violences contre les membres et les biens de l'opposition, et garantir l'accès à la justice et à des voies de recours efficaces.

Arrestations arbitraires, torture et détention illégale

36. Comme recommandé précédemment, mener une enquête approfondie sur les allégations d'arrestations arbitraires, de torture et de détention illégale, notamment par des membres du Service national de renseignement et les Imbonerakure.

37. Relever immédiatement de leurs fonctions les membres des forces de sécurité soupçonnés de torture ou d'autres mauvais traitements, ainsi que les supérieurs ayant ordonné ou toléré ces crimes, en attendant l'ouverture d'enquêtes impartiales et indépendantes dans les plus brefs délais et, lorsque suffisamment d'éléments de preuve sont réunis, poursuivre les personnes soupçonnées de responsabilité pénale dans le cadre de procès équitables.
38. Libérer Dr Christopher Sahabo, détenu illégalement.

Situation des prisons et droits des détenus

39. Améliorer les conditions de vie dans les prisons en créant plus d'espace pour loger les détenus et en leur fournissant suffisamment de nourriture, d'eau et d'articles sanitaires.
40. Réduire le nombre de personnes incarcérées en libérant celles qui sont en détention provisoire pour des infractions mineures ou susceptibles de caution.

Disparitions forcées

41. Comme recommandé précédemment, mener des enquêtes rapides, approfondies, impartiales, indépendantes, transparentes et efficaces sur les cas de disparition forcée et poursuivre les responsables présumés dans le cadre de procès équitables.
42. Comme cela a été recommandé précédemment, ratifier sans délai la Convention internationale pour la protection de toutes les personnes contre les disparitions forcées et reconnaître la compétence du Comité des disparitions forcées pour recevoir et examiner les communications présentées par des victimes.

Exécutions extrajudiciaires et homicides illégaux :

43. Comme cela a été recommandé précédemment, mener rapidement des enquêtes approfondies, impartiales, indépendantes, transparentes et efficaces sur les allégations d'exécutions sommaires et d'homicides illégaux, et poursuivre les responsables présumés de ces violations dans le cadre de procès équitables, notamment les membres présumés des forces de sécurité et les Imbonerakure.

Vérité, justice et obligation de rendre des comptes.

44. Permettre aux mécanismes des droits humains des Nations unies et aux autres observateurs régionaux de mener des enquêtes sur les allégations de violations des droits humains dans tout le pays, sans entrave et sans restriction.
45. Enquêter sur les personnes présumées responsables de crimes de droit international et d'autres violations et atteintes graves aux droits humains et les poursuivre dans le cadre de procès équitables, notamment pour les crimes commis depuis 2008 ;
46. Suspendre les exhumations de corps jusqu'à la mise en place d'un cadre global qui ne traumatise pas davantage les familles, ne renforce pas les tensions ethniques et ne compromet pas le processus de réconciliation.

Défenseur-e-s des droits humains

47. Annuler les condamnations de défenseur-e-s des droits humains et de journalistes jugés et condamnés par contumace à l'issue de procès inéquitables et ce, uniquement pour avoir exercé pacifiquement leurs droits humains.
48. Libérer l'avocat Tony Germain Nkina et s'abstenir d'arrêter, de détenir et de poursuivre illégalement les défenseur-e-s des droits humains.

- ⁱ Conseil des droits de l'homme des Nations unies, *Matrice de recommandations au Burundi*, 38^e session, mars 2018.
- ⁱⁱ Commission d'enquête sur le Burundi des Nations unies : *Il faut plus qu'un nouveau président pour briser le cycle de la violence au Burundi, selon les enquêteurs de l'ONU*, 14 juillet 2020, <https://www.ohchr.org/fr/2020/07/burundi-needs-more-new-president-break-cycle-violence-say-un-investigators>.
- ⁱⁱⁱ A/HRC/38/10/Add.1, recommandation 137.153 [Grèce], Para.8
- ^{iv} A/HRC/38/10/Add.1, recommandation 137.84 [Royaume-Uni, Irlande du Nord], Para. 7.
- ^v A/HRC/38/10/Add.1, recommandations 137.121, 137.124 [Pologne, Norvège], Para.8.
- ^{vi} A/HRC/38/10/Add.1, recommandation 137.197 [Algérie], Para. 7.
- ^{vii} Amnesty International, *Chapitre du Burundi, Rapport annuel 2021/22*
<https://www.amnesty.org/en/documents/pol10/4870/2022/fr/> (Index Number: POL 10/4870/2022)
- ^{viii} A/HRC/38/10/Add.1, recommandations 137.21 [Togo], 137. 201 [Mexique], 137.182 [Chine], 137.187 [Sri-Lanka], 137.197 [Algérie], 137.206 [Slovénie], 137.207 [Togo], 137.198 [République islamique d'Iran], 137.199 [Libye], 137.200 [République populaire démocratique de Corée*], 137.202 [Myanmar], 137.203 [État de Palestine], 137.204 [Éthiopie], 137.205 [Azerbaïdjan] Para. 7
- ^{ix} Rebecca Ratcliffe, Pregnant teens and expectant fathers barred from school in Burundi, *The Guardian*, 3 juillet 2018, <https://www.theguardian.com/global-development/2018/jul/03/pregnant-teenage-girls-expectant-fathers-barred-school-burundi>
- ^x A/HRC/38/10/Add.1, recommandation 137.21 [Togo], Para. 7
- ^{xi} A/HRC/38/10/Add.1 recommandation 137.229 [Pologne], Para. 7
- ^{xii} A/HRC/38/10/Add.1 137.93 [Nouvelle-Zélande, Timor-Leste, Équateur, Australie, Uruguay, Argentine] - Para. 8
- ^{xiii} Loi No 1/10 du 16 Mars 2022 portant Prévention et Répression de la Cybercriminalité au Burundi, mars 2016
- ^{xiv} Loi No 1/022 du 06 Novembre 2018 portant Modification de la Loi No 1/18 du 15 Mai 2014 portant Création, Mandat, Composition, Organisation et Fonctionnement de la Commission Vérité et Réconciliation.
- ^{xv} Loi No 1/18 du 15 Mai 2014 portant Création, Mandat, Composition Organisation et Fonctionnement de la Commission Vérité et Réconciliation
- ^{xvi} La loi révisée de 2018 sur la CVR a étendu le mandat de la Commission aux violations graves commises pendant la période coloniale, de 1885 à 1962 et de 1962 à décembre 2008. La loi n'a cependant pas inclus les violations graves commises sous le gouvernement actuel, notamment celles liées à la crise de 2015.
- Bien que la création d'un tribunal spécial ait tenu une place prépondérante dans les négociations concernant la justice de transition au Burundi, elle n'a pas été incluse dans la version finale de loi sur la CVR et aucun mécanisme judiciaire n'a encore été mis en place pour traduire en justice les responsables présumés de crimes de droit international et d'autres graves violations du droit international relatif aux droits humains.
- ^{xvii} Rapport du Sous-Comité d'accréditation du GANHRI – juin 2021
- ^{xviii} Amnesty International, *Burundi: Civic space remains closed as election preparations begin*
<https://www.amnesty.org/en/documents/afr16/0014/2019/en/> (Index Number: AFR 16/0014/2019)
- ^{xix} Amnesty International, *Burundi: Les journalistes arrêtés doivent être libérés immédiatement*
<https://www.amnesty.org/en/documents/afr16/1283/2019/fr/> (Index Number: AFR 16/1283/2019)
- ^{xx} Voir Amnesty International, *Burundi: Mettre fin à l'ingérence dans les activités des ONG*
<https://www.amnesty.org/en/documents/afr16/1919/2020/fr/> (Index Number: AFR 16/1919/2020)
- ^{xxi} Les quotas ethniques font partie du tissu politique du Burundi depuis la guerre civile qui a duré dix ans. Pour contrebalancer la domination d'une ethnie dans les institutions du pays, les Accords d'Arusha ont institué un système de quotas. Cependant, ni la Constitution du Burundi ni les Accords d'Arusha n'appliquent cette mesure aux ONG ou au secteur privé.
- ^{xxii} Amnesty International, *Burundi: Lancement de la campagne électorale dans un contexte de COVID-19, de harcèlement et de tensions*, (Communiqué de presse, 27 avril 2020) <https://www.amnesty.org/fr/latest/news/2020/04/burundi-election-campaigns-kick-off-amid-covid19-harassment-and-tension/>
- ^{xxiii} David Irakoze, Buraza : réunion des organes dirigeants du parti CNL suspendue en catastrophe, *SOS Media Burundi*, 10 juillet 2022, <https://www.sosmediasburundi.org/2022/07/10/buraza-reunion-des-organes-dirigeants-du-parti-cnl-suspendue-en-catastrophe/>
- ^{xxiv} Egide Harerimana, Très remontés, les députés du CNL boycottent une session parlementaire, *Iwacu Burundi*, 22 juin 2022, <https://www.iwacu-burundi.org/tres-remontes-les-deputes-du-cnl-boycottent-une-session-parlementaire/>
- ^{xxv} Joelle Kamikazi, Nyabitsinda : deux permanences collinaires du parti CNL brûlées, *SOS Media Burundi*, 30 juin 2022
<https://www.sosmediasburundi.org/2022/06/30/nyabitsinda-deux-permanences-collinaires-du-parti-cnl-brulees/>
- ^{xxvi} Amnesty International, *Burundi: Concrete action needed by new government*
<https://www.amnesty.org/en/documents/afr16/2695/2020/en/> (Index Number: AFR 16/2695/2020)
- ^{xxvii} Amnesty International, *Chapitre du Burundi, Rapport annuel 2021/22*,
<https://www.amnesty.org/en/documents/pol10/4870/2022/fr/> (Index Number: POL 10/4870/2022)

- xxviii Egide Harerimana, hôpital de Kira : Incarcération de Dr Christophe Sahabo, sa défense dénonce une détention illégale, *Iwacu Burundi*, 26 avril 2022, <https://www.iwacu-burundi.org/kira-hospital-incarceration-de-dr-christophe-sahabo-sa-defense-denonce-une-detention-illegale/>
- xxix Action des chrétiens pour l'abolition de la Torture, *Rapport sur le Monitoring des Violations des Droits des Prisonniers – avril – juin 2022*, p. 4, 5 juillet 2022, <https://www.acatburundi.org/rapport-de-monitoring-des-violations-des-droits-des-prisonniers-recense-pour-avril-a-juin-2022/>
- xxx Human Rights Watch, *Burundi : Enquêter sur les décès dans l'incendie de la prison de Gitega*, 24 janvier 2022, <https://www.hrw.org/fr/news/2022/01/24/burundi-enqueter-sur-les-deces-dans-lincendie-de-la-prison-de-gitega>
- xxxi Action des chrétiens pour l'abolition de la torture, *Rapport annuel sur les prisons, 2020*. <https://www.acatburundi.org/wp-content/uploads/2021/03/Rapport-annuel-sur-les-prisons-de-lAcat-Burundi-pour-2020-1.pdf>
- xxxi Ligé Iteka, *Rapport Annuel 2021*, p. 11
- xxxiii SOS Torture Burundi, *Rapport trimestriel sur la situation des droits humains au Burundi du 1^{er} octobre au 31 décembre 2021*, p. 17, janvier 2022, https://sostortureburundi.org/wp-content/uploads/2022/03/Quarterly_report_4_2021-1.pdf
- xxxiv Ligé Iteka, *Rapport annuel Iteka n'Ijambo 2020*, p. 1, 3 janvier 2021, <https://ligue-iteka.bi/rapport-annuel-iteka-nijambo-2020/>
- xxxv SOS Torture Burundi, *Rapport hebdomadaire, No 340*, p. 2, 18 juin 2022, <https://sostortureburundi.org/wp-content/uploads/2022/06/Rapport-hebdomadaire-no-340.pdf>
- xxxvi Depuis le début de l'année 2020, la CVR a procédé à des exhumations régulières et très médiatisées de fosses communes, principalement liées aux massacres de 1972. Ces exhumations et les commentaires qu'elles suscitent de la part des responsables publics ont été perçus comme une tentative d'imposer un récit unique et de manipuler l'opinion publique à l'approche des élections. Ce processus, dans les conditions où il se déroule, risque de traumatiser une nouvelle fois les familles de victimes et les autres personnes qui ont survécu à ces atrocités. Concrètement, les méthodes d'exhumation utilisées ne permettent pas de préserver les éléments de preuve découverts dans les charniers. Il conviendrait donc de suspendre ces opérations jusqu'à ce que des directives adéquates soient en place, de sorte que les prochaines exhumations puissent s'effectuer en toute dignité et conformément aux normes médico-légales, et que les dépouilles puissent être entreposées dans le respect des personnes défuntes. Il faut que les familles et les populations locales soient consultées afin qu'elles puissent exprimer leurs souhaits quant au sort à réserver au corps de leurs proches et à une éventuelle ré-inhumation. Amnesty International, Burundi. Priorités pour le nouveau gouvernement en matière de droits humains, <https://www.amnesty.org/en/documents/afr16/2777/2020/fr/>
- xxxvii Amnesty International, *Burundi. Un avocat condamné à une peine de cinq ans de prison : Tony Germain Nkina* <https://www.amnesty.org/en/documents/afr16/4636/2021/fr/> (Index Number: AFR 16/4636/2021)

ANNEX 1

KEY AMNESTY INTERNATIONAL DOCUMENTS FOR FURTHER REFERENCE

Burundi: Civic space remains closed as election preparations begin, 12 March 2019, Index Number: AFR 16/0014/2019 <https://www.amnesty.org/fr/documents/afr16/0014/2019/en/>

Burundi: Immediately release detained journalists, 24 October 2019, (Index Number: AFR 16/1283/2019), <https://www.amnesty.org/en/documents/afr16/1283/2019/en/>

Burundi: End interference in NGO operations, 10 March 2020 (Index Number: AFR 16/1919/2020), <https://www.amnesty.org/en/documents/afr16/1919/2020/en/>

Burundi: Concrete action needed by new government, 14 July 2020 (Index Number: AFR 16/2695/2020), <https://www.amnesty.org/es/documents/afr16/2695/2020/en/>

Burundi: Human rights priorities for new government, 11 August 2020 (Index Number: AFR 16/2777/2020), <https://www.amnesty.org/en/documents/afr16/2777/2020/en/>

Burundi: Genuine reopening of civic space requires accountability, 11 March 2021 (Index Number: AFR 16/3806/2021), <https://www.amnesty.org/en/documents/afr16/3806/2021/en/>

Burundi: Once again, human rights defender Germain Rukuki's right to a fair trial is violated, 21 May 2021 (Index Number: AFR 16/4166/2021), <https://www.amnesty.org/en/documents/afr16/4166/2021/en/>

Burundi: Shocking decision as appeal court upholds conviction of lawyer Tony Germain Nkina, 8 October 2021 (Index Number: AFR 16/4853/2021), <https://www.amnesty.org/en/documents/afr16/4853/2021/en/>

Burundi: Implement court decisions and release Christa Kaneza, 26 November 2021 (Index Number: AFR 16/5043/2021), <https://www.amnesty.org/en/wp-content/uploads/2021/11/AFR1650432021ENGLISH.pdf>
Burundi: Government must uphold its human rights obligations, curb widespread impunity, 29 June 2022 (Index Number: IOR 40/5768/2022), <https://www.amnesty.org/en/documents/ior40/5768/2022/en/>
Burundi: extend the special rapporteur's mandate, 22 August 2022 (Index Number: AFR 16/5968/2022), <https://www.amnesty.org/en/documents/afr16/5968/2022/en/>

ANNEX 2

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

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
Theme: A22 Cooperation with treaty bodies			
137.23 Adopt an open, merit-based selection process for selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A22 Cooperation with treaty bodies D7 Right to participation in public affairs and right to vote S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
137.22 Implement the recent recommendations of treaty bodies (Cyprus). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A22 Cooperation with treaty bodies S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
Theme: A3 Inter-State cooperation & development assistance			
137.40 Cooperate with OHCHR, in line with Human Rights Council resolution 36/2 and as accepted by Burundi (Tunisia). Source of position: A/HRC/38/10/Add.1	Supported	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials	Not Implemented
137.41 Implement Human Rights Council resolution 36/2, adopted on 28 September 2017 (Tunisia); Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials	Not implemented
137.64 Further reinforce its cooperation with the United Nations system in the field of human rights (Côte d'Ivoire). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials	Not implemented
137.68 Ensure full cooperation with all internationally recognized human rights bodies and mechanisms (Afghanistan). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials	Not implemented

137.69 Maintain full cooperation with international human rights mechanisms (Ukraine). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials	Not implemented
137.70 Continue to cooperate with all regional and international mechanisms on protection and promotion of human rights (Angola). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials	Not implemented
137.71 Continue cooperation with the African Union mechanisms on human rights (South Africa). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials	Partially implemented African Union deployed a group of Human Rights Observers and Military Experts in 2015. The mission ended in <u>May 2021</u> .
Theme: A41 Constitutional and legislative framework			
137.171 Take adequate measures to ensure a safe environment before, during and after the constitutional referendum scheduled for May 2018, and to guarantee freedom of expression (Haiti). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A41 Constitutional and legislative framework D43 Freedom of opinion and expression S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials	Not implemented
137.201 Step up legislative and political efforts to ensure access to education for all children, particularly girls, including those with disabilities, those born out of wedlock and those in a vulnerable situation (Mexico). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A41 Constitutional and legislative framework E51 Right to education - General S04 SDG 4 - education S10 SDG 10 - inequality Affected persons: - persons with disabilities	No information
137.211 Repeal all discriminatory provisions and align legislation with the Convention on the Elimination of All Forms of Discrimination against Women (Latvia). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A41 Constitutional and legislative framework F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	No information
137.224 Adopt effective measures to curtail violence against women and girls, thus enforcing the Law on the prevention and punishment of gender-based violence, repeal legal provisions that discriminate against women and end practices such as forced marriage and child marriage (Spain). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A41 Constitutional and legislative framework F13 Violence against women F31 Children: definition; general principles; protection Affected persons: - women - children	Partially implemented Harmonization of the 2016 GBV law and the penal code is needed.
Theme: A45 National Human Rights Institution (NHRI)			

137.78 Ensure that the National Independent Human Rights Commission is in full compliance with the Paris Principles (Liechtenstein). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partially implemented The NIHRC regained its “A Status” in 2021 after being downgraded to “B Status” in 2017.
137.79 Further strengthen the National Independent Human Rights Commission by ensuring its independence, in accordance with the Paris Principles (Thailand). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partially implemented
137.80 Take all necessary steps to ensure the independence of the National Independent Human Rights Commission of Burundi (Afghanistan). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partially implemented
137.81 Take all necessary action, including the provision of resources, to ensure the credibility and independence of the National Independent Human Rights Commission (Namibia). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	No information
137.82 Strengthen the role of the National Independent Human Rights Commission (Morocco). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partially implemented
137.83 Continue strengthening national human rights institutions and mechanisms (Nepal). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	No information
Theme: B51 Right to an effective remedy			
137.89 Take measures to improve efficiency, accountability and transparency in the public service of the country (Azerbaijan). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
137.140 Ensure accountability for grave human rights violations (Ukraine). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
Theme: B52 Impunity			

137.136 Continue its efforts to combat impunity for the perpetrators of acts of torture (Angola). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	B52 Impunity D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
137.135 Step up efforts to fight impunity and establish effective mechanisms that immediately ensure the respect and fulfilment of human rights (Costa Rica). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	B52 Impunity S16 SDG 16 - peace, justice and strong institutions Affected persons: - media	Not implemented
137.137 Make all the necessary efforts to fight against impunity and guarantee that perpetrators are punished (Portugal). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	B52 Impunity S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
137.139 Fight impunity for the perpetrators of gross human rights violations (France). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	B52 Impunity S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
137.146 Take all appropriate measures to address the issue of impunity and implement a fully transparent and equitable judicial system, in line with international standards (Italy). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	B52 Impunity S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors	Not implemented
Theme: B54 Transitional justice			
137.143 Ensure that the Truth and Reconciliation Commission can properly discharge its mandate (Sudan). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	B54 Transitional justice S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented Rather, there is a fear the current government is using the TRC and its mandate to advance a political agenda.
Theme: D1 Civil & political rights - general measures of implementation			
137.172 Allow members of the political opposition, civil society and the media to participate freely and openly in civic and political activity in Burundi (United States of America). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - media	Not implemented
137.90 Guarantee the respect of the fundamental rights and freedoms of the whole population (Argentina). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions S10 SDG 10 - inequality Affected persons: - general	Not implemented

<p>137.91 Take measures, in collaboration with the international community, to create an environment in which the people of Burundi can enjoy all human rights (Japan). Source of position: A/HRC/38/10/Add.1 - Para. 7</p>	<p>Supported</p>	<p>D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions S10 SDG 10 - inequality Affected persons: - general</p>	<p>Not implemented</p>
<p>Theme: D25 Prohibition of torture and cruel, inhuman or degrading treatment</p>			
<p>137.112 Take appropriate measures to align the conditions of detainees with international standards, including by preventing and combating torture and other ill-treatment of persons in custody (Italy). Source of position: A/HRC/38/10/Add.1 - Para. 7</p>	<p>Supported</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>Not implemented</p>
<p>137.229 Investigate cases and prosecute perpetrators of acts of violence against women, including physical abuse, rape, mutilation and torture (Poland). Source of position: A/HRC/38/10/Add.1 - Para. 7</p>	<p>Supported</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	<p>Partially implemented The 2016 GBV prevention law needs harmonization with the penal code. Enforcement of the law is yet another issue of concern for many organizations working on women's issues.</p>
<p>137.84 Establish a national preventive mechanism regarding torture, to ensure investigation and prosecution of extrajudicial killings and torture and to hold perpetrators, including State agents, to account (United Kingdom of Great Britain and Northern Ireland). Source of position: A/HRC/38/10/Add.1 - Para. 7</p>	<p>Supported</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors</p>	<p>Not implemented</p>
<p>137.85 Establish an effective torture prevention mechanism in accordance with the obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Montenegro). Source of position: A/HRC/38/10/Add.1 - Para. 7</p>	<p>Supported</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>137.86 Consider establishing an independent mechanism tasked with preventing acts of torture (Senegal). Source of position: A/HRC/38/10/Add.1 - Para. 7</p>	<p>Supported</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>137.87 Establish an effective torture prevention mechanism (Holy See). Source of position: A/HRC/38/10/Add.1 - Para. 7</p>	<p>Supported</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>

137.88 Pursue its work to enhance the capacity of bodies in charge of prohibition of torture (Russian Federation). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	No information
137.104 Ensure that members of the country's defence and security forces respect human rights under all circumstances (Cyprus). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - law enforcement / police officials - private security	No information
137.105 Ensure respect for human rights by security forces (Spain). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - law enforcement / police officials - private security - public officials	No information
137.138 Bring to justice without delay all perpetrators of acts of torture and of any other human rights violations (Switzerland). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
Theme: D26 Conditions of detention			
137.113 Take further steps to improve the condition and treatment of female detainees, pregnant prisoners and children born in prison (Thailand). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	D26 Conditions of detention D51 Administration of justice & fair trial S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty	No information
137.115 As follow-up to the recommendation contained in paragraph 126.87 of the report of the Working Group from the second cycle (A/HRC/23/9), devise and implement a strategy to improve and reduce the duration of police custody and pretrial detention (Haiti). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	D26 Conditions of detention D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty	Not implemented
Theme: D29 Domestic violence			
137.218 Strengthen the rights of women, in particular with regard to their representation in public life, as well as the fight against domestic violence and the gender pay gap (Algeria). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	D29 Domestic violence E32 Right to just and favourable conditions of work F12 Discrimination against women F14 Participation of women in political and public life Affected persons: - women	Partially implemented
Theme: D31 Liberty and security – general			

137.232 Strengthen the capacity of the criminal judiciary and enhance access to legal assistance for survivors of gender-based and sexual violence, without discrimination on any ground (Slovenia). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	D31 Liberty and security - general S05 SDG 5 - gender equality and women's empowerment Affected persons: - judges, lawyers and prosecutors	Not implemented
Theme: E41 Right to health - General			
137.187 Continue efforts being taken to improve access to health through the national health policy 2016–2025 and to improve universal access to basic health education (Sri Lanka). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E41 Right to health - General E51 Right to education - General S03 SDG 3 - health Affected persons: - general	No information
137.197 Continue efforts to ensure better access of the population to education and health care (Algeria). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E41 Right to health - General E51 Right to education - General S03 SDG 3 - health S04 SDG 4 - education Affected persons: - general	No information
137.186 Continue prioritizing the implementation of the national health policy 2016–2025 in order to improve the state of health of the population (Indonesia). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E41 Right to health - General S03 SDG 3 - health Affected persons: - general	No information
137.188 Accelerate efforts to improve health services, especially in rural areas, through effective implementation of the national health policy 2016–2025 (Maldives). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E41 Right to health - General S03 SDG 3 - health Affected persons: - persons living in rural areas	No information
137.189 Further improve its health-care infrastructure in order to enhance access to health care, particularly for women from poor and rural backgrounds (India). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E41 Right to health - General S03 SDG 3 - health Affected persons: - general - women	No information
137.190 Pay in-depth attention to strengthening the health-care system; in particular, prevent the spread of infectious diseases (Russian Federation). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E41 Right to health - General S03 SDG 3 - health Affected persons: - general	Not implemented
137.191 Further strengthen efforts to improve the state of health of its population through a better health system (Myanmar). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E41 Right to health - General S03 SDG 3 - health Affected persons: - general	No information

137.192 Continue its efforts to improve the state of health of the population (Islamic Republic of Iran). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E41 Right to health - General S03 SDG 3 - health Affected persons: - general	No information
137.193 Continue to take concrete measures to reduce the high ratio of maternal and infant mortality by improving access to skilled basic prenatal and postnatal care, emergency obstetric services and skilled birth attendance (Sri Lanka). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E41 Right to health - General S03 SDG 3 - health Affected persons: - women - children	No information
Theme: E51 Right to education - General			
137.206 Pursue its efforts to eliminate discrimination in education against girls, children with special needs, internally displaced persons, refugees, children of the Batwa minority and children with albinism (Slovenia). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E51 Right to education - General G4 Migrants G5 Refugees & asylum seekers S10 SDG 10 - inequality Affected persons: - children	No information
137.207 Pay particular attention to the schooling of children with disabilities, displaced and refugee children and children with albinism (Togo). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E51 Right to education - General G5 Refugees & asylum seekers S10 SDG 10 - inequality Affected persons: - general - children - migrants	Not implemented
137.198 Strengthen its efforts to promote access to education for all (Islamic Republic of Iran). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E51 Right to education - General S04 SDG 4 - education Affected persons: - general - children	No information
137.199 Continue efforts to pass laws, programmes and plans to promote universal access to education (Libya). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E51 Right to education - General S04 SDG 4 - education Affected persons: - general	Not implemented
137.200 Further promote the policy to ensure access to education for all and full enrolment of all children in school, in line with the Government's strategy (Democratic People's Republic of Korea). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E51 Right to education - General S04 SDG 4 - education Affected persons: - children	No information

137.202 Continue to implement its education policy of universal access to basic schooling, particularly access by girls to education (Myanmar). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E51 Right to education - General S04 SDG 4 - education S05 SDG 5 - gender equality and women's empowerment Affected persons: - girls	Implemented
137.203 Continue efforts to increase the school enrolment rate of girls so that they have equal access to education and to fight against discrimination and violence against girls (State of Palestine). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E51 Right to education - General S04 SDG 4 - education S05 SDG 5 - gender equality and women's empowerment Affected persons: - girls	Not implemented
137.204 Continue ensuring girls' education by abolishing school fees in basic education (Ethiopia). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E51 Right to education - General S04 SDG 4 - education S05 SDG 5 - gender equality and women's empowerment Affected persons: - girls	Implemented
137.205 Increase its efforts to ensure access to education for all, including girls, persons with disabilities and other vulnerable groups (Azerbaijan). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	E51 Right to education - General S04 SDG 4 - education S10 SDG 10 - inequality Affected persons: - girls - persons with disabilities	Not implemented
Theme: F1 Women			
137.215 Allocate adequate human, technical and financial resources necessary to ensure the implementation of the national gender policy (Ghana). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	F1 Women Affected persons: - general - women	Not implemented
137.216 Allocate the human, technical and financial resources necessary to implement the national gender policy and, in this context, remove the obstacles that most women continue to face in the process of their economic empowerment (Mauritania). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	F1 Women F11 Advancement of women F12 Discrimination against women Affected persons: - women	Not implemented
137.235 Continue implementing policies aimed at promoting women's full and equal participation in decision-making at the national and local levels (Timor-Leste). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	F1 Women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented
Theme: F11 Advancement of women			

137.219 Continue the full implementation of initiatives that break barriers for the economic empowerment of women (Bahrain). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	F11 Advancement of women Affected persons: - women	Partially implemented The Women Development and Investment Bank launched its activities in March 2022.
Theme: F12 Discrimination against women			
137.220 Continue efforts to combat violence and discrimination against women (Egypt). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	F12 Discrimination against women Affected persons: - women	Partially implemented
137.208 Step up its efforts towards achieving gender equality (Portugal). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	F12 Discrimination against women F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented
137.227 Continue efforts to combat gender-based violence against women and promote gender equality (Nepal). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	F12 Discrimination against women F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Partially implemented
137.210 Harmonize gender equality to guarantee the equal rights of men and women (Turkmenistan). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented
137.212 Accelerate the domestic law reforms in order to harmonize all laws in line with the Convention on the Elimination of All Forms of Discrimination against Women, and ensure their effective implementation (Albania). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented
Theme: F13 Violence against women			
137.221 Continue efforts to fight against gender-based violence (Morocco). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	F13 Violence against women Affected persons: - women	Partially implemented
137.222 Step up its efforts to effectively implement its policy to prevent and combat all forms of violence against women (Honduras). Source of position: A/HRC/38/10/Add.1 - Para. 7	Supported	F13 Violence against women Affected persons: - women	Not implemented

<p>137.225 Further undertake firm preventive measures to combat and prohibit all forms of violence against women committed by all parties (Thailand). Source of position: A/HRC/38/10/Add.1 - Para. 7</p>	Supported	<p>F13 Violence against women Affected persons: - women</p>	Partially implemented
<p>137.226 Adopt and implement effective measures to address sexual violence against women and girls (Maldives). Source of position: A/HRC/38/10/Add.1 - Para. 7</p>	Supported	<p>F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	Not implemented
<p>137.228 Strengthen measures aimed at combating gender-based violence (Georgia). Source of position: A/HRC/38/10/Add.1 - Para. 7</p>	Supported	<p>F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	Not implemented
<p>137.230 Ensure that allegations of violence against women are thoroughly investigated and that perpetrators are brought to justice (Sierra Leone). Source of position: A/HRC/38/10/Add.1 - Para. 7</p>	Supported	<p>F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	Not implemented
<p>137.231 Take all necessary measures to effectively enforce Act No. 1/13 of September 2016 on the prevention and punishment of gender-based violence, by bringing perpetrators to justice and assuring full rehabilitation for the victims (Republic of Moldova); Source of position: A/HRC/38/10/Add.1 - Para. 7</p>	Supported	<p>F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	Not implemented
<p>137.233 Take effective measures, including strengthening the capacity of the criminal judiciary and enhancing access to legal assistance for survivors of gender-based violence, without any discrimination, in order to punish the perpetrators of rape and other forms of sexual violence against women and girls (Hungary). Source of position: A/HRC/38/10/Add.1 - Para. 7</p>	Supported	<p>F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	Not implemented
<p>137.234 Strengthen multisectoral actions aimed at eradicating gender-based violence, considering the importance of the empowerment of rights and awareness initiatives and paying special attention to appropriate mechanisms for this purpose (Ecuador). Source of position: A/HRC/38/10/Add.1 - Para. 7</p>	Supported	<p>F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	No information

Theme: F14 Participation of women in political and public life

<p>137.217 Continue efforts to promote full and equal participation of women in decision-making at all levels (State of Palestine). Source of position: A/HRC/38/10/Add.1 - Para. 7</p>	<p>Supported</p>	<p>F14 Participation of women in political and public life Affected persons: - women</p>	<p>Not implemented</p>
<p>Theme: A12 Acceptance of international norms</p>			
<p>137.13 Accede again and without delay to the Rome Statute of the International Criminal Court, and incorporate it into national legislation (Austria). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A12 Acceptance of international norms A41 Constitutional and legislative framework B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>137.14 Re-adhere to the Rome Statute of the International Criminal Court, and align national legislation with all the obligations under the Rome Statute (Latvia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A12 Acceptance of international norms A41 Constitutional and legislative framework B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>137.11 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Honduras) (Morocco) (Spain) (Togo) (Ukraine); accede to the International Convention for the Protection of All Persons from Enforced Disappearance (Sierra Leone). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A12 Acceptance of international norms D32 Enforced disappearances S16 SDG 16 - peace, justice and strong institutions Affected persons: - disappeared persons</p>	<p>Not implemented</p>
<p>137.12 Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Chile). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A12 Acceptance of international norms D32 Enforced disappearances S16 SDG 16 - peace, justice and strong institutions Affected persons: - disappeared persons</p>	<p>Not implemented</p>
<p>137.5 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Spain). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A12 Acceptance of international norms E1 Economic, social & cultural rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>137.7 Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Croatia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A12 Acceptance of international norms F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children</p>	<p>Not implemented</p>
<p>Theme: A22 Cooperation with treaty bodies</p>			

<p>137.61 Fully cooperate with the United Nations human rights mechanisms, including the Commission of Inquiry on Burundi and, in particular, refrain from any acts of reprisal or intimidation against those who cooperate with such mechanisms (New Zealand). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A22 Cooperation with treaty bodies B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials</p>	<p>Not implemented</p>
<p>137.31 Re-establish contact with OHCHR, ensure unhindered access to all human rights mechanisms and guarantee that those cooperating with the United Nations will not be subjected to reprisals (Republic of Moldova). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A22 Cooperation with treaty bodies S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials</p>	<p>Not implemented</p>
<p>Theme: A24 Cooperation with special procedures</p>			
<p>137.32 Urgently resume its cooperation with OHCHR, and grant country access to the Special Rapporteur on the situation of human rights defenders and the Commission of Inquiry on Burundi (Ireland). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A24 Cooperation with special procedures B51 Right to an effective remedy H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	<p>Not implemented</p>
<p>137.58 Make progress with regard to the implementation of Security Council resolution 2303 (2016), cooperate with the Commission of Inquiry and respond positively to visit requests from United Nations special rapporteurs (Austria). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A24 Cooperation with special procedures B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials</p>	<p>Not implemented</p>
<p>137.25 Respond positively to requests for visits from United Nations special rapporteurs, including the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (Zambia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A24 Cooperation with special procedures D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>137.24 Respond positively to the pending visit requests from the special procedure mandate holders (Latvia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A24 Cooperation with special procedures S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>137.26 Guarantee free access for special procedure mandate holders of the Human Rights Council (Costa Rica). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A24 Cooperation with special procedures S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>Theme: A28 Cooperation with other international mechanisms and institutions</p>			

137.62 Resume cooperation with the mechanisms of the United Nations system on the protection and promotion of human rights (Chile). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A28 Cooperation with other international mechanisms and institutions S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
Theme: A3 Inter-State cooperation & development assistance			
137.27 Step up efforts to finalize the memorandum of understanding with OHCHR, thereby establishing cooperation with the Office (Botswana). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials	Not implemented
137.28 Finalize swiftly the memorandum of understanding with OHCHR (Ukraine). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials	Not implemented
137.29 Fast-track the process leading to the finalization of the memorandum of understanding with OHCHR with a view to restoring cooperation with the Office (Namibia). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials	Not implemented
137.30 Re-establish relations with OHCHR and conclude the outstanding memorandum of understanding on the status of the office of OHCHR in Bujumbura (Germany). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials	Not implemented
137.33 Resume full cooperation and collaboration with OHCHR in Burundi to allow the High Commissioner to fulfil his mandate free from any interference (Ghana). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials	Not implemented
137.34 Resume swiftly formal cooperation with OHCHR in Bujumbura (Belgium). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials	Not implemented
137.35 Resume working with OHCHR in the country (Portugal). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials	Not implemented

137.39 Cooperate fully with OHCHR by restoring the full mandate of its office in Bujumbura (Switzerland). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials	Not implemented
137.43 Allow OHCHR to resume its documentation of human rights violations in the country (Cyprus). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials	Not implemented
137.45 Explore opportunities of partnership with OHCHR with a view to benefiting from relevant assistance and support from the Office (Azerbaijan). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials	Not implemented
137.59 Consider resuming cooperation with United Nations mechanisms, in particular, the Human Rights Council and OHCHR (Senegal). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials	Not implemented
137.170 Ensure humanitarian access and humanitarian space for all relevant actors, including human rights agencies and foreign non-governmental organizations, without discrimination, including by revising articles 16 to 19 and 29 of the new charter on foreign non-governmental organizations (Germany). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A3 Inter-State cooperation & development assistance S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
Theme: A41 Constitutional and legislative framework			
137.76 Ensure that all groups of citizens, including the members of opposition currently in exile, can freely and safely participate in the constitutional referendum, and discontinue the practice of systematic and illegal detention of returnees upon their arrival at the border (Czechia). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A41 Constitutional and legislative framework D26 Conditions of detention D41 Freedom of movement S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty	Not implemented
137.150 Fully respect, protect and fulfil the rights to freedom of expression and of assembly, including by lifting restrictive provisions of the Penal Code Act, the 2015 press law, and the Law on public gatherings to conform with regional and international human rights obligations (New Zealand). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A41 Constitutional and legislative framework D43 Freedom of opinion and expression D44 Right to peaceful assembly S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented

<p>137.223 Continue to significantly strengthen measures combating gender-based and sexual violence against women, and consider decriminalizing certain conduct based on sexual orientation and gender identity (New Zealand).</p> <p>Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A41 Constitutional and legislative framework F13 Violence against women Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented</p>
<p>137.157 Lift the measures limiting or preventing the legitimate work of members of civil society and journalists, in particular by amending the new laws governing the press, foreign non-governmental organizations and non-profit organizations in Burundi with a view to ensuring their compliance with international human rights norms (Switzerland).</p> <p>Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - media</p>	<p>Not implemented</p>
<p>137.93 Decriminalize homosexuality (Iceland) (Timor-Leste).</p> <p>Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented</p>
<p>137.94 Decriminalize homosexuality and abolish practices that promote discrimination based on sexual orientation (Ecuador).</p> <p>Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented</p>
<p>137.95 Take steps to decriminalize same-sex relations (Australia).</p> <p>Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented</p>
<p>137.96 Take measures to decriminalize consensual sexual relations between same-sex adults, guaranteeing the full respect for human rights of all, regardless of sexual orientation or gender identity (Uruguay).</p> <p>Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented</p>
<p>137.97 Take the necessary measures to repeal the legal provisions that criminalize and discriminate against lesbian, gay, bisexual, transgender and intersex persons (Argentina).</p> <p>Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented</p>

Theme: A45 National Human Rights Institution (NHRI)			
137.131 Put an end to impunity by investigating and prosecuting all human rights violations, allowing the national human rights commission to take independent action and cooperating with the Human Rights Council and the International Criminal Court (Spain). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A45 National Human Rights Institution (NHRI) B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
137.133 Intensify its efforts to combat impunity by conducting thorough, independent and impartial investigations of alleged violations and abuses identified by its national commission of human rights (Brazil). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	A45 National Human Rights Institution (NHRI) B52 Impunity S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
Theme: B11 International humanitarian law			
137.19 Reconsider the withdrawal from the International Criminal Court and cooperate fully with international mechanisms, including the Commission of Inquiry on Burundi established by the Human Rights Council, allowing it to carry out visits to the country and providing it with all the information necessary to fulfil its mandate (Italy). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B11 International humanitarian law B51 Right to an effective remedy B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
137.42 Fulfil its obligation as a member of the Human Rights Council and fully cooperate with the Commission of Inquiry on Burundi and with the team of three United Nations experts, and with the International Criminal Court, including by granting access (Germany). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B11 International humanitarian law B51 Right to an effective remedy B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials	Not implemented
137.48 Cooperate with the United Nations Commission of Inquiry, and the International Criminal Court's investigation, to help ensure that perpetrators of abuse are brought to justice (Australia). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B11 International humanitarian law B51 Right to an effective remedy B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials	Not implemented

<p>137.65 Re-establish cooperation with all international human rights, investigating and judicial mechanisms, including the International Criminal Court and the Commission of Inquiry on Burundi (Poland). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B11 International humanitarian law B51 Right to an effective remedy B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors</p>	<p>Not implemented</p>
<p>137.66 Ensure unhindered access by United Nations entities, including OHCHR and the Commission of Inquiry, to all areas, and continue cooperating with the Prosecutor of the International Criminal Court (Iceland). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B11 International humanitarian law B51 Right to an effective remedy B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - judges, lawyers and prosecutors - public officials</p>	<p>Not implemented</p>
<p>137.134 Close the impunity gap and ensure that all perpetrators of atrocity crimes are held accountable in national courts or at the International Criminal Court (Liechtenstein). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B11 International humanitarian law B51 Right to an effective remedy B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>137.57 Improve its cooperation with United Nations mechanisms, in particular by implementing Security Council resolution 2303 (2016), by resuming cooperation with OHCHR, cooperating with the Commission of Inquiry on Burundi and reconsidering its decision to withdraw from the Rome Statute (Greece). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B11 International humanitarian law B51 Right to an effective remedy B52 Impunity S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials</p>	<p>Not implemented</p>
<p>137.15 Reconsider its withdrawal from the Rome Statute of the International Criminal Court (Liechtenstein). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>137.17 Reconsider the decision to withdraw from the Rome Statute of the International Criminal Court (Portugal). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>137.18 Reconsider its decision to withdraw from the Rome Statute and cooperate fully with the International Criminal Court in the ongoing investigation (Cyprus). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>

137.36 Resume cooperation with OHCHR and continue to cooperate with the Prosecutor of the International Criminal Court (Honduras). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials	Not implemented
137.52 Fulfil its obligation to cooperate with the investigation of the International Criminal Court (Canada). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials	Not implemented
137.53 Comply with its legal obligations by fully cooperating with the International Criminal Court in all stages of the recently opened investigation and proceedings (Liechtenstein). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials	Not implemented
137.54 Allow and enable the conducting of investigations by the International Criminal Court, which were launched before Burundi's withdrawal from the Court (Poland). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials	Not implemented
137.55 Allow investigations by the Prosecutor of the International Criminal Court to be carried out unhindered (Denmark). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials	Not implemented
137.56 Fully cooperate with the International Criminal Court's investigation regarding crimes within the Court's jurisdiction and allegedly committed in Burundi, or by Burundian nationals outside Burundi, between 26 April 2015 and 26 October 2017 (Sweden). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials	Not implemented
137.16 Reconsider its decision to withdraw from the Rome Statute (Croatia). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B11 International humanitarian law B52 Impunity S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented

Theme: B31 Equality & non-discrimination

137.99 Ensure non-discrimination on the basis of sexual orientation and gender identity, in line with Burundi's national and international human rights obligations (Chile). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B31 Equality & non-discrimination S16 SDG 16 - peace, justice and strong institutions S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented
Theme: B51 Right to an effective remedy			
137.141 Take measures to ensure accountability following the work of the Truth and Reconciliation Commission (Republic of Korea). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B51 Right to an effective remedy B54 Transitional justice S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented
137.109 Call for the immediate end of all forms of torture and set up an independent mechanism to investigate complaints of torture and ill-treatment (Hungary). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B51 Right to an effective remedy D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - media	Not implemented
137.169 Investigate all alleged reports of violence against, and intimidation, harassment and surveillance of, human rights defenders, and conduct prompt and impartial investigations with a view to holding the perpetrators accountable (Ghana). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B51 Right to an effective remedy H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders	Not implemented
137.37 Restore immediately cooperation with OHCHR and grant access to the Human Rights Council-mandated Commission of Inquiry on Burundi (Rwanda). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - media	Not implemented
137.38 Re-establish cooperation and collaboration with OHCHR and the Commission of Inquiry by allowing their members unhindered access to the country and relevant sites and people (Albania). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials	Not implemented
137.44 Allow OHCHR in Burundi and the Commission of Inquiry to conduct their work without undue interference or threat (United States of America). Source of position: A/HRC/38/10/Add.1 - Para. 8	Noted	B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials	Not implemented

<p>137.46 Cooperate with the United Nations Commission of Inquiry, as well as with OHCHR, with a view to improving the human rights situation on the ground and promoting accountability (Brazil). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials</p>	<p>Not implemented</p>
<p>137.47 Cooperate with the Human Rights Council-mandated Commission of Inquiry and allow its members unhindered access to the country, including to victims of human rights violations and abuses (Hungary). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials</p>	<p>Not implemented</p>
<p>137.49 Offer full cooperation to the Human Rights Council-mandated Commission of Inquiry on Burundi to conduct unhindered visits to the country, and provide it with all the information and assistance necessary to fulfil its mandate (Czechia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials</p>	<p>Not implemented</p>
<p>137.50 Permit immediately the Commission of Inquiry to enter Burundi to conduct its investigation, as mandated by the Human Rights Council (Denmark). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - media</p>	<p>Not implemented</p>
<p>137.51 Give full and unhindered access in the country to the Commission of Inquiry established by the Human Rights Council, and fully cooperate with the Commission (Norway). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - public officials</p>	<p>Not implemented</p>
<p>137.60 Fulfil its obligations and fully cooperate with United Nations mechanisms, including the Commission of Inquiry, set up by the Human Rights Council (Slovenia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials</p>	<p>Not implemented</p>
<p>137.106 Issue orders to the police, the military and the Imbonerakure to refrain from all forms of violence, in particular against women, and ensure accountability for perpetrators of such violence (Liechtenstein). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - women</p>	<p>Not implemented</p>

<p>137.116 Ensure due investigation into the findings of the Commission of Inquiry with regard to gross human rights violations and international crimes, and ensure that alleged perpetrators are promptly prosecuted through credible, independent and fair judicial procedures (Sweden). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors</p>	<p>Not implemented</p>
<p>137.125 Investigate violations and abuses of human rights and ensure that those responsible are held accountable (United States of America). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>Theme: B52 Impunity</p>			
<p>137.142 Establish a judicial mechanism to follow the work of the Truth and Reconciliation Commission to end impunity and to ensure that human rights violations are prosecuted (Germany). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B52 Impunity B54 Transitional justice S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors</p>	<p>Not implemented</p>
<p>137.101 Put an end to the gross human rights violations carried out in a context of impunity and the lack of independence of the judiciary, in particular violations to the right to life, extrajudicial executions, arbitrary arrests and detention and enforced disappearances (France). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B52 Impunity D21 Right to life D22 Extrajudicial, summary or arbitrary executions D26 Conditions of detention D32 Enforced disappearances D33 Arbitrary arrest and detention D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors</p>	<p>Not implemented</p>
<p>137.132 Combat impunity by undertaking independent, effective and impartial investigations into allegations of extrajudicial executions and unlawful and excessive use of force, and allowing independent international and regional human rights investigators full and free access to investigate allegations of extrajudicial executions and mass grave sites (New Zealand). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B52 Impunity D22 Extrajudicial, summary or arbitrary executions D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors</p>	<p>Not implemented</p>

<p>137.117 Undertake immediate and independent investigations into allegations of extrajudicial execution, excessive use of force by security forces, forced disappearance and arbitrary detention and, where there is sufficient admissible evidence, prosecute those responsible (Netherlands). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B52 Impunity D25 Prohibition of torture and cruel, inhuman or degrading treatment D26 Conditions of detention D32 Enforced disappearances D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - law enforcement / police officials</p>	<p>Not implemented</p>
<p>137.67 Allow independent international and regional human rights investigators full and free access to investigate allegations of extrajudicial execution and mass grave sites (Iceland). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors</p>	<p>Not implemented</p>
<p>Theme: B54 Transitional justice</p>			
<p>137.144 Establish a special tribunal, as provided for in the Arusha Peace and Reconciliation Agreement, or another similar and appropriate judicial instrument (Greece). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>B54 Transitional justice S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors</p>	<p>Not implemented</p>
<p>Theme: D1 Civil & political rights - general measures of implementation</p>			
<p>137.127 Take the necessary measures to investigate acts of violence and all human rights violations as well as to sanction the perpetrators (Argentina). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>Theme: D21 Right to life</p>			
<p>137.120 Take measures for the effective investigation of serious human rights violations committed by all parties in the conflict, including State authorities, and ensure that members of the armed and security forces have the necessary training to respect the rights of the population (Mexico). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D21 Right to life D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - law enforcement / police officials</p>	<p>Not implemented</p>
<p>137.130 Conduct prompt and impartial investigations of all crimes against journalists (Georgia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D21 Right to life D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - media</p>	<p>Not implemented</p>
<p>Theme: D22 Extrajudicial, summary or arbitrary executions</p>			

<p>137.121 Investigate allegations of extrajudicial executions, enforced disappearances, abductions and torture committed by security forces and prosecute perpetrators (Poland). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D22 Extrajudicial, summary or arbitrary executions D25 Prohibition of torture and cruel, inhuman or degrading treatment D32 Enforced disappearances D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - persons deprived of their liberty</p>	<p>Not implemented</p>
<p>137.118 Undertake independent, effective and impartial investigations into all allegations of serious human rights violations, such as extrajudicial executions and excessive use of force by security forces, intelligence services and the Imbonerakure, and prosecute those responsible (Germany). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D22 Extrajudicial, summary or arbitrary executions D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors</p>	<p>Not implemented</p>
<p>137.122 Undertake immediately independent, effective and impartial investigations into allegations of extrajudicial executions and unlawful and excessive use of force by security forces, and where there is sufficient admissible evidence, prosecute those suspected of being responsible (Finland). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D22 Extrajudicial, summary or arbitrary executions D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>137.102 Put an immediate end to extrajudicial executions, enforced disappearances, arbitrary detentions and other serious human rights violations (Chile). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D22 Extrajudicial, summary or arbitrary executions D26 Conditions of detention D32 Enforced disappearances D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>137.128 Investigate and hold to account perpetrators of extrajudicial killings (Australia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D22 Extrajudicial, summary or arbitrary executions S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors</p>	<p>Not implemented</p>
<p>137.129 Conduct investigations and prosecute alleged perpetrators of extrajudicial killings (Austria). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D22 Extrajudicial, summary or arbitrary executions S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors</p>	<p>Not implemented</p>

Theme: D25 Prohibition of torture and cruel, inhuman or degrading treatment

<p>137.111 Cease immediately torture and other ill-treatment of detainees and allow them to have a fair trial (Albania). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment D26 Conditions of detention D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions S10 SDG 10 - inequality Affected persons: - persons deprived of their liberty</p>	<p>Not implemented</p>
<p>137.126 Conduct effective investigations into all allegations of acts of torture and inhuman and degrading treatment in its detention centres (Zambia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>Not implemented</p>
<p>137.124 Promptly investigate extrajudicial killings, forced disappearances, torture and sexual violence, and bring the perpetrators to justice (Norway). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment D32 Enforced disappearances S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - persons deprived of their liberty</p>	<p>Not implemented</p>
<p>137.119 Conduct prompt and impartial investigations into unlawful acts committed by security forces and Imbonerakure youth, such as extrajudicial execution, arbitrary arrest and torture of members of the opposition, journalists, civil society activists and persons perceived as having supported the opposition and their families (Czechia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors - persons deprived of their liberty - human rights defenders</p>	<p>Not implemented</p>
<p>137.103 Take urgent measures to put an end to extrajudicial execution and acts of torture (Georgia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors</p>	<p>Not implemented</p>
<p>137.107 Take prompt action to prevent the Imbonerakure from continuing its abuse and illegal activities (Norway). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - mercenaries</p>	<p>Not implemented</p>
<p>Theme: D26 Conditions of detention</p>			
<p>137.114 Conduct immediately a review of the legality of detention of arbitrarily arrested persons (Republic of Korea). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>Not implemented</p>
<p>Theme: D28 Gender-based violence</p>			

<p>137.98 Establish legal protections against discrimination based on sexual orientation or gender identity (Australia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D28 Gender-based violence S16 SDG 16 - peace, justice and strong institutions S10 SDG 10 - inequality Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented</p>
<p>Theme: D42 Freedom of thought, conscience and religion</p>			
<p>137.77 Initiate an unbiased mediation of the conflict and establish well-monitored democratic processes that include all sectors of society by promoting political and social reconciliation and respect for freedom of religion (Holy See). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D42 Freedom of thought, conscience and religion S16 SDG 16 - peace, justice and strong institutions Affected persons: - media</p>	<p>Not implemented</p>
<p>Theme: D43 Freedom of opinion and expression</p>			
<p>137.153 Guarantee fully freedom of expression and the press, and freedom of assembly and association, in accordance with the International Covenant on Civil and Political Rights (Greece). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D43 Freedom of opinion and expression D44 Right to peaceful assembly D45 Freedom of association S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	<p>Not implemented</p>
<p>137.151 Fully respect freedom of expression and assembly, reopen independent media, and put an end to the persecution of human rights defenders, civil society actors and opposition politicians (Norway). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D43 Freedom of opinion and expression D44 Right to peaceful assembly H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - human rights defenders</p>	<p>Not implemented</p>
<p>137.154 Guarantee the full exercise of the rights to freedom of expression and association and ensure a safe environment conducive to the work of human rights defenders and civil society organizations (Italy). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D43 Freedom of opinion and expression D45 Freedom of association H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	<p>Not implemented</p>
<p>137.152 Ensure respect of the right to freedom of expression, in particular for the independent press and human rights defenders (France). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D43 Freedom of opinion and expression H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	<p>Not implemented</p>
<p>Theme: D44 Right to peaceful assembly</p>			

<p>137.155 Ensure the respect of the freedoms of association, assembly and protest, in particular for human rights defenders (France). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D44 Right to peaceful assembly D45 Freedom of association H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	<p>Not implemented</p>
<p>Theme: D7 Right to participation in public affairs and right to vote</p>			
<p>137.72 Engage constructively with the opposition to find a solution to the crisis in Burundi that is conducive to free, fair and peaceful elections in 2020 (Norway). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D7 Right to participation in public affairs and right to vote S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials</p>	<p>Not implemented</p>
<p>137.73 Commit to comprehensive dialogue involving all stakeholders, as it is crucial to ensure that a free, fair and transparent presidential election is conducted peacefully in 2020 (Japan). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D7 Right to participation in public affairs and right to vote S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials</p>	<p>Not implemented</p>
<p>137.74 Engage in open and constructive dialogue with all stakeholders to end the political impasse, and take steps to ensure inclusive and equal participation in political decision-making (Australia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>D7 Right to participation in public affairs and right to vote S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented</p>
<p>Theme: F12 Discrimination against women</p>			
<p>137.209 Actively promote gender equality, the prevention of sexual and gender-based violence, and awareness of lesbian, gay, bisexual, transgender and intersex issues, including the strengthening of the legal framework in this area (Canada). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>F12 Discrimination against women F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented</p>
<p>Theme: H1 Human rights defenders</p>			
<p>137.123 Investigate, prosecute lawfully and, if they are convicted, adequately punish those guilty of human rights violations, including those committed against human rights defenders, members of civil society and the press, as well as against lesbian, gay, bisexual and transgender persons (Greece). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not implemented</p>

<p>137.156 Lift the legal and financial measures targeting human rights defenders and journalists and, in the short term, take all necessary measures to prevent acts of harassment and violence against them, in particular by ensuring that the perpetrators are brought to justice (Belgium). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	<p>Not implemented</p>
<p>137.158 Lift the legal and financial measures against human rights defenders and journalists, and prevent all acts of harassment and violence against them (Austria). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - media</p>	<p>Not implemented</p>
<p>137.159 Review the laws adopted in 2017 regarding non-profit organizations and foreign non-governmental organizations, and lift suspensions and reverse the revocation of licences of media and civil society organizations so they can resume their activities with complete independence (Sweden). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - media</p>	<p>Not implemented</p>
<p>137.160 Ensure the safety, and respect the independence of, all media and civil society organizations, including by withdrawing all restrictive measures adopted since April 2015 (Canada). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - media</p>	<p>Not implemented</p>
<p>137.161 Allow civil society activists, journalists and international human rights organizations to carry out their work without obstruction and reprisals, including by lifting the legal and financial measures targeting them (Finland). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - media</p>	<p>Not implemented</p>
<p>137.162 End all acts of reprisal, intimidation and harassment against journalists and media in and outside Burundi, and avoid new legal restrictions on media independence (Netherlands). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - media</p>	<p>Not implemented</p>

<p>137.163 Put an end to the sanctions against non-governmental organizations defending human rights, media and civil society and set up a national mechanism for the protection of human rights defenders (Czechia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	<p>Partially implemented Some media allowed to work Isanganiro, Bonesha, VOA, BBC</p>
<p>137.164 Put an immediate end to any intimidation of or sanction against members of non-governmental organizations defending human rights and journalists (Estonia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - media</p>	<p>Not implemented</p>
<p>137.165 Guarantee that human rights defenders are able to carry out their legitimate activities independently and without fear of reprisal, prosecution or intimidation, and ensure prompt, thorough and impartial investigations into all violations against them, as well as prosecution of perpetrators (Ireland). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	<p>Not implemented</p>
<p>137.166 Guarantee that human rights defenders can carry out their activities freely and without reprisal (Spain). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	<p>Not implemented</p>
<p>137.167 Take the necessary measures to ensure the full protection of human rights defenders (Georgia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	<p>Not implemented</p>
<p>137.168 Take measures to prevent acts of harassment and intimidation against human rights defenders and journalists (Latvia). Source of position: A/HRC/38/10/Add.1 - Para. 8</p>	<p>Noted</p>	<p>H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	<p>Not implemented</p>